



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Combined second and third periodic reports of States parties

Cameroon*

* The present report is being issued without formal editing.

For the initial report submitted by the Government of Cameroon, see CEDAW/C/CMR/1 which was considered by the Committee at its twenty-third session.



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Acronyms

ACAFEJ	Cameroonian Association of Women Lawyers
ACAFIA	Cameroonian Association of Women Agricultural Engineers
ACBF	African Capacity Building Foundation
ACEP	Private Enterprises Credit Agency
ADB	African Development Bank
ALVF	Association to Combat Violence against Women
BCC	Behaviour Change Communication
BIP	public investment budget
CAMCCUL	Cameroon Cooperative Credit Union League
CAREF	Building the Poverty-Reduction Capacity of Women's Networks
CDA	community development activities
CEAC	Community Education Action Centre
CEC/PROMMature	Women Promoters' Savings and Credit Cooperatives
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CENAME	National Centre for the Supply of Essential Drugs and Medical Consumables
CEPSI	Centre d'Etudes des Problèmes Sociaux des Indigènes
CFPR/EB	Fast-Track Vocational Training Centre/Clerical Workers
CFPR/MI	Fast-Track Vocational Training Centre/Industrial Workers
CHACOM	behaviour change and community mobilization
CNDHL	National Commission on Human Rights and Freedoms
COFEC	Collective of Women's Advocacy Organizations in Cameroon
COOPEC	Savings and Loans Cooperative
CPF	centre for the advancement of women
CTA	appropriate technologies centre
CVECA	Self-Managed Village Savings and Credit Fund
DESS	Specialized Higher Education Diploma
ECAM	Cameroonian Household Survey
EDSC	Demographic and Health Survey of Cameroon
EIG	economic interest group
EOC	emergency obstetric care

EPI	Expanded Programme on Immunization
FACILS	Collective action facility for local solidarity initiatives
FADCR	Rural Community Development Support Fund
FAO	Food and Agriculture Organization of the United Nations
FAWECAM	Forum for African Women Educationalists in Cameroon
FNE	National Employment Fund
FOREFAEF	Think Tank on the Financing and Development of Women's Activities
FOURMI II	Urban and Rural Organizations and Micro Initiatives Fund
GER	Gross Enrolment Ratio
HIPC	Heavily Indebted Poor Countries
IGA	income-generating activities
ILO	International Labour Organization/International Labour Office
INJS	National Youth and Sports Institute
INS	National Institute of Statistics
IP	Parity Index
IPEC	International Programme on the Elimination of Child Labour
IRIC	International Relations Institute of Cameroon
JIG	joint initiative group
LUTRENA	Project to Combat Child Trafficking in West and Central Africa
MC2	Community Growth Mutual Fund Network
MDGs	Millennium Development Goals
MFC	microfinance company
MFI	microfinance institutions
MINADT	Ministry of Territorial Administration and Decentralization
MINAGRI	Ministry of Agriculture and Rural Development
MINAS	Ministry of Social Affairs
MINEDUB	Ministry of Basic Education
MINEDUC	Ministry of National Education
MINEE	Ministry of Energy and Water Resources
MINEFI	Ministry of the Economy and Finance
MINEPAT	Ministry of Economic Affairs, Programming and Regional Development
MINESEC	Ministry of Secondary Education

MINESUP	Ministry of Higher Education
MINPMEESA	Ministry of Small and Medium-Sized Enterprises, Social Economy and Handicrafts
MINPROFF	Ministry for the Promotion of Women and the Family
MPPF-CAM	Productive Microprojects on Behalf of the Women of Cameroon
MUFFA	Mutual Financing Society for African Women
NACC	National Anti-Corruption Commission
NGO	non-governmental organization
NGP	National Governance Programme
NSI	National Institute of Statistics
OHADA	Organization for the Harmonization of Business Law in Africa
ONEL	National Elections Observatory
PACDDU	Support for Urban Decentralization Programme
PADC	Community Development Support Programme
PAEFMIR	Project to Support Women Entrepreneurs in Rural Areas
PANELP	National Action Plan to Promote Employment and Reduce Poverty
PARFAR	Programme to Increase Rural Family Income
PASE	Educational Support Programme
PCRD	Decentralized Rural Credit Project
PDPV	Village Palm Groves Development Programme
PGPD	Gender, Population and Development Project
PLHA	people living with HIV/AIDS
PMTCT	prevention of mother-to-child transmission
PNDP	National Community-Driven Development Programme
PNDRT	National Roots and Tubers Development Programme
PNVRA	National Agricultural Extension and Research Programme
PREPAFEN	Project on Poverty Reduction and Action on Behalf of Women in the Province of Extrême-Nord
PRFP	Programme on the Economic Redevelopment of the Plantain
PRSP	Poverty Reduction Strategy Paper
RH	reproductive health
SME	small and medium-sized enterprises
SSDS	Social Development Sector Strategy

SSS	Health Sector Strategy
STI	Sexually Transmitted Infection
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
WACAP	West Africa Cocoa Commercial Agriculture Project
ZEP	priority educational areas

Introduction

Cameroon ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), hereinafter called the “Convention”, on 23 August 1994. On 7 January 2005, it also ratified the Optional Protocol to the Convention, which came into effect on 7 April of the same year.

Through these acts, it not only demonstrated its political resolve to promote and protect the basic rights of women, but also confirmed its commitment to respect and fully apply the provisions of this instrument.

Under article 18 of the Convention, States Parties undertake to submit to the Committee on the Elimination of Discrimination against Women, hereinafter called the “Committee”, an initial report followed by periodic reports on the measures they have taken to give effect to their commitments under the Convention.

Pursuant to this article, Cameroon’s initial report (CEDAW/C/CMR/1), submitted in 1999, was considered on 20 June 2000. On 26 June 2000, the Committee made its final observations and recommendations to the Government of Cameroon.

Through this first periodic report, Cameroon intends to fulfil its four-year obligation under the Convention.

This report is a compilation of supplemental information and responses to specific observations and questions of the Committee and new measures and facts relating to the implementation of the Convention.

The report is divided in two parts:

- The first part presents the general socio-economic, political and legal framework in Cameroon;
- Part two presents article-by-article information on the new measures taken by Cameroon to implement the Convention, as well as clarifications in response to the Committee’s concerns and observations.

Part One

General presentation of the socio-economic, legal and political framework of Cameroon

I. Overview of the socio-economic, legal and political framework

Socio-economic framework

The information contained in the initial report remains valid. However, it should be noted that Cameroon went through a period of major economic recession which led to a decline in purchasing power following a hiring freeze and downsizing in the civil service, corporate restructuring in the private and semi-public sectors, wage cutbacks and unemployment.

However, the Government has made efforts to restore prosperity through the structural adjustment programme established under agreements with international financial institutions (International Monetary Fund (IMF), World Bank).

Legal and political framework

The legal and political framework described in the initial report remains valid. However, innovations have been made to improve the situation.

For example, under Law No. 96/06 of 18 January 1996, the Constitution that was adopted by referendum on 20 May 1972 has been revised to strengthen the rule of law. That constitutional revision is characterized mainly by the inclusion of human rights as a constitutional principle, designation of the judiciary as an authority independent of the executive and legislative authorities, and administrative decentralization.

With regard to judicial power, article 37 of the Constitution states that justice shall be administered in the territory of the Republic on behalf of the Cameroonian people. Judicial power shall be exercised by the Supreme Court, courts of appeal and tribunals.

According to article 38, the Supreme Court shall be the highest court of the State in legal and administrative matters as well as in the appraisal of accounts. It shall comprise a Judicial Bench, an Administrative Bench and an Audit Bench:

- The Judicial Bench (art. 39) shall give final rulings on appeals accepted by law against final rulings given by the various courts and tribunals of the judicial system;
- The Administrative Bench (art. 40) shall examine all administrative disputes involving the State and other public authorities. It shall also examine appeals on regional and council election disputes;
- The Audit Bench (art. 41 — Law No. 2003/005 of 21 April 2003 setting forth the attributions, organization and functioning of the Audit Bench of the Supreme Court) shall be competent to control and rule on public accounts as well as on those of public and semi-public enterprises.

Each of these three benches of the Supreme Court shall give final rulings on rulings handed down by lower courts under its jurisdiction and shall examine all matters expressly devolving upon it by law. The structuring of the new administrative jurisdiction will therefore include the new Administrative Bench of the Supreme Court as an appellate jurisdiction, and the administrative courts to be created and established throughout the country, unlike previously when only one administrative jurisdiction existed in the Supreme Court in Yaoundé.

The revised Constitution of 1996 also created the Constitutional Council, which has jurisdiction in matters pertaining to the Constitution. It is the organ regulating the functioning of the institutions. The Constitutional Council shall give final ruling on:

- The constitutionality of laws, treaties and international agreements;
- The constitutionality of standing orders of the National Assembly and the Senate prior to their implementation;

- Conflict of powers between State institutions; between the State and the regions, and between the regions.

The Constitutional Council was established pursuant to Law No. 2004/004 of 21 April 2004 on the organization and functioning of the Constitutional Council.

Laws, treaties and international agreements may, prior to their enactment, be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one third of the members of the National Assembly or one third of the Senators and presidents of regional executives.

The Constitutional Council shall also ensure the regularity of presidential elections, parliamentary elections and referendum operations and shall proclaim the results thereof.

The powers of the Supreme Court in constitutional matters have therefore been upgraded and transferred to the Constitutional Council. For example, jurisdictional control (by way of an action or an exception) over the constitutionality of laws, which was very restricted, has been fully enhanced and expanded.

The jurisdiction *ratione personae* of the High Court of Justice has been expanded. The Court shall have jurisdiction in respect of acts committed in the exercise of their functions to try:

- The President of the Republic for high treason;
- The Prime Minister, other members of Government and persons ranking as such and senior government officials to whom powers have been delegated, for conspiracy against the security of the State.

Furthermore, over the past few years, several laws relating to the electoral process have been passed, including:

- Law No. 90-56 of 19 December 1990 relating to political parties;
- Law No. 91-20 of 16 December 1991 laying down conditions governing the election of Members of Parliament, as amended by Law No. 97-13 of 19 March 1997;
- Law No. 92-002 of 14 August 1992 establishing conditions for the election of municipal councillors;
- Law No. 92-10 of 17 September 1992 laying down conditions governing the vacancy of and election to the Presidency of the Republic, as amended by and supplemented by Law No. 99-020 of 9 September 1999.

Administrative organization was amended by Decree No. 92/186 of 1 September 1992, on the creation of new departments, and Law No. 92/187 of 1 September 1992, on the creation of new districts.

In addition, Cameroon had already taken the initiative to combat torture by adopting the following texts of 10 January 1997:

- Law No. 97/009 of 10 January 1997, which amended and supplemented some provisions of the Penal Code and added an article 132 bis, entitled "Torture", to the section dealing with offences by civil servants in the performance of their duties. This new article, which reproduces *mutatis mutandis* the treaty-

based definition of torture, also lays down the penalties to be applied against perpetrators of acts of torture. It also reiterates the absolute nature of the law in protecting human beings against torture, excluding any exemption to the prohibition of torture;

- Law No. 97/010 of 10 January 1997, which amended and supplemented certain provisions of Law No. 64/LF/13 of 26 June 1964 on extradition, satisfying the requirements of article 3 of the Convention against Torture, which states that no State Party shall expel, return or extradite a person to another State where he or she would be in danger of being subjected to torture.

Moreover, Cameroon has made every effort to better implement the “Paris Principles” on the status of national institutions, including the promulgation of Law No. 2004/016 of 22 July 2004 on the creation of the National Commission on Human Rights and Freedoms (CNDHL). This is an independent institution for consultation, observation, evaluation, dialogue, coordination, promotion and protection of human rights. Accordingly, it receives all complaints concerning cases of violation of human rights and freedoms. CNDHL is supported by development partners in the implementation of its human rights education programme in Cameroon, from primary schools to the university and other institutions of higher learning, in accordance with the resolutions of the United Nations Second Decade for Human Rights Education.

II. Socio-economic, political, legal and judicial measures taken to implement the Convention since the submission of the initial report

Since the submission of the initial report in 2000, Cameroon has taken measures to strengthen the framework for the protection of human rights in the country.

A. Socio-economic measures

Government authorities have developed several documents and programmes to improve the management of public affairs, foster public participation in development and enhance the programming of government actions in the various sectors. They include:

- Poverty Reduction Strategy Paper (PRSP), approved in 2003. Chapter 3 and other sections of this report refer to the Government’s resolve to improve the living conditions of women: specifically, respect for their rights, concrete recognition of their contribution to development and their integration into income-generating economic activities;
- National Governance Programme (NGP), developed and executed during the 2001-2004 period. This programme had identified and targeted six sectors to be reformed, including public administration; economic, financial and social management; justice; decentralization; fight against corruption; and participation of citizens and civil society in the management of public affairs.

Many positive measures have been taken to combat corruption, such as the creation of the National Anti-Corruption Commission (NACC) and the adoption of a law during the parliamentary session of March 2006, on the declaration of assets.

It should be noted that, in implementing the NGP on respect for human rights, the Ministry of Justice gave an update on the situation in an evaluation report that was approved on 25 April 2006.

The actions cited in this report will soon be executed with the support of development partners.

Other programmes have been implemented by the Government in collaboration with civil society organizations and development partners within the context of bilateral and multilateral cooperation. They include:

- National Community-Driven Development Programme (PNDP) which is explained under “Political measures”;
- Community Development Support Programme (PADC) explained under “Political measures”;
- Programme to Increase Rural Family Income (PARFAR);
- FACILS programme (a collective action facility for local solidarity initiatives).

Similarly, the Government has developed and implemented strategies to reduce poverty and improve the social conditions of the population, as follows:

- *Social Development Sector Strategy*, which consists in finding mechanisms to promote the welfare of disadvantaged segments of the population, as follows women;
- *Rural Development Sector Strategy* (see article 14);
- *Health Sector Strategy* (see article 12);
- *Education Sector Strategy* (see article 10).

B. Political measures

The principle of the separation of powers, affirmed in the initial report, has been strengthened with the gradual introduction of the institutions provided for in Law No. 96/06 of 18 January 1996 on the revision of the Constitution of 1972.

It is under this process that the following texts were adopted:

- Law No. 2003/005 of 21 April 2003 setting out the attributions, organization and functioning of the Audit Bench of the Supreme Court;
- Law No. 2004/004 of 21 April 2004 establishing the organization and functioning of the Constitutional Council;

Administrative organization has improved, bringing governmental institutions closer to users, thanks to the following legal instruments:

- Law No. 2004/017 of 22 July 2004 on the orientation of decentralization;
- Law No. 2004/018 of 22 July 2004 establishing the rules applicable to councils;

- Law No. 2004/019 of 22 July 2004 establishing the rules applicable to regions;
- Decree No. 004/320 of 8 December 2004 on Government reorganization.

The promulgation of Law No. 2000/15 of 19 December 2000, on public financing of political parties and election campaigns, and Law No. 2003/15 of 22 December 2003, setting up the National Elections Observatory (ONEL), may be considered a major step forward in the process of consolidating democratic institutions in Cameroon.

Likewise, improving the electoral system is one of the Government's main concerns, in its effort to increase the involvement of citizens in the management of public affairs.

With regard to the administrative system, the Constitution has created 10 regions to replace the 10 provinces that had been in existence since 1984 and that were decentralized administrative constituencies. Unlike its 1972 predecessor, the current Constitution devotes its entire title X to the decentralized territorial communities of the Republic represented by the regions and councils. These communities are public legal entities. They enjoy administrative and financial autonomy in the management of regional and local interests. They administer themselves freely through regional councils. The purpose of these councils is to promote economic, social, health, educational, cultural and sports development in their communities, under the overall supervision of the State.

Cameroon is a decentralized, democratic and unitary State with a semi-presidential regime and separation of powers between the executive, legislative and judicial branches. The unicameral parliament consisting of the National Assembly, a single chamber under the Constitution of 1972, became a bicameral institution under the Constitution of 1996 with the addition of a second chamber, called the Senate.

The other example of the sharing of decision-making powers with the population is the "community-driven development" approach, which laid the groundwork for the National Community-Driven Development Programme (PNDP) developed by the Government to drastically reduce poverty by 2015. Its objective is to empower grass-roots communities and the decentralized structures of the State so that they can play a role in their own development, in the gradual process of decentralization.

Other structures have been established along the same lines, including the Support for Urban Decentralization Programme (PACDDU), the Community Development Support Programme (PADC) and FOURMI II, as well as the Local Governance Programme, which prepares the public to share in decision-making.

The goal of "community-driven development" is to build partnership relationships between the State, civil society, the private sector and development partners by strengthening the capacities of grass-roots communities. These partnerships would be gradually expanded to cover the whole country.

The capacity-building objective will be achieved through the following measures:

- Financing projects and activities initiated by local districts, village communities and other segments of civil society, based on "community

development plans” and Rural Community Development Support Fund (FADCR);

- Preparing local councils and grass-roots communities for their effective integration into the gradual decentralization process;
- Improving the knowledge and skills of community-driven development actors for their concerted involvement in poverty alleviation efforts. The targets of this capacity-building are: grass-roots communities, decentralized local communities, decentralized service agents of the State, NGOs, service providers and microfinance institutions;
- Providing community-driven development actors with the necessary information and management and decision-making tools for them to fulfil their responsibilities;
- Reinforcing institutional mechanisms by creating specific ministerial structures responsible for gender promotion and for the establishment of partnerships with civil society and international organizations.

C. Legal and judicial measures

Since the submission of the initial report in 2000, the following measures have been taken:

- Ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
- Ratification of the United Nations Convention against Transnational Organized Crime and its three supplemental protocols pursuant to Decree No. 2004/20 of 18 May 2004. The first of these protocols is designed to prevent, suppress and punish trafficking in persons, especially women and children. This Convention is in the process of being incorporated into domestic law;
- Ratification on 18 May 2004 of the United Nations Convention against Corruption;
- Promulgation of Law No. 2005/015 of 29 December 2005 on child trafficking and slavery;
- Draft bill on protection and promotion of disabled persons which sets out measures to facilitate their access, without gender discrimination, to education, health, sports and leisure, the environment, etc.;
- Promulgation of Law No. 2005/007 of 27 July 2005 on the Code of Criminal Procedure.

In the context of a liberalization of the media in Cameroon, media coverage has been fostering public education about human rights with a view to their effective realization. In order to reconcile prosecutorial requirements with freedom of expression, crimes of opinion have been eliminated. Pursuant to Law No. 90/092 of 19 December 1990 on freedom of social communication, all violations of these provisions incur only fines.

The Prime Minister, as Head of Government, has also signed Decree No. 2000/158 of 3 April 2000, which lays down the conditions and modalities under which private audio-visual communication companies may be established.

Moreover, with the same aim in view, judicial mechanisms for the protection of human rights have been strengthened.

Thus, in addition to the triple right of action under the criminal laws referred to in the initial report, collective responsibility has been given effect throughout Cameroon's courts of appeal and courts of major jurisdiction in the main metropolitan areas where complex cases and cases involving major economic interests arise, so that two tiers of jurisdiction can provide a stronger guarantee of defendants' rights.

Arbitration, which facilitates prompt and simple settlement of disputes, is increasingly being applied through legislation in accordance with the Organization for the Harmonization of Business Law in Africa (OHADA) which Cameroon is gradually implementing internally, notably through:

- Law No. 2003/008 of 10 July 2003 laying down penalties for violations of certain OHADA uniform acts;
- Law No. 2003/009 of 10 July 2003 appointing the competent jurisdictions described in the uniform act on arbitration rights and specifying how referrals to them are effected;
- Decree No. 2002/299 of 3 December 2002 appointing the authority entrusted with affixing the executory formula to decisions of the OHADA Common Court of Justice and Arbitration.

Part Two

Specific information on each provision of the Convention

I. Constitutional and legal framework for protection of women's rights (articles 1-5)

Article 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Cameroon's body of laws embodies the principle of equality between men and women. It should be noted that the various texts pertaining to this matter were addressed in the initial report of Cameroon on the Convention on the Elimination of All Forms of Discrimination against Women in 2000. It is worth recalling that some of those texts embody the principle of equality between men and women, namely:

- The revised Constitution of 18 January 1996;

- The Penal Code;
- The Labour Code;
- The electoral laws;
- The Civil Service Regulations.

By ratifying the Convention, Cameroon undertook to apply the principle of non-discrimination with respect to women.

No legal definition of discrimination has so far been adopted. However, the draft law for the prevention and punishment of violence against women and of gender-based discrimination provides for a definition of discrimination and subsequent sanctions (responses to Committee recommendations 49 and 50). This marks the Government's resolve to strengthen existing legal machinery and instruments for the protection of women. Accordingly:

- The Optional Protocol to the Convention was ratified by Cameroon on 7 January 2005 and took effect on 7 April 2005 (response to Committee recommendation 64);
- The draft law setting out the code governing persons and the family seeks to apply uniform treatment in the handling of male/female relationships by adopting special measures that enshrine the principle of equality between these two components of society. One of the more noteworthy major innovations is strengthening equality between men and women with respect to name, domicile, age of marriage, and the organization and revitalization of the family council;
- The draft law on the prevention and punishment of violence against women and gender-based discrimination is fairly innovative, as it addresses violations that heretofore went unpunished, such as female genital mutilation and sexual harassment. The areas addressed in this draft law seek effectively to ensure protection of the person and rights of women in society.

In the commercial sphere, the provisions of the OHADA uniform act pertaining to commercial law, in article 7, govern inequalities between men and women.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) *To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*

(e) *To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;*

(f) *To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*

(g) *To repeal all national penal provisions which constitute discrimination against women.*

The observations presented with regard to article 1 apply to this article.

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

With a view to enabling women to enjoy the rights recognized under the Convention, the authorities have taken political, institutional, legislative and administrative measures.

To that end, the Poverty Reduction Strategy Paper (PRSP) affords a suitable framework for implementing the policy laid down by the Head of State. The lines of action laid down in the PRSP are carried out by the administration through sectoral strategies.

The Government's commitment effectively to combat poverty is expressed by:

- Pursuit of policies to secure lasting and equitable economic growth;
- Reallocation of a substantial portion of public resources to basic social and economic sectors;
- Efficient human resources management;
- Specific initiatives in favour of women and other vulnerable groups.

For that purpose, programmes and projects are developed for the advancement of women in the context of bilateral and multilateral cooperation. Those initiatives are geared to capacity-building for women in the socio-economic and legal arenas, in order to foster full autonomy for this vulnerable sector of society.

Chapter 3, section 373, of the Poverty Reduction Strategy Paper (PRSP) is devoted to the advancement of women. The Government's initiatives in this area focus on four primary areas, namely:

- Improvement of women's social and legal status;
- Improvement of women's standard of living;
- Promotion of equality and equity between the sexes in all areas of national life;

- Strengthening of institutional structures and mechanisms.

Response to Committee recommendation 52

Having espoused the defence and protection of human rights as one of the aims of its National Governance Programme (NGP), the Government intends to afford protection to vulnerable groups and minorities. Accordingly, it is developing an action plan aimed at the advancement of women, in which it proposes:

- To translate into reality the principle of equal access by men and women to elective offices and functions;
- To promote, encourage and oversee a quota policy in elections and in the workplace;
- To ensure that, where rules so allow, women receive compensation equal to that of men;
- To support the policy of combating violence against women;
- To adopt a Family Code;
- To approve the strategy regarding vocational training on an equitable basis.

Similarly, the Social Development Sector Strategy contains mechanisms to enable the promotion of well-being for disadvantaged populations, including women. Specific initiatives are envisaged for women prostitutes, in particular to address their social and health needs through:

- An antiretroviral maintenance treatment fund;
- Education and awareness-raising among prostitutes and people living with HIV/AIDS (PLHA) (Behaviour Change Communications (BCC) strategy);
- Development, adoption and implementation of texts on the rights of PLHA;
- Creation of centres for socio-vocational reintegration of prostitutes.

As part of the strategy for combating poverty and social exclusion comprised by chapter 8 of the document entitled *Cameroon: Building Governance (Cameroun: Les chantiers de la gouvernance)*, after taking stock of the situation, the Government adopted a number of goals under the PRSP. One noteworthy goal upon which the Ministry for the Promotion of Women and the Family (MINPROFF) may focus is strengthening human resources in the social sector and integrating disadvantaged groups into the economy.

Response to Committee recommendation 52

The Government also intends to encourage the growth of civil society by strengthening the capacities of associations. This undertaking may be seen in a number of laws dealing with the freedom of association. Individual women in Cameroon can, in the framework of associations, cooperatives or NGOs, contribute effectively to the socio-economic development of their country. Several laws and decrees have enabled the associative movement in Cameroon to make significant headway.

In this context, a law that has been added to the books is Law No. 99/014 of 21 December 1999 on non-governmental organizations (NGOs). It has been followed by an implementing decree.

However, from the organizational perspective, the structure of the associative movement is still at a rudimentary stage, and one consequence of this is a dissipation of energies sometimes leading to unproductive misunderstandings. That state of affairs substantially reduces civil society's ability to be an interlocutor to the State, development partners and the private sector.

The lack of training among the actors involved is compounded by weak managerial capacities and a lack of structures mediating with the State or with stakeholders in the market economy sphere.

Research done for the design and development of the National Governance Programme disclosed that the associative sector brings together about 78 per cent of the active population of our country. A 2003 survey identified 55,602 duly constituted associations, although they were unevenly distributed throughout the provinces. In light of the data gathered on the ground, the associations seem to be serving as a training-ground to strengthen grass-roots initiatives and local and regional competencies. In recent years, they have emerged as a forum for social dialogue, or as a link between the State and the socio-economic sphere.

Article 4 — Temporary special measures aimed at accelerating de facto equality between men and women

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Since the submission of the initial report of 2000 under the Convention, Cameroonian authorities have adopted a number of measures designed to accelerate de facto equality between men and women.

In the field of education, the following may be noted:

- A scholarship policy which sets aside 40 per cent of scholarships to be granted to girls;
- A project on “child-friendly, girl-friendly schools”, designed to give particular encouragement to young girls to attend school.

With regard to the fight against HIV/AIDS, in 2001 the Ministry for the Promotion of Women and the Family developed a campaign against HIV/AIDS in the female population. In implementing this strategy, actions are planned to strengthen the economic capacities of women who have been infected with or are suffering from HIV/AIDS.

Article 5

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Age-old cultural practices, customs and traditions continue to be a hindrance to actions pursued by the public authorities in order to improve the status of women in all areas. This is most apparent in rural areas, varying according to region and religion.

How does the State go about modifying negative sociocultural patterns and models of behaviour that perpetuate discrimination? Is there a legal framework set up by the State in order to combat these pernicious practices? Our approach consists of:

- Identifying behaviours and attitudes that discriminate against women;
- Identifying obstacles to the elimination of stereotypes and prejudices;
- Taking action to combat such discrimination.

I. Identifying of behaviours and attitudes that discriminate against women

1. Stereotypes and prejudices in respect of occupational and educational activities

Strategic, technical and managerial posts

In public and private structures alike, the majority of such posts are held by men.

According to data from the statistical yearbook on the situation of women in Cameroon, the proportion of women in positions of responsibility (posts of Director and similar) in central ministerial services was 12 per cent in 2002 and 2005 (see table 1 in annex).

The association of certain occupations with women

The occupations of secretary, nurse, primary-school teacher and social worker are usually exercised by women. This reflects the low rate of enrolment of girls in technical schools and institutions and the small number of boys who receive training for occupations traditionally associated with women. According to the 2004 statistical yearbook of the National Institute of Statistics, 56,516 girls were enrolled in institutions of technical education, representing 41 per cent of the total enrolment.

Agriculture

A stereotyped image of women exists in the agricultural sector, but it is tending to become less apparent. The drop in the prices of cash crops (cocoa, coffee) has led to the development of new crop-growing practices among men, who are switching to food crops, which were formerly the preserve of women.

Education

In education, preference is given to boys.

2. Stereotypes and prejudices in respect of marital relations

- Mothers remain largely responsible for children's education and for the performance of countless domestic tasks;
- There is a widespread belief that women determine the child's sex;
- In childbirth, a preference is shown for the male sex;
- Female sexual expression remains a taboo.

It is usually left to men to start up discussions about sexuality. As a result, women have to put up with all the frustrations incurred through their silence (violence, sexist insults, male chauvinism).

The likening of women to property

Women are unable to be in charge. Since they are regarded as property, responsibility for the management of household property falls to men. Women consequently find it difficult to engage in financial transactions without a means of guarantee. Nor can they inherit, and it is hard for them to own land.

3. Stereotypes and prejudices in respect of social life*Women's rights fall short of men's rights*

Notwithstanding the provisions of the Constitution and the many laws and conventions ratified by Cameroon, the national community persists in believing that men have more rights than women.

Men justify their acts of physical violence by invoking their recognized right to administer corporal punishment.

Confinement of girls to household tasks

School textbooks and advertisements carry stereotyped images of girls confined to household tasks, while boys are shown playing football or waiting to be served at table.

Belief that women like to be beaten by men

A woman who is not beaten by her husband thinks that he doesn't really love her.

Belief that women who do not submit to the rites of widowhood are either witches or responsible for their husbands' death

Women run a high risk when they fail to submit to the rites of widowhood. The belief that they should do so is very strongly entrenched, while varying from one group to another, and requires women to comply with degrading practices.

Women as AIDS carriers

Considered to be responsible for bringing AIDS into the community, women are particularly marginalized when they are known to be HIV-positive.

Because of the prevalence of such views in society, men and the community exert particular pressure on women.

4. Stereotypes and prejudices in respect of political life

The prevalence of the view that women's abilities do not naturally predispose them to engage in politics is a factor in the scant admittance of women into the political arena.

II. Identifying obstacles to the elimination of stereotypes and prejudices

A variety of factors still contribute to the persistence of negative stereotypes and prejudices in regard to women. These include:

- Sociocultural constraints;
- The weak economic power of women;
- The paucity of resources allocated to bodies for the advancement of women;
- Insufficient development of awareness about the Convention on the Elimination of All Forms of Discrimination against Women;
- Low representation of women in decision-making posts.

III. Action taken

Action to combat discrimination against women has been taken at various levels, including by the Government, associations, NGOs, the media and religious communities.

- *Appointment of two women in the Ministry of Territorial Administration and Decentralization by Decree No. 2006/231 of 17 July 2006 concerning the appointment of Sub-Prefects*

This legislation is one of the major innovations introduced into territorial administration.

- *Drawing up of a draft bill on violence*

The Ministry for the Promotion of Women and the Family (MINPROFF) has prepared a draft bill on violence against women and gender-based discrimination.

This text identifies the main offences constituted by violence against women and the corresponding punishments.

- *Institutionalization of the gender perspective in development policies and programmes*

Gender mainstreaming in all development policies, programmes and projects is one of the main methods adopted to improve the status of Cameroonian women. As a result of this approach, gender issues are taken into account in all the planning, programming, implementation and evaluation projects carried out by national bodies.

The situation of women in each area of development has also been able thereby to be taken into account in the Poverty Reduction Strategy Paper, with a view to improving their living conditions.

- *Organization of awareness-raising workshops on practices that discriminate against women*

Organized by the Ministry for the Promotion of Women and the Family in Mbalmayo from 11 to 13 December 2001 and in Buea from 28 to 30 June 2002, these workshops were designed to make the participants aware of the harmful effects of discriminatory practices on the self-fulfilment of women with a view to inducing them, through their actions, to bring about gender-oriented social change.

- *Organization of law clinics*

The Ministry for the Promotion of Women and the Family, in collaboration with the United Nations Population Fund, has organized law clinics in the Ouest, Centre and Sud provinces. These have served to identify certain basic problems impeding the enjoyment or exercise by women of their rights and a number of violations of women's rights. Follow-up action on these specific cases has been initiated by the provincial offices of the Ministry for the Promotion of Women and the Family.

- *Organization of a training seminar for senior public officials*

A training seminar for senior public officials was organized by the Ministry for the Promotion of Women and the Family from 24 to 26 May 2004 in Yaoundé. Its purpose was to make them aware of the relevance and crosscutting nature of gender issues and to induce them to integrate a gender perspective in development policies and programmes with a view to fostering equality between men and women and promoting the participation of women in the management of public affairs.

- *Integration of women in town-planning services*

Municipalities now include women in town-planning projects.

- *National Community-Driven Development Programme (PNDP)*

The PNDP calls for the full participation and presence of women in the entire development process.

In December 2005 an awareness-raising seminar was held for parliamentarians on gender-based budgeting.

Article 6 — Suppression of the exploitation of prostitution of women

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

The causes of prostitution set out in the previous report continue to apply. It should be noted, however, that this scourge has intensified on account of the massive use of new information and communications technologies like the Internet.

Measures taken by Cameroon

Cameroon has taken preventive measures against the economic exploitation of children. These include:

- Ratification of International Labour Organization (ILO) Convention No. 182: Worst Forms of Child Labour Convention;
- Ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment;
- Signature and ratification in progress of the two Optional Protocols to the Convention on the Rights of the Child, concerning respectively the involvement of children in armed conflict and the sale of children, child prostitution and child pornography;
- Ratification of the Additional Protocol to the United Nations Convention against Transnational Organized Crime (Decree No. 2004/120 of 18 May 2004), to prevent, suppress and punish trafficking in persons, especially women and children;
- Project to combat national and cross-border trafficking in children in West and Central Africa (LUTRENA);
- ILO-IPEC WACAP project against the exploitation of children on cocoa farms;
- Draft bill on violence against women, which provides for stiffer penalties for procurement;
- Social Sector Development Strategy, which provides for improved social support and health care for prostitutes through the establishment of specialized centres and socio-occupational integration.

Law No. 2005/015 of 29 December 2005 against trafficking in children.

In addition, a national plan against child labour adopted some years ago provides in the short term for adequate protection of children against all the most demeaning and degrading forms of abuse and exploitation, which may impair their physical and psychological integrity.

In this spirit, Cameroon has joined various subregional, regional and international initiatives to combat the trafficking and exploitation of children (including girls) for commercial ends. Mention may be made in this connection of the following:

- Seminar-workshops held in Libreville, Gabon, in 2001 and 2002 to prepare a convention against this scourge in the Central and West African subregions;

- Second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, in December 2001;
- Establishment of Interpol offices to combat child trafficking and sexual exploitation.

Lastly, under the new cooperation programme for 2003-2007 between Cameroon and UNICEF, specific measures have been adopted for children in need of special protection, including child victims of trafficking.

All these initiatives demonstrate the political will of the public authorities to protect children (girls) and women from sexual exploitation and trafficking.

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Article 7 — Discrimination in political and public life

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

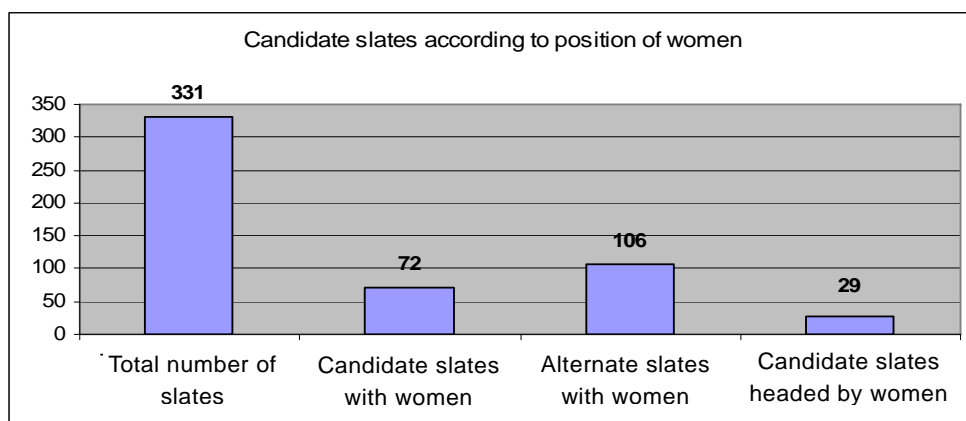
Women and political life

A. Presidential election of 11 October 2004

Following examination of 46 candidacies, including three from women, submitted for the presidential election, 16 candidates were selected, of whom not one was a woman.

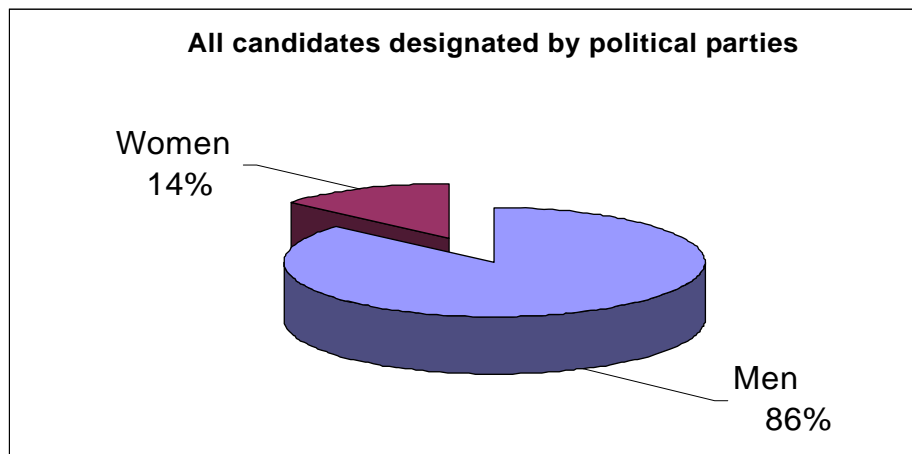
B. Legislative elections

Out of a total of 331 electoral slates, 22 per cent of candidate slates contained women as against 32 per cent of alternate slates: women thus constituted 22 per cent of candidates and 32 per cent of alternates.



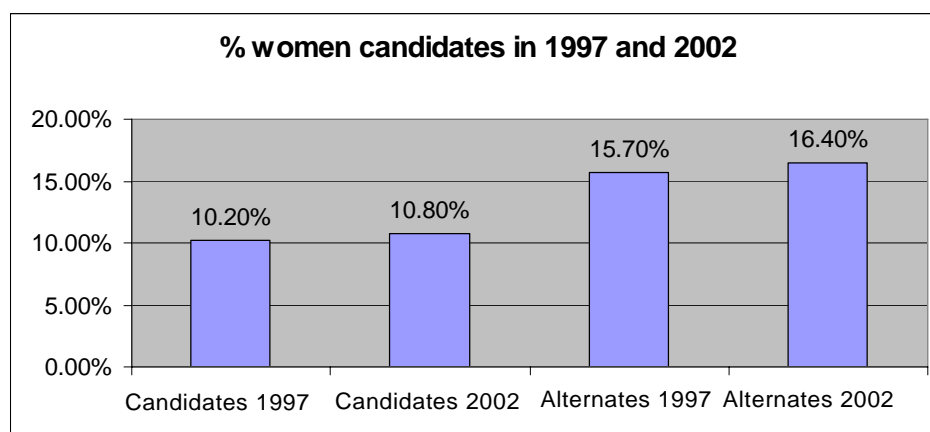
Source: Ministry for the Promotion of Women and the Family (MINPROFF), 2004 statistical yearbook.

Out of 1,612 candidates and alternates designated for the 2002 legislative elections, 219 were women, accounting for 13.6 per cent of the total number, as compared with 1,393 men, accounting for 86.41 per cent.



Source: MINPROFF, 2004 statistical yearbook.

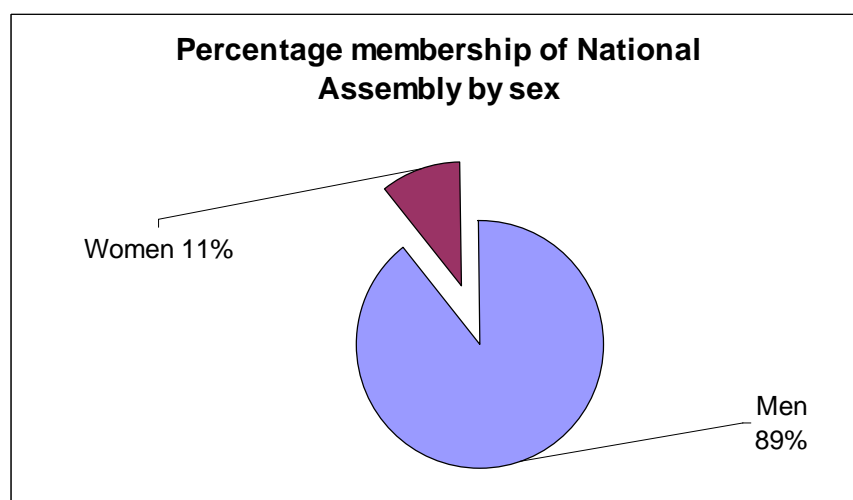
In 1997, there were 2,282 candidates, 12.9 per cent of whom were women.



Source: MINPROFF, 2004 statistical yearbook.

The above graph shows that, generally speaking, the majority of women included in electoral slates for legislative office are alternates. Thus, in 1997 and 2002 alike, the proportion of women on candidate slates did not exceed 11 per cent and, on alternate slates, was around 16 per cent. The tendency towards stronger representation of women on alternate slates seems to have prevailed for both elections.

Results of 2002 elections



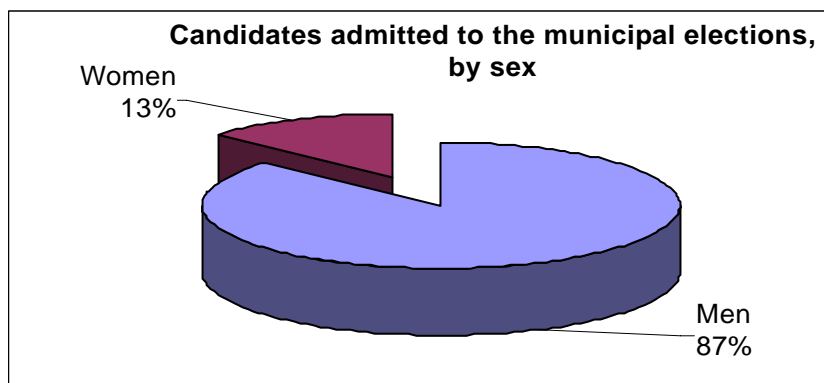
Source: MINPROFF, 2004 statistical yearbook.

It emerges from these results that out of 180 elected members of the National Assembly, only 20 are women and account for 11.11 per cent of members and 18.3 per cent of alternates, as compared with 160 men, accounting for 88.89 per cent of members.

Since the last two legislatures, the number of women members of the National Assembly has doubled.

The participation of women in the various legislative elections is clearly shown in annex tables 3, 4, 5, 6, 7 and 8.

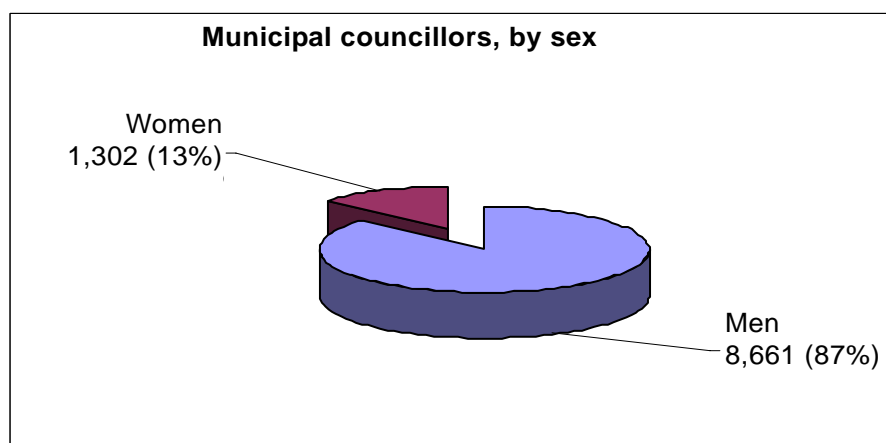
C. Municipal elections



Source: MINPROFF, 2004 statistical yearbook.

Of the 22,636 candidates approved to run in the municipal elections in 2002, 1,946 (13 per cent) were women. The elections were held in 337 local governments.

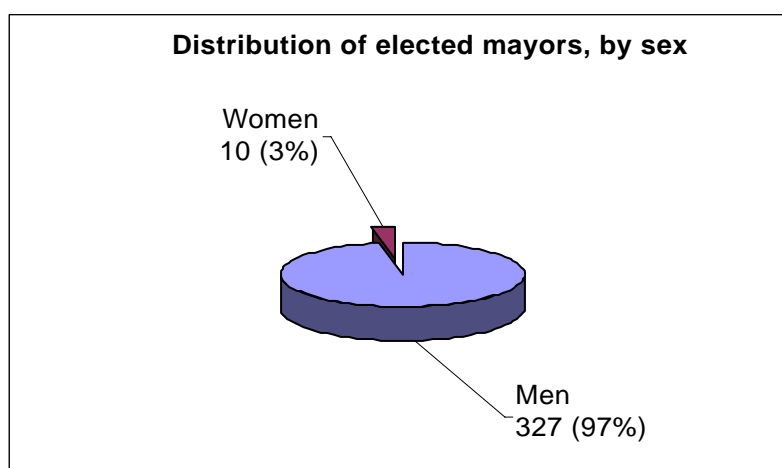
Results



Source: MINPROFF, 2004 statistical yearbook.

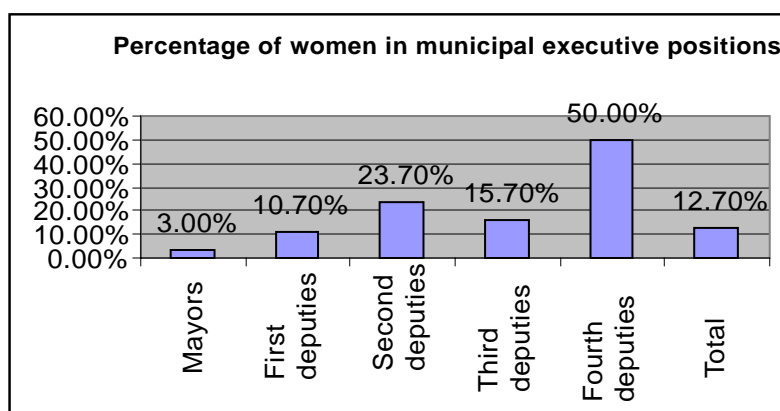
Nationally, 9,963 council members were elected in the municipal elections of 2002, of whom 1,302 (13 per cent) were women and 8,661 (87 per cent) were men.

Ten women were elected mayor, along with 327 men, which amounts to 3 per cent women and 96.9 per cent men (see annex 13).



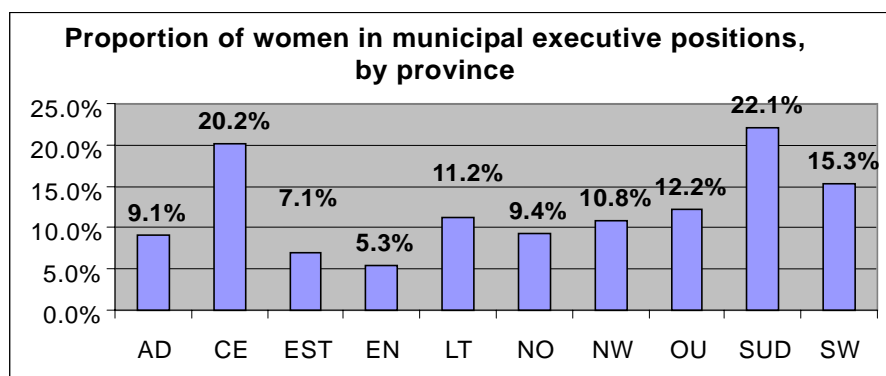
Source: MINPROFF, 2004 statistical yearbook.

It should be pointed out that women also serve as deputy mayors.



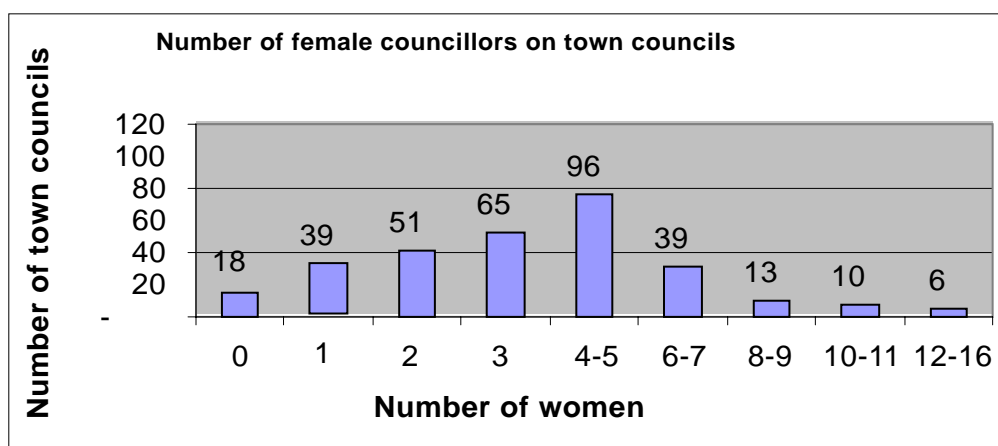
Source: MINPROFF, 2004 statistical yearbook.

In some provinces women hold more than 20 per cent of the municipal executive positions. This applies mainly to the provinces of Centre and Sud, whereas the proportion in Nord and Est provinces is under 10 per cent.



Source: MINPROFF, 2004 statistical yearbook.

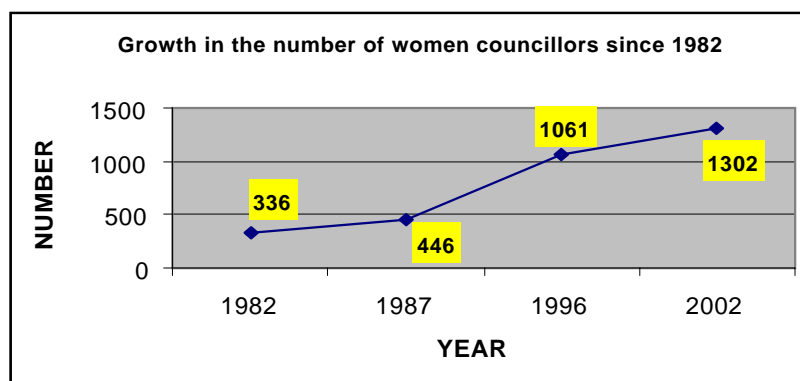
Representation of women in local government



Source: MINPROFF, 2004 statistical yearbook.

The chart above shows that, of the 337 town councils for which elections were held, 18 have no female councillors, 155 have no more than 3 women and only 16 have 10 women or more.

Growth in the number of women on town councils since 1982



Source: MINPROFF, 2004 statistical yearbook.

The number of female mayors went from zero in 1982 to 10 in 2002, with only one in 1987 and two in 1996. The number of women councillors rose from 336 in 1982 to 1,302 in 2002 (see annex, tables 9, 10, 11, 12, 13, 14 and 15).

D. Participation of women in the organization of elections

The National Elections Observatory (ONEL) has 11 members, 3 of them women, including one vice-president. The provincial, departmental and municipal offices of the Commission have 3, 41 and 174 female members, respectively, which corresponds to 5 per cent, 12 per cent and 11 per cent, respectively (see annex, tables 16, 17 and 18).

E. Number of women in senior posts (see annex, tables 19 and 20)

Response to Committee recommendations 55 and 56

With a view to increasing the representation of women in decision-making posts, the Committee proposed various measures: the institutionalization of gender mainstreaming, the establishment of a quota of at least 30 per cent for women and the requirement that election slates place women candidates closer to the top.

Article 8 — *The right to represent one's Government at the international level*

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Women are represented in the diplomatic sector. Like men, they can represent Cameroon at the international level and can participate in the work of international organizations.

Admission to the International Relations Institute of Cameroon (IRIC), which trains diplomats, is open without discrimination to Cameroonians and all Africans of either sex who have a bachelor's degree.

Statistics on the gender distribution of diplomats trained at the Institute show that women are being admitted, although they have been few in number (see annex, table 21).

Of the 166 diplomats trained and awarded a doctor's degree in international relations, only 24 are women.

Of the 60 diplomats awarded the recently created Specialized Higher Education Diploma (DESS) Programme in international relations between 2002 and 2005, 47 are men and 13 are women (see table 21 bis). This low number of female diplomats has an impact on their representation in the Government department that deals with diplomacy, as well as in embassies and international organizations (see annex, tables 22 and 23).

I. Representation at the international level

It should be pointed out that women diplomats participate on the same basis as their male colleagues in international conferences and seminars, depending on their individual areas of expertise. The number of women is low, however, and some delegations representing Cameroon abroad consist entirely of men.

In an effort to conform with the principles adopted by such international organizations as the United Nations and the African Union regarding gender parity among candidates, including placing a priority on female candidates for certain posts, Cameroon has given preference to female candidates for posts in the United Nations system and the African Union. In 2003 a Cameroonian woman was elected as a judge of the International Criminal Tribunal for Rwanda and another was elected Commissioner for Trade and Industry in the African Union.

II. Gender-based affirmative action

As a result of a sweeping measure relating to the diplomatic corps, namely, Decree No. 173/4/PR of 17 April 2006, 10 women were posted to Cameroonian diplomatic missions abroad, along with 89 men. In the central services of the Ministry of Foreign Affairs, 2 women hold the rank of Director and 7 that of Deputy Director. Unfortunately, the number of women who have the opportunity to represent the Government at the international level remains low. Another aspect of the situation is that the spouses of diplomats cannot be given diplomatic posts; in some embassies, however, spouses are hired to work as administrative staff.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

The legislation on nationality remains unchanged. However, the draft bill on the Code of Persons and the Family takes a very positive view on this matter, stressing the equality of men and women.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in preschool, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

I. Measures adopted by Cameroon to promote the education of women

The education system of Cameroon has two sectors: one formal and the other informal. In order to deal with gaps resulting from ignorance and the persistence of cultural practices, Cameroon has adopted a number of measures to reduce the gaps and promote equality between the sexes.

A. Steps taken in the formal system

- Development and implementation of an Education Sector strategy that includes gender concerns;
- Priority granted to the social, health and education sectors in the allocation of supplementary resources under the Heavily Indebted Poor Countries (HIPC) Initiative;
- Free primary education through the elimination of fees for public primary schools and the provision of minimum school kits since 2001;
- A scholarship award policy with a mandatory quota of 40 per cent for girls;
- Textbook policy: establishment of a council charged with approving school textbooks and teaching materials. Its responsibilities include reviewing school textbooks to eliminate discriminatory attitudes such as sexist stereotypes. Any book that contains sexist stereotypes is removed from the list of official textbooks;
- Strengthening the partnership between the State and international organizations, NGOs and associations that deal with the schooling of girls. Several activities in this field are being carried out in partnership with UNICEF, the Ministry of Basic Education (MINEDUB) and the Ministry of Social Affairs (MINAS). They include social mobilization to promote schooling for girls and the fostering of extracurricular science-related activities for girls to interest them in scientific careers;
- Adoption of an action plan in the education sector to combat HIV/AIDS;
- Establishment of a gender committee in the former Ministry of National Education (MINEDUC) whose strategic orientation includes the elimination of all forms of discrimination against girls and women in education, the promotion of educational access for girls and keeping them in school and the full use of female human resources;
- Revision of school textbooks with a view to eliminating sexist stereotypes;
- Training of trainers in gender issues;
- Scholarship grants for the female candidates with the highest scores in official examinations, with a view to promoting excellence among women;
- Free distribution of textbooks;
- Support for families.

In this connection UNICEF, in the context of its “child-friendly, girl-friendly schools” project, has intervened in priority educational areas in order to lower the number of repeaters and dropouts on the part of both boys and girls. This also applies to the Forum for African Women Educationalists in Cameroon, which provides guidance to girls’ clubs in schools, organizes science camps for girls and awards prizes to girls with the highest scores on national examinations.

- Support for school cafeterias;
- Advocacy for girls’ schooling;

- The establishment of a unit for the education and training of women and girls within the Ministry for the Promotion of Women and the Family.

Furthermore, the Educational Support Programme (PASE), which involves the Ministries of Basic Education, Secondary Education and Higher Education and is funded by the World Bank, devotes a great deal of attention to the problem of fairness in ensuring access on the part of girls to schooling and keeping them in school, especially in the priority education areas (ZEP). Cameroon has made a significant effort to ensure schooling for all at the primary level but the challenges at the secondary and higher levels remain. To deal with these challenges the Government has set the following priorities:

- Broaden access to secondary and higher education;
- Promote high quality secondary and higher education;
- Combat pupil wastage;
- Reduce the gaps between the sexes;
- Promote the professionalization of teachers.

B. Steps taken in the informal system

1. Strengthening institutional machinery in informal education

Special tasks have been assigned to some of the Government services that are responsible for informal education, for example, the Ministry for the Promotion of Women, which provides training for women in centres for the advancement of women and centres for appropriate technology. This sort of arrangement gave rise to a project to establish a support mechanism for poor women in centres for the advancement of women. With HIPC funding the project has sought to strengthen the operational capacities of centres for the advancement of women so that they can:

- Provide information and guidance to women;
- Provide consulting services to women trying to start their own businesses or develop an innovative idea;
- Provide training and continuing education to women facing difficulties in obtaining employment.

A draft project to implement the idea has been formulated. Sixty trainers have been recruited and various types of equipment and teaching materials have been acquired.

Response to Committee recommendation 57

- The Ministry of Social Affairs has contributed by establishing and rehabilitating centres for the education and training of girls who have dropped out of school and by providing support to vulnerable families and communities. The Ministry also runs workshop residences, social centres and the “Spool of Gold” centre, which trains handicapped girls and women to prepare them for employment.

- The Ministry of Youth provides training for girls in centres and homes for young people and in youth clubs.
- The Ministry of Employment and Vocational Training, which was created as part of the overall strategy for vocational training reform and development of jobs, manages the fast-track vocational training centres for clerical and industrial workers (CFPR/EB and CFPR/MI, respectively).

This ministry has developed specific strategies for such vulnerable groups as women. Reducing gender gaps in vocational training will require maintaining better balance between sexes through specific measures aimed at benefiting girls. In that connection various measures are planned:

- Establishing earmarked funds to promote access to vocational training;
- Establishing a vocational training mechanism;
- Revision of current vocational training textbooks;
- Establishment of a framework for discussion and awareness-raising.

2. Strengthening the partnership between the State, international organizations, NGOs and national organizations that are active in training and finding employment for young women

From 2002 to 2004 the results of such activities have been that:

- 600 female community organizers have been designated and trained in the nine districts that make up the intervention zones covered by the basic education programme being implemented with UNICEF help;
- A workshop to develop picture boxes for community organizers was held;
- Networks for community organizers were set up to strengthen awareness-raising activities.

II. Education statistics

(See annex tables 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33)

In general, the educational level of women still needs to be improved. The literacy rate for women is 60 per cent in contrast to 70 per cent for men.

Since 2001, the level of schooling has been generally satisfactory.

With respect to primary education, the gross enrolment ratio (GER) was 102.97 per cent in 2002/2003 as opposed to 98.08 per cent in 2001/2002.

Primary education

The gross enrolment ratio for primary education stood at 100 per cent in 2003 and at 100.14 per cent in 2004. While the general parity index is 0.85, it stands at 0.64 and 0.63 in the Nord and Nord Extrême provinces respectively.

Moreover, it should be noted that the drop-out rate among girls at the primary education level is higher than the rate among boys.

General secondary education

The parity index at entry is 0.92. However, fewer girls than boys complete their secondary education. The retention level at the senior secondary level is 54.6 per cent for girls and 76 per cent for boys.

Technical secondary education

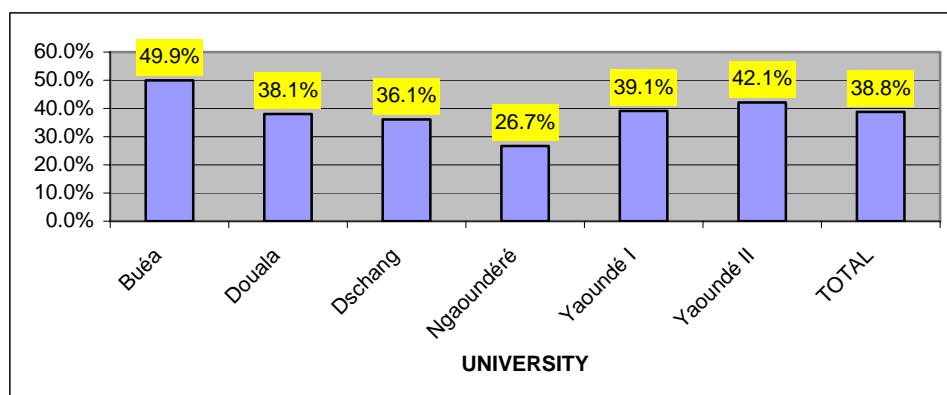
Girls make up 41 per cent of enrolment; however, there is greater retention rate for girls than for boys.

The repeat rate for girls, on average, is 25 per cent at the primary education level and 18 per cent at the secondary level (both general and technical).

Higher education

At the higher education level, the parity index is 0.64.

Percentage of women enrolled in State universities



The bar graph above shows that the proportion of women remained stable during 2001/2002 and 2002/2003 at State universities. The number of women enrolled at University of Buea is virtually the same as the number of men. They make up no more than 27 per cent of students at Ngaoundéré University, whereas the overall total is 39 per cent (see annex, table 28).

In sum, there are gender disparities in the Cameroonian educational system. However, it should be emphasized that although the disparities are not great at the primary level, they are more significant at the senior secondary and higher education levels.

III. Major obstacles

Despite the measures taken to promote education for all, a number of obstacles continue to stand in the way of optimally addressing the concerns and challenges expressed by Cameroon. For example:

- Insufficient financial and material resources;
- Family poverty;

- Persistence of cultural constraints and discriminatory practices against women;
- Insufficient expertise in the gender approach on the part of social and sectoral partners.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;*
 - (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
 - (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
 - (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
 - (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*
 - (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*
- 2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*
- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*
 - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*
 - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of childcare facilities;*
 - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.*
- 3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.*

A. The rights exercised by women on a basis of equality with men

The Labour Code and the General Civil Service Regulations guarantee the equality of both sexes in respect of employment. The Labour Code stipulates that the right to work is recognized as a basic right of each citizen, and that the State must do its utmost to help every citizen find and retain employment.

The following principles are set forth in the General Civil Service Regulations:

- The right to work as an inalienable right of all human beings;
- The right to the same employment opportunities, including the application of equitable criteria for selection in matters of employment;
- The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining;
- The right to equal remuneration, including benefits, in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- The right to social security, particularly in cases of retirement, unemployment, sickness, disability and old age and other incapacity to work, as well as the right to paid leave;
- The right to health protection and job security, including the safeguarding of the function of reproduction.

Social security covers workers of both sexes. The political will to extend social security to the informal sector has led to the creation of a committee charged with reforming social security in preparation for the expansion of mutual health and occupational hazard insurance to all segments of the population.

The right to protection set forth in articles 82, 84, 85, and 87 (2) of the Labour Code cannot be abridged in any way. Moreover, any breach of contract by an employer on grounds that contravene the rules set forth in those articles is not tolerated and is punishable by administrative and financial penalties in accordance with the regulations in force.

In practice, all Cameroonian citizens who satisfy the requirements of a given job have access to that job without discrimination. Nevertheless, certain requirements are discriminatory against disabled persons.

B. Legal measures to protect the health and safety of working women

- (a) Prohibition of dismissal on the grounds of pregnancy;
- (b) Introduction of paid maternity leave;
- (c) Payment of an allowance during maternity leave.

The above-mentioned measures, which pertain to the protection, health and safety of working women — reaffirmed by article 84, paragraphs 1 and 5, of the Labour Code, article 2 of International Labour Organization (ILO) Convention No. 100 and articles 66 (1) and (4) of the General Civil Service Regulations — have

not been amended in any way that could adversely affect the health and safety of working women.

However, it has been difficult to find a way to take into account the domestic work done by women.

Response to Committee concerns and recommendations 59, 60 and 65

C. Protection of the physical and moral integrity of women

Apart from the provisions of the Penal Code, which protect the physical integrity of persons in general, and pregnant women in particular, against attack, it should be noted that a significant development has taken place in that regard. A draft law on the prevention and suppression of violence against women and of gender-based discrimination has been prepared. Under the proposed law, sexual harassment would be subject to criminal penalties and pecuniary compensation.

Overall, the Government of Cameroon does not discriminate in any way in respect of legislation concerning the employment of women. However, it is regrettable that, in the private sector, women may be recruited on condition that they do not become pregnant — although such cases are very isolated. In any event, labour inspectors ensure that legal and regulatory provisions are strictly observed.

The creation of a social security reform committee is a reflection of the Government's political will. The committee's objective is to improve the management system of the National Social Security Fund, which covers private sector workers, and to extend social security to the informal sector.

The number of women in the various trade unions can be found in table 34 of the annex.

Response to Committee recommendation 65

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health-care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

I. Health policy in Cameroon

The social policy of the State recognizes that improving the health of the people is crucial to the economic and social development of Cameroon.

This policy has led to the strengthening of the institutional mechanisms for the promotion of women's health and the development of the Health Sector Strategy, which was adopted in 2002 and is currently being implemented.

A. Strengthening of the institutional framework for the promotion of women's health

This goal was reflected in the signing of Decree No. 2002/209 of 19 August 2002 on the organization of the Ministry of Health, which is charged with devising and implementing health policy in Cameroon.

The Directorate of Family Health is part of that Ministry and is charged with, among other things, the development and follow-up of the implementation of the Government's reproductive health policies as well as the coordination and implementation of activities relating to reproductive health. Among the divisions of this Directorate are the Sub-Directorate of Reproductive Health and the Sub-Directorate of Vaccination. One of the great innovations of the aforementioned decree has been a commitment to promoting a gender-based approach in the health system.

B. Development and implementation of the Sectoral Health Strategy

The objective of this strategy is to reform the health system over the coming years, to make health services more accessible to all levels of society, to make essential medications available and to make it possible to achieve the Millennium Development Goals in the area of health.

This Strategy takes into account all aspects of human life at all stages: the health of women, children, men, older persons and adolescents.

As part of the implementation of this Strategy, and taking into account the political, legal, socio-economic and health situation in Cameroon, programmes in the following eight areas have been developed:

- Disease control;
- Reproductive health;
- Health promotion;
- Essential drugs, reagents and medical devices;
- Management;
- Health care supply;
- Health-sector financing programme;
- Institutional development.

The reproductive health (RH) programme, which is aimed at improving the health status of mothers and children by reducing maternal and infant mortality by a third by 2010, is being implemented through the following measures:

- Provision of reproductive health services on a trial basis in 11 health districts with the assistance of the United Nations Population Fund (UNFPA); this programme will be gradually extended to cover the entire country;
- Emergency obstetric care (EOC) project, aimed at reducing maternal mortality; this project was tested in two health districts and has since been extended to cover the entire country;

- Strategic plan to safeguard contraceptives, which is aimed at preventing and reducing infant mortality;
- Project for the prevention of mother-to-child transmission of HIV/AIDS (PMTCT), which provides the following services to seropositive pregnant women: treatment with anti-retroviral drugs; treatment of diseases that might promote the transmission of HIV; utilization of safe practices with respect to newborns and treatment during delivery; proper prenatal and postnatal nutrition. The Government is providing the project with stocks of anti-retroviral drugs and drugs for the treatment of opportunistic infections;
- The establishing of 8 May of every year as Maternal Mortality Prevention Day in Africa.

II. Achievements in 2000-2006 with respect to women's health

Women's health also forms part of the improvement in the living conditions of women and is thus a major component of action for the advancement of women in Cameroon. Targeted actions were carried out during the 2000-2006 period. At the level of the Ministry of Public Health several actions were carried out with a view to improving women's health and reducing maternal mortality.

As part of the fight against HIV/AIDS, the prevention of mother-to-child transmission (PMTCT) was introduced in 2000 through a pilot phase in the Centre and Nord-Ouest provinces. To date, 462 PMTCT sites have opened, covering 64 per cent of health districts, and a number of trained advisers and caregivers are employed there.

For the future, the Ministry of Public Health expects to extend the PMTCT programme to all provinces through the following actions:

- Decentralization of the supply of antiretroviral drugs and tests to health districts through the supply chain of the National Centre for the Supply of Essential Drugs and Medical Consumables (CENAME);
- Establishment of provincial focal points and of a provincial coordination structure;
- Establishment of a district-based approach with a coordination structure at the health district level and a district networking system.

With the Expanded Programme on Immunization (EPI), all pregnant women are systematically immunized against tetanus at prenatal consultations.

In the fight against malaria, the authorities have restructured the National Malaria Control Programme through the creation of a Central Group with a permanent secretariat and of provincial malaria control units.

As part of the intermittent malaria treatment programme for pregnant women, impregnated mosquito nets and insecticides are systematically distributed in all health districts.

With a view to improving women's reproductive health, the European Union, in collaboration with a number of non-governmental organizations and other partners such as UNFPA, is strengthening the capacities of traditional birth

attendants as part of the promotion of basic community services and is distributing prenatal consultation kits.

With the financial support of FAO, the project on behaviour change and community mobilization (CHACOM) for reproductive health aims to promote hygiene, primary health care, family education and the prevention of certain diseases such as malaria, HIV/AIDS and cholera.

To the same effect, specialized reference hospitals in the field of reproductive health have been established (the Ngousso Gynaecological-Obstetric-Pediatric Hospital in Yaoundé).

In 2003, the Ministry for the Promotion of Women and the Family (MINPROFF) approved the women's component of the plan to combat HIV/AIDS. The plan was prepared on 4 March 2003 and has been implemented since June of that year. Various large-scale actions have been carried out including both the staff of the Ministry services and among women members of the public within their respective groups and organizations. Such actions cover training, awareness, care and the strengthening of institutional mechanisms.

1. Training

With respect to training the following actions may be noted:

- Training of the staff of MINPROFF central and field services on STD/HIV/AIDS;
- Training of leaders of women's associations and groups in leadership techniques, gender-oriented prevention of STD/HIV/AIDS and management of community development activities;
- Training of the staff of the MINPROFF field services in Behavior Change Communication (BCC) for combating STD/HIV/AIDS;
- Training of leaders of women's associations in BCC in the context of the fourth programme of cooperation with the United Nations Population Fund (UNFPA).

2. Awareness

The following awareness-training actions have been conducted:

- Social mobilization of women within centres for the advancement of women and women's associations engaged in the fight against HIV/AIDS;
- Awareness training on STD/HIV/AIDS directed at various social categories (market saleswomen, adolescent girls, rural women) through educational talks, round tables, lectures, focus groups and on the occasion of various remembrance days;
- Awareness training for staff of the central services of MINPROFF and of partner bodies on the prevention of STD/HIV/AIDS, with emphasis on preventing stigmatization of, and discrimination against, people living with HIV/AIDS.

3. Caregiving

Care has been extended to some 310 people living with HIV through varied forms of support (financial support, purchase of medicines, income-generating activities (IGA) and commodity grants, among others). The purpose of such actions is not only to combat stigmatization of such people, and discrimination against them, but also, and above all, to promote solidarity with them.

4. Strengthening of institutional machinery

Examples include the following:

- The opening and funding of an appropriation line for combating AIDS in 2003 and 2004 in the amount of 30 million CFA francs;
- The creation within centres for the advancement of women of counselling units on STD/HIV/AIDS;
- The creation within MINPROFF of a service for the promotion of the health of women and girls; this service is responsible, in particular, for the prevention of HIV/AIDS and other infectious diseases among women and girls.

Statistics relating to women's health are given in the annex, tables 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) *The right to family benefits;*
- (b) *The right to bank loans, mortgages and other forms of financial credit;*
- (c) *The right to participate in recreational activities, sports and all aspects of cultural life.*

I. Measures taken to eliminate discrimination against women in the economic and social fields

Cameroon embarked on the third millennium with important advantages while, at the same time, facing major challenges in terms of diversifying its economy, strengthening its growth and improving the living conditions of its people. The advantages included: a stable macroeconomic framework after sustained efforts to achieve adjustment, more attractive conditions for the development of the private sector, its status as a focal point of development in an increasingly open subregional framework, an increasingly young and educated population capable of absorbing new technologies and improving productivity, and a high degree of political and institutional stability.

Even though impact data are unavailable on the extent to which the trends in the situation of women as described in the initial report in 2000 have changed, the quality of the actions undertaken gives grounds for hoping for substantial positive modifications in the short, medium and long term.

Between 2000 and 2006, the Government continued actively to pursue a policy for the advancement of women.

This action took the following forms:

- Strengthening the economic capacities of women;
- Implementation of cooperation programmes;
- Strengthening institutional machinery.

A. Strengthening the economic capacities of women and implementation of cooperation programmes

In the framework of the implementation of the poverty reduction policy, the Government, with the support of the established cooperation bodies, set up a number of programmes and projects in support of women.

(a) Programmes

1. Comprehensive Programme for the Advancement of Women and Gender Equality

The programme receives financial assistance from UNDP and has the aim of improving socio-economic conditions by granting microcredit to women.

In the context of this programme the following actions have been undertaken:

- Financing and follow-up of 240 women's projects in the provinces of Littoral, Ouest, Nord-Ouest and Adamaoua. The entrepreneurs who received credit from the gender programme regularly reimburse their loans. The reimbursement rate in 2002 was 83 per cent;
- Training of 200 women in receipt of credits from the programme for the management of income-generating activities (IGA);
- Retraining of the staff supervising the entrepreneurs engaged in IGA in the pilot provinces of Ouest, Littoral, Nord-Ouest and Adamaoua. The staff were retrained in the main stages of the process of reviewing the applications from entrepreneurs.

2. Programme to Increase Rural Family Income (PARFAR) in the Northern provinces

This programme is financed by the African Development Bank (ADB). It comprises a component on support for women's economic activities and combating HIV/AIDS. The central management structures of PARFAR were set up within the provincial delegations of the Ministry for the Promotion of Women and the Family (MINPROFF) in Adamaoua, Nord and Extrême-Nord provinces.

3. "Jobs for Africa" programme

The purpose of the programme is to support the Government, the private sector and civil society in developing and introducing investment strategies to promote decent employment of a kind suited to poverty eradication. It receives funding from the International Labour Organization (ILO).

The participation of MINPROFF in the process of development, finalization and approval of the National Action Plan to Promote Employment and Reduce Poverty (PANERP), developed in the framework of this programme, has made it possible to integrate gender mainstreaming components.

(b) Projects

1. Support for integration of women in microenterprises

This project is paid for by MINPROFF funds. It is part of the fulfilment by the Government of its commitment to reduce poverty. It provides equipment to women belonging to joint initiative groups and associations to assist them in carrying out their projects in the fields of agriculture, stock raising, food processing, arts and crafts, and so forth.

Agricultural and food-processing equipment has been allocated to women.

2. Gender, Population and Development Project (PGPD)

This project is part of the third assistance programme of the United Nations Population Fund (UNFPA) for the 1998-2002 period.

The PGPD covers six provinces and is designed to empower leaders of both sexes with respect to reproductive health and the management of community development activities.

3. Project on Poverty Reduction and Action on Behalf of Women in the Province of Extrême-Nord (PREPAFEN)

This project is funded by ADB and UNDP and focuses on capacity-building and the establishment of structures and infrastructures.

To date, PREPAFEN has granted credits to a value of 785 million CFA francs. Credits have been provided to by PREPAFEN to 1,036 women out of 1,339 people funded, corresponding to 77 per cent of projects supported.

4. Gender Equality Project

The chief objective of this UNFPA-funded project is to reduce inequality between the sexes through gender mainstreaming in sectoral policies and programmes; gender-based training of national administrative staff; training of women's associations and groups in leadership techniques, the induction of new members and management of microprojects; and making community structures and networks responsive to the needs of women and the promotion of gender equality.

5. Project on Building the Poverty-Reduction Capacity of Women's Networks in the Republic of Cameroon (CAREF)

A tripartite grant agreement was signed in January 2004 between the Africa Capacity Building Foundation (ACBF), the Ministry for the Promotion of Women and the Family (MINPROFF) and the Collective of Women's Advocacy Organizations in Cameroon (COFEC) in an amount of 850 million CFA francs for empowering women's organizations in Cameroon.

6. Project to Support Women Entrepreneurs in Rural Areas (PAEFMIR)

The objectives of this project, which is funded by HIPC resources, are:

- To promote the socio-economic development of rural women by building the organizational and managerial capacities of groups of rural women;
- To raise the income of rural women through support for the conduct of income-generating activities (funding of women's microprojects).

(c) Strengthening the institutional machinery within certain ministerial departments**1. Ministry for the Promotion of Women and the Family**

The decree on the organization and operation of centres for the advancement of women (CPFs) which are specialized technical units of the Ministry of Women's Affairs, defines their principal tasks as the civic, moral and intellectual training and education of women and girls who have dropped out of the formal education system. To date, 44 CPFs are in operation in Cameroon.

Furthermore, with a view to optimizing their action for mentoring, educating, training and supporting women, 120 trainers specializing in information and communications technologies, project management, social intervention, the clothing industry, agro-pastoral activities, and the hotel and restaurant industries have been recruited. Similarly, 40 CPFs have received HIPC resources under the project for the establishment of a support mechanism for poor women in centres for the advancement of women.

2. Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts (MINPMEESA)

With a view to promoting entrepreneurship among women, this department has created and brought into operation an entire policy for the mentoring and support of women heads of SMEs and microenterprises, and promoters of social economy structures (associations, NGOs, joint initiative groups (JIGs), economic interest groups (EIGs) and so forth) and handicraft groups.

For this purpose, there is a project to set up a surety fund to help provide the guarantees which are often required of entrepreneurs. Thus, promotional activities and incentives are offered to induce women to manage their associations more effectively and thus promote women's entrepreneurship.

On another note, the financial and/or technical support applications submitted by women are subject to privileged treatment as a means of encouraging them. For this reason, most such applications, if approved, are transmitted to the National Employment Fund (FNE).

It may also be noted that a draft training programme has been devised to enhance the managerial capacity of women heads of SMEs with the aim of enabling them to take charge of their businesses more effectively and to avoid bankruptcy. They will receive support prior to and during the management of the credits granted.

3. Ministry of Employment and Vocational Training

This Ministry has adopted a programme dealing with the strengthening of gender mainstreaming in policies and programmes for the promotion of employment.

The objective of this programme is to put in place a framework and mechanisms to incorporate gender mainstreaming more effectively in the promotion of employment and the fight against poverty. A project is in preparation on support for women's entrepreneurship (training, technical follow-up and funding), for the skills of women entrepreneurs and for women's organizations of an economic nature.

The overall objective of this project is to facilitate the creation of enterprises belonging to women. The technical partners are the International Labour Office, UNESCO and the Ministry of the Economy and Finance (MINEFI).

4. Ministry of Social Affairs

This Ministry grants substantial aid to associations and private charities for disabled women and marginal populations with a view to enhancing their capacities.

With regard to aspects of economic life in the field of the entitlement to family benefits, the right to bank loans and the right to participate in recreational and sporting activities, our approach is to draw attention to the measures taken by Government authorities.

II. Other aspects of economic life

Statistics on the rates of active employment and of unemployment among women as defined by the International Labour Office are set out in the annex, tables 48, 49, 50, 51 and 52.

A. Right to family benefits

It should be pointed out that the rate of family benefits is modest and is inadequate to attain the objectives for which the benefits are granted.

Furthermore, the policy on the matter does not allow both spouses to draw the benefits. In practice, where the regime of family benefits favours the woman rather than the man, a waiver of the rule preventing the overlapping of benefits, issued by the husband as head of the family, is required in order for the wife to be able to draw the related benefits together with her remuneration.

It would be desirable for benefits to be provided and paid as soon as the entitlement to them is established.

B. Right to bank loans

Bearing in mind the limitations of the traditional system of effectively funding the economic and commercial activities of women, the Government liberalized this sector, the immediate effect of which was the emergence of a large number of

microfinance institutions specializing in the provision of financial support to income-producing women's projects.

However, noting the shortcomings of this new situation and the consequential relative impact of action by credit cooperatives on behalf of women's economic activities, MINPROFF organized a forum attended by over 200 women participants together with national and international public and private stakeholders with a view to improving and facilitating the long-term access of women to bank loans and mortgage financing.

Five major issues were developed in the course of this work:

- The role of the State in the process of funding economic activities;
- The policy for funding women's economic activities by traditional banks, microfinance establishments and donors;
- The prerequisites for the success of a women's enterprise in an urban and rural environment;
- The experiences of bodies and projects supporting women's economic micro-activities;
- Promotion of the funding of women's economic activities.

At the present time, a targeted series of meetings has been launched by the Government in order to develop and implement an overall funding platform for women's economic and commercial activities.

C. Rights to recreational and sports activities

Within the framework of the strategies that have been implemented to promote women's recreational and sports activities, several actions should be noted:

- The continuous organization of national competitions and championships for women in all sports;
- The establishment throughout the country of specialized sports centres and facilities (fitness trails known as "Parcours Vita");
- The now traditional organization by the National Youth and Sports Institute (INJS) and the Ministry for the Promotion of Women and the Family (MINPROFF) of structured sports sessions called "INJS-Women-Sport-Leisure-Health" in the main urban centres;
- Regular organization by MINPROFF of sports events (handball and football matches) for all socio-occupational categories of women;
- The popularization of urban team sports for mixed groups supervised by physical education and sports instructors.

It should be emphasized that rural populations in general do not have sports infrastructures like those that might be found in urban areas. In addition, women are generally prevented from participating in these kinds of activities because of factors such as tradition, the above-mentioned unequal recreational opportunities, the onerous nature of their work, their modest standard of living and their level of education.

Women's representation within national sports federations is far from brilliant. Only one of the 40 national sports federations, the National University Sports Federation, is headed by a woman. There is thus an imbalance between women's qualifications and the few posts that they hold within these federations.

Response to Committee recommendations 52 and 65

Article 14

1. *States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.*

2. *States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:*

(a) *To participate in the elaboration and implementation of development planning at all levels;*

(b) *To have access to adequate health-care facilities, including information, counselling and services in family planning;*

(c) *To benefit directly from social security programmes;*

(d) *To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*

(e) *To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;*

(f) *To participate in all community activities;*

(g) *To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;*

(h) *To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

Rural women play an important role in the development of rural areas as a whole and in the area of food security in particular. Nevertheless, they are faced with numerous problems, including lack of access to basic social services (water, electricity, housing, health), few ways to obtain agricultural credit and loans and limited access to appropriate technology and land.

The Government is proposing to implement programmes and projects for the benefit of rural areas through the various ministries responsible for the rural sector (Ministry of Agriculture and Rural Development, Ministry of Livestock Fisheries and Animal Industries, Ministry of Energy and Water Resources, Ministry of Transport and Ministry of Post and Telecommunications). These programmes and projects will provide information, training, institutional support and financial

support to enable women to develop income-generating activities and have unlimited access to basic social services.

In order to address these difficulties, the following strategies have been adopted:

1. Promoting increased representation of women in management structures in rural areas and in occupational and inter-occupational organizations;
2. Ensuring the economic advancement of rural women;
3. Ensuring their social advancement.

The following actions have been proposed in order to meet the objectives:

- Preparation of a strategy paper (focusing on rural women, access to inputs and credit);
- Recruitment of 200 female extension workers within the framework of the second phase of the National Agricultural Research and Extension Programme (PNVRA);
- Review of land tenure with a view to promoting women's access to land.

Since 2000, the following specific actions have been taken by the Ministry of Agriculture and Rural Development within the framework of implementation of its sectoral strategy:

(a) *Women's participation in the elaboration and implementation of development planning*

The Government is aware of the difficulties encountered by rural women and has set up the following development projects to establish mechanisms and spaces for participatory planning that promote the participation of the most impoverished rural communities: the Community Development Support Programme (PADC) in the Centre and Extrême-Nord provinces, the National Community-Driven Development Programme (PNDP), the National Roots and Tubers Development Programme (PNDRT), the Village Palm Groves Development Programme (PDPV) and the Decentralized Rural Credit Project (PCRD).

The service responsible for women's agricultural initiatives at the Directorate for Community Development has also implemented specific actions for training women leaders in community development planning.

(b) *Access to adequate health-care services*

Community development workers have organized educational talks aimed at promoting hygiene, basic health care, family education and HIV/AIDS prevention.

(c) *Access to all types of education and training*

The Ministry of Agriculture and Rural Development has undertaken the following actions aimed at increasing the number of women leaders and strengthening their capacities and local leadership structures:

- In 2002, 200 contractual extension workers were recruited and trained under PNVRA and women community development leaders were retrained;

- Two women were appointed outreach officers for PADC, and several women directors of Community Education Action Centres (CEAC) (in the Sud-Ouest province) and others took specific training courses in Cameroon and overseas.

With regard to rural women, leaders of several groups have received training: of 25,717 leaders trained, 3,174 (12.34 per cent) were women. This number is low because rural women are called on to do several jobs (wife, mother, entrepreneur) but the figure is rising.

- In 2000, 40 women's groups were trained in Extrême-Nord province;
- In 2001, 30 women's groups were trained in Est province;
- In 2002, 30 women's groups were trained in Littoral province and another 30 in Ouest province.

It should also be noted that several non-governmental organizations and associations train women's groups to allow them to improve their technical and managerial capacities.

There are 58 Community Education Action Centres.

(d) Organization of self-help groups and cooperatives

Women are aware that all development initiatives that require funding from donors depend on the existence of a dynamic group. There has thus been an increase in the number of women's groups.

These groups benefit from aid in the following areas:

- Organizational support;
- Support for finding sources of funding;
- Technical support and equipment;
- Direct funding and support.

The revitalization, consolidation and professionalization of these groups must be carried out on a regular basis.

(e) Participation in community development activities

Rural women are more involved in community development projects (building access roads, wells/boreholes, community huts and meeting centres among other things) because of their position within families and because it is clear to all development partners that it is necessary to actively involve women in order to reduce poverty levels in rural areas.

(f) Women's access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes

Five per cent of the 11,296 clients of all banks are women, and they only receive four per cent of the bank credits granted. The poor supply of financial services to rural women clients is not the result of the misogyny found in traditional banks; it is due to the following constraints that rural women encounter in carrying out their activities:

- Low incomes;
- Lack of professionalism;
- Little or no savings or surety owing to the fact that they have limited access to property;
- Insufficient self-financing;
- Illiteracy;
- Lack of availability;
- Lack of self-confidence.

At the current stage, the supply of credit to women from traditional banks is not tailored to the real needs of rural women. However, financing is a tool for their emancipation and advancement.

Five years ago the Government decided to restructure the sector with the support of donors to enable it to effectively discharge its function of funding micro-enterprises. The following solutions have been found to support rural women's activities:

1. Lightening the burden of women's work and community tasks by acquiring collective and individual equipment (such as wheelbarrows, mills, carryalls, inputs, hoes and machetes). This funding is generally provided by the Government, bilateral and multilateral partners, decentralized local administrations and non-governmental organizations. For the past four years, several farming groups and private associations have benefited from government funding.
2. Professionalizing rural women's activities by giving women the means to develop income-generating activities (IGA):
 - Stricter regulations were put in place in 2005 with a view to strengthening and sustaining microfinance;
 - The State has facilitated the organization of a number of projects that have a microfinance component and offer preferential rates of interest:
 - Project on Poverty Reduction and Action on Behalf of Women in the Province of Extrême-Nord (PREPAFEN);
 - Programme to Increase Rural Family Income (PARFAR);
 - Community Growth Mutual Fund Network (MC2);
 - Cameroon Cooperative Credit Union League (CAMCCUL);
 - Savings and Loans Cooperative (COOPEC);
 - Self-Managed Village Savings and Credit Fund (CVECA). This project is part of PCRD and is funded by HIPC resources; 34.1 per cent of its members are women, and between 2000 and 2003 women held 32 per cent of the savings and received 21 per cent of the credits;
 - The following mechanisms are aimed at women in particular:

- Women Promoters' Savings and Credit Cooperatives (CEC-PROM Mature) provides funding exclusively for women's activities;
- The Private Enterprises Credit Agency (ACEP) in Cameroon pays special attention to female tenderers;
- The Gatsby Charitable Foundation;
- SOS Women;
- Mutual Financing Association for African Women (MUFFA).

The National Employment Fund (FNE) also provides funding for rural women's microprojects. In spite of the efforts that have been undertaken, these initiatives are precarious and limited in scope.

With regard to trade, rural women are actively involved in commercial activities and this allows them to resolve everyday household problems. Unfortunately, they encounter a great deal of difficulties in carrying out these activities owing to lack of access roads and the fact that the market is not organized.

Rural women have only limited access to appropriate technologies. The equipment and tools (short-handled hoes, machetes, carryalls and mills) provided to them through donations or purchased on the market are out of date and do not allow them to make their work profitable. There is only one appropriate technology centre (ATC) in the north of the country.

Although land reform has been one of the three priority actions of the sectoral strategy for five years, nothing has been done to make land more accessible to women. Women cannot inherit land, and very few women are land owners in rural areas. Nevertheless, they must develop these lands in order to ensure the survival of their families. There is an urgent need to establish regional land monitoring centres and form multidisciplinary think tanks on sustainable development and land use.

(g) *Living conditions for rural women, particularly in relation to housing, sanitation, electricity and water supply, transport and communications*

Water is essential to the development of human life. Cameroon has declared water to be part of its natural heritage and has ratified all relevant agreements, conventions and treaties.

According to a study carried out by the Sub-Directorate for Sanitation of the Ministry of Energy and Water Resources (which was formerly known as MINMEE and is now MINEE), waterborne diseases and illnesses caused by poor sanitation account for 63 per cent of health centre consultations.

Supplying water to populations and maintaining the quality of this resource are part of the mission of MINEE in the subsectors of water and sanitation.

There are numerous water and sanitation needs in both rural and urban areas. Rural women need water for their household and agricultural work and must travel kilometres to obtain supplies.

Supplying populations with drinking water has always been a priority for the Government. The administrations in charge of water have carried out massive village water-supply programmes. In rural areas, drinking water is distributed at

points (springs, wells and, increasingly, boreholes) and small-scale water supply systems for small and medium-sized villages.

In 2001, the following achievements were made:

- Wells equipped with pumps: 3,500;
- Boreholes equipped with pumps: 1,500;
- Developed springs: 1,000;
- Storage dams: 10;
- Untreated water supplies: 750;
- Treated water supplies: 450.

The total number of works is 7,130 at a cost of 88 billion CFA francs.

In 2005, 169 boreholes were drilled and another 113 are being drilled using HIPC resources. As part of the fourth phase of a project funded by Japan, 183 boreholes will be drilled in 183 villages in the Centre, Sud, Littoral and Adamaoua provinces in 2007.

One of the Millennium Development Goals is to reduce by half the proportion of people without sustainable access to safe drinking water.

Article 15

1. *States Parties shall accord to women equality with men before the law.*
2. *States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*
3. *States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*
4. *States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

The principle of equality is enshrined in Cameroon's Constitution. The adoption of the Code of Criminal Procedure under Law No. 2005/007 of 27 July 2005 will undoubtedly have a significant impact on women with respect to the defence of their rights in the justice system.

A wide-ranging campaign to enhance awareness and understanding of the Code was launched in Yaoundé on 3 and 4 May 2006, and continued in the other nine provinces. It included a mock trial to illustrate women's key roles in the justice system, both as subjects of law and as legal professionals.

Women's role as legal professionals, as shown in annex table 54 giving sex-disaggregated data on court and tribunal judges, is still underdeveloped and nothing specific has been done to address this problem. The situation is no better with respect to the Prison Administration, which has just been placed under the authority

of the Ministry of Justice. Positive discrimination to favour women in recruitment and promotion processes should be considered (all the relevant statistics on judicial personnel disaggregated by entity, level and sex are given in annex tables 53, 54, 55, 56 and 57).

Despite the awareness-raising efforts carried out by Government authorities and civil society, customs and practices that discriminate against women are still in evidence.

As indicated in the conclusion of the initial report's section on article 15, the shortcomings observed in women's exercise of their rights are a consequence of women's insufficient information about their rights, sociocultural factors and the continued application of certain legal provisions unfavourable to women.

To remedy this situation, the Government has taken the following measures:

- Establishment of community radio stations in some parts of the country. These can be used to provide rural women with information about their rights in local languages;
- Revision of discriminatory legal texts.

Civil society is very active in raising women's awareness of their rights and spreading information about the legislation currently in force.

Article 16 — Rights in relation to civil status

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;*
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*
- (c) The same rights and responsibilities during marriage and at its dissolution;*
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

2. *The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.*

While the situation in this respect is still as described in the initial report, it should be noted, with regard to the Convention's implementation, that two preliminary draft laws have been drawn up:

- The Code of Persons and the Family;
- A law on the prevention and suppression of violence against women and gender-based discrimination.

These two texts are aimed at correcting most of the problems arising from the current legislation.

Conclusion

The foregoing comments and analyses show that the Convention's implementation is a priority of the State of Cameroon.

Obstacles to the actions taken for the full implementation of this important legal instrument are related to cultural barriers, social and/or community practices arising from age-old traditions, certain flaws in legislation, the legacy of colonialism and the poverty that has resulted from the severe economic crisis in which the country has been mired since the 1980s.

In view of these challenges, the authorities of Cameroon have adopted a series of measures to increase the effectiveness of their efforts to promote women's rights. Specifically, these include:

- Grass-roots awareness-raising and advocacy with a view to changing practices and customs that discriminate against women and girls;
- Legislative improvements; one visible result of these efforts is the adoption of a new Code of Criminal Procedure and the establishment of an operational unit to develop proposals on how to make national law consistent with international legal provisions;
- The preparation and implementation of the Poverty Reduction Strategy Paper and the successful conduct of sectoral and cross-sectoral policies and programmes to reduce poverty among women and HIV/AIDS transmission within the family;
- The strengthening of the institutional mechanisms put in place since 2000;
- The strengthening of partnerships with development partners and civil society to create more synergies in the promotion of women's rights.

These efforts will be stepped up in the coming years, as Cameroon has qualified for assistance under the Heavily Indebted Poor Countries (HIPC) Initiative.

Annexes to the periodic report

Article 5

1. Percentage of executive positions in ministerial departments occupied by women

<i>Function</i>	<i>% accounted for by women (2002)</i>	<i>% accounted for by women (February 2006¹)</i>
Inspector-General	8.6	16.6
Inspector	18.8	18.2
Technical Adviser	15.6	21.4
Director	11.8	11.7
Deputy Director	—	—
Assistant Director ²	14.9	15.1
Chief of Service	21.9	23.6
Total	17.1	20.0

Source: MINPROFF.

¹ The sample included 19 ministerial departments encompassing 1,509 posts encumbered in February 2006.

² Including Deputy Directors.

2. Percentage breakdown of households by home ownership status, area and sex of head of household

<i>Ownership status</i>	<i>Rural areas</i>		<i>Urban areas</i>	
	<i>Male head of household</i>	<i>Female head of household</i>	<i>Male head of household</i>	<i>Female head of household</i>
Owner	85.6	74.4	55.7	61.2
Owner with title to the property	5.3	8.2	21.3	21.7
Owner without title to the property	80.3	66.2	34.5	39.5
Tenant	4.2	5.9	35.0	27.3
Provided with free lodging	10.1	19.7	9.3	11.2

Source: Second household survey (ECAM II) (2001), National Institute of Statistics (INS).

Article 7

3. Breakdown of slates of nominees (2002 legislative elections) showing women candidates and alternates, as well as slates headed by women

<i>Province</i>	<i>Number of slates</i>	<i>Number of slates with women candidates</i>	<i>Number of slates with women alternates</i>	<i>Number of slates with a woman as the head candidate</i>
Adamaoua	21	2	3	0
Centre	51	22	30	7

<i>Province</i>	<i>Number of slates</i>	<i>Number of slates with women candidates</i>	<i>Number of slates with women alternates</i>	<i>Number of slates with a woman as the head candidate</i>
Est	15	2	2	1
Extrême-Nord	54	4	4	3
Littoral	58	16	26	8
Nord	21	3	4	2
Nord-Ouest	25	3	6	0
Ouest	42	9	20	2
Sud	13	4	5	2
Sud-Ouest	31	7	6	4
Total	331	72	106	29

Source: MINPROFF (analysis using 2002 election documents).

4. Gender breakdown of all candidates and alternates nominated by political parties

<i>Province</i>	<i>Total women³</i>	<i>Grand total</i>	<i>Women as % of grand total</i>	<i>Women candidates</i>	<i>Total candidates</i>	<i>Women as % of total candidates</i>	<i>Women heading slates</i>
Adamaoua	6	88	6.8%	2	44	4.5%	0
Centre	78	336	23.2%	34	168	20.2%	7
Est	5	84	6.0%	2	42	4.8%	1
Extrême-Nord	9	232	3.9%	4	116	3.4%	3
Littoral	50	264	18.9%	17	132	12.9%	8
Nord	4	82	4.9%	3	41	7.3%	2
Nord-Ouest	9	122	7.4%	3	61	4.9%	0
Ouest	33	244	13.5%	11	122	9.0%	2
Sud	12	64	18.8%	4	32	12.5%	2
Sud-Ouest	13	96	13.5%	7	48	14.6%	4
Total	219	1 612	13.6%	87	806	10.8%	29

Source: MINPROFF, 2004 statistical yearbook.

³ Including both candidates and alternates.

5. Women as a percentage of total candidates in the 1997 and 2002 elections, by province

<i>Province</i>	<i>AD</i>	<i>CE</i>	<i>EST</i>	<i>EN</i>	<i>LT</i>	<i>NO</i>	<i>NW</i>	<i>OU</i>	<i>SUD</i>	<i>SW</i>	<i>Total</i>
% accounted for by women in 1997	4.1	19.0	5.2	5.0	20.8	8.3	7.6	12.2	20.4	7.7	12.9
% accounted for by women in 2002	6.8	23.2	6.0	3.9	18.9	4.9	7.4	13.5	18.8	13.5	13.6

Source: MINPROFF, 2004 statistical yearbook.

6. Number of women candidates and alternates in 1997 and 2002

<i>Province</i>	<i>Women candidates, 1997</i>	<i>Women candidates, 2002</i>	<i>Women alternates, 1997</i>	<i>Women alternates, 2002</i>
Adamaoua	2	2	3	4
Centre	36	34	51	44
Est	1	2	6	3
Extrême-Nord	6	4	9	5
Littoral	40	17	43	33
Nord	1	3	8	1
Nord-Ouest	4	3	7	6
Ouest	15	11	31	22
Sud	7	4	15	8
Sud-Ouest	4	7	6	6
Total	116	87	179	132
Total candidates	1 141	806	1 141	806
% accounted for by women	10.2%	10.8%	15.7%	16.4%

7. Outcome of legislative elections (candidates and alternates), by sex and province

<i>Province</i>	<i>Candidates</i>		<i>Alternates</i>	
	<i>Women</i>	<i>Men + women</i>	<i>Women</i>	<i>Men + women</i>
Adamaoua	0	10	0	10
Centre	4	28	11	28
Est	2	11	1	11
Extrême-Nord	1	29	1	29
Littoral	4	19	4	19
Nord	0	12	1	12
Nord-Ouest	0	20	0	20
Ouest	3	25	6	25
Sud	1	11	7	11
Sud-Ouest	4	15	2	15
Total	19	180	33	180
% accounted for by women	10.6%		18.3%	

Source: MINPROFF, 2004 statistical yearbook.

8. Number of women deputies since 1973

<i>Legislature</i>	<i>Total deputies</i>	<i>Number of women deputies</i>	<i>% accounted for by women</i>
1973-1978	120	7	5.8%
1978-1983	120	12	10.0%
1983-1988	120	17	14.2%
1988-1992	180	26	14.4%
1992-1997	180	23	12.8%
1997-2002	180	10	5.6%
2002-2007	180	20 ⁴	10.6%

Source: MINPROFF, 2004 statistical yearbook.

⁴ 19 women deputies were elected, but following the application of the law, the number rose to 20 in 2004 because 1 male deputy was replaced by a woman alternate.

9. Breakdown, by sex and province, of nominees for the 2002 municipal elections

<i>Province</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>% accounted for by women</i>
Adamaoua	1 014	105	1 119	9.4%
Centre	3 116	684	3 800	18.0%
Est	1 261	167	1 428	11.7%
Extrême-Nord	3 507	219	3 726	5.9%
Littoral	2 232	479	2 711	17.7%
Nord	1 613	145	1 758	8.2%
Nord-Ouest	2 226	243	2 469	9.8%
Ouest	2 691	528	3 219	16.4%
Sud	802	148	950	15.6%
Sud-Ouest	1 228	228	1 456	15.7%
Total	19 690	2 946	22 636	13.0%
Percentage	87.0%	13.0%	100.0%	

Source: MINPROFF, 2004 statistical yearbook.

10. Women elected officials, by province

<i>Province</i>	<i>Total councillors</i>	<i>Number of women councillors</i>	<i>% accounted for by women</i>
Adamaoua	503	46	9.1%
Centre	1 834	344	18.8%
Est	848	102	12.0%
Extrême-Nord	1 475	76	5.2%
Littoral	917	142	15.5%
Nord	647	48	7.4%

<i>Province</i>	<i>Total councillors</i>	<i>Number of women councillors</i>	<i>% accounted for by women</i>
Nord-Ouest	1 034	108	10.4%
Ouest	1 225	184	15.0%
Sud	665	105	15.8%
Sud-Ouest	815	147	18.0%
Total	9 963	1 302	13.1%

Source: MINPROFF, 2004 statistical yearbook.

11. Women on town councils

<i>Number of women</i>	<i>Number of town councils</i>	<i>Percentage</i>	<i>Cumulative percentage</i>
0	18	5.3%	5.3%
1	39	11.6%	16.9%
2	51	15.1%	32.0%
3	65	19.3%	51.3%
4-5	96	28.5%	79.8%
6-7	39	11.6%	91.4%
8-9	13	3.9%	95.3%
10-11	10	3.0%	98.2%
12-16	6	1.8%	100.0%
Total	337	100.0%	//

Source: MINPROFF, 2004 statistical yearbook.

12. Number of women on town councils, by province

<i>Province</i>	<i>Town councils with 0 women</i>	<i>Town councils with 1 woman</i>	<i>Town councils with 2 women</i>	<i>Town councils with 3 women</i>	<i>Town councils with 4 women</i>	<i>Town councils with 5 women</i>
Adamaoua	3	3	4	1	5	—
Centre	—	2	5	15	9	15
Est	1	4	8	10	4	1
Extrême-Nord	9	14	12	8	—	—
Littoral	—	2	3	4	8	6
Nord	1	5	5	3	3	1
Nord-Ouest	5	4	2	6	5	4
Ouest	—	2	3	12	9	6
Sud	—	1	3	3	8	5
Sud-Ouest	—	2	6	3	6	1
Total	18	39	51	65	57	39

Source: MINPROFF, 2004 statistical yearbook.

13. Elected mayors, by sex and province

<i>Province</i>	<i>AD</i>	<i>CE</i>	<i>EST</i>	<i>EN</i>	<i>LT</i>	<i>NO</i>	<i>NW</i>	<i>OU</i>	<i>SUD</i>	<i>SW</i>	<i>Total</i>
Mayors	17	68	32	45	31	19	32	41	25	27	337
Men	17	64	31	45	30	19	32	41	22	26	327
Women	—	4	1	—	1	—	—	—	3	1	10

Source: MINPROFF, 2004 statistical yearbook.

14. Distribution of municipal executive positions, by sex

	<i>Number of mayors</i>	<i>Number of first deputies</i>	<i>Number of second deputies</i>	<i>Number of third deputies</i>	<i>Number of fourth deputies</i>	<i>Total municipal executive positions</i>	<i>Sex of executive staff, %</i>
Men	327	301	257	59	1	945	87.3%
Women	10	36	80	11	1	138	12.7%
Total	337	337	337	70	2	1 083	100.0%
Women as %	3.0%	10.7%	23.7%	15.7%	50.0%	12.7%	//

Source: MINPROFF, 2004 statistical yearbook.

15. Number of women in municipal management since 1982

<i>Year</i>	<i>Total councillors</i>	<i>Number of women councillors</i>	<i>% accounted for by women</i>	<i>Number of women mayors</i>
1982	5 107	336	6.6%	—
1987	5 345	446	8.3%	1
1996	9 932	1 061	10.7%	2
2002	9 963	1 302	13.1%	10

Source: MINPROFF, 2004 statistical yearbook.

16. Women on staff and in permanent secretariat of the National Elections Observatory (ONEL)

	<i>Total staff</i>	<i>Number of women</i>	<i>% accounted for by women</i>
ONEL	11	3	27.3%
Permanent secretariat	57	19	33.3%
Total	68	22	32.4%

Source: ONEL.

17. Representation of women at the provincial, departmental and municipal levels in the National Elections Observatory (ONEL)

<i>Province</i>	<i>Total staff</i>	<i>Number of women</i>	<i>% accounted for by women</i>
Provincial representation	58	3	5.2%
Departmental representation	335	41	12.2%
Municipal representation	1 582	174	11.0%

Source: MINPROFF, 2004 statistical yearbook.

18. Women among polling-station staff (delegates) of the National Elections Observatory (ONEL)

<i>Province</i>	<i>Total staff</i>	<i>Number of women</i>	<i>% accounted for by women</i>
Adamaoua	925	49	5.3%
Centre	3 506	590	16.8%
Est	1 114	255	22.9%
Extrême-Nord	2 881	203	7.0%
Littoral	2 449	566	23.1%
Nord	1 300	113	8.7%
Nord-Ouest	1 669	123	7.4%
Ouest	2 137	279	13.1%
Sud	1 154	168	14.6%
Sud-Ouest	1 515	267	17.6%
Total	18 650	2 613	14.0%

Source: MINPROFF, 2004 statistical yearbook.

19. Women in selected senior posts

<i>Post</i>	<i>Number of women</i>
Minister	4
Secretary of State	2
Secretary-General in ministry or university	6
University rector	1
University vice-rector	2
Director-General of State company	3
Ambassador or consul	1
Plenipotentiary Minister	5
International Court of Justice	1
African Union Commissioner for Trade and Industry	1
Sub-prefect	3
Chef supérieur	2

<i>Post</i>	<i>Number of women</i>
Chief Superintendent of Police	3
Senior officer in the armed forces	2
Assembly member	20
Alternate member	33
Mayor	10
Deputy mayor ⁵	128

Source: MINPROFF (document-based analysis).

⁵ This includes first, second, third and fourth deputies.

20. Members of the Government, by sex, as at 8 December 2004

<i>Post</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Prime Minister	1	—	1
Minister of State, Secretary-General at the Presidency	1	—	1
Deputy Secretary-General at the Presidency	2	—	2
Deputy Prime Minister	1	—	1
Minister of State	5	—	5
Minister Delegate at the Presidency	3	—	3
Minister	23	4	27
Minister Delegate to the Ministers	9	—	9
Minister in charge of Missions at the Presidency of the Republic	3	—	3
Secretary of State	8	2	10
Secretary-General at the Prime Minister's Office	1	—	1
Deputy Secretary-General at the Prime Minister's Office	1	—	1
Delegate General for National Security	1	—	1
Total	59	6	65

Source: MINPROFF, 2004 statistical yearbook (analysis of information from decree).

Article 8

21. Breakdown of admissions to IRIC for the doctoral programme in international relations

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
1985-1986	06	01	07
1986-1987	16	01	17
1987-1988	05	01	06
1988-1989	07	01	08
1989-1990	10	00	10

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
1990-1991	10	00	10
1991-1992	16	02	18
1992-1993	10	01	11
1993-1994	02	01	03
1994-1995	07	01	08
1995-1996	07	01	08
1996-1997	05	01	06
1997-1998	10	02	12
1998-1999	02	01	03
1999-2000	06	02	08
2000-2001	07	02	09
2001-2002	02	00	02
2002-2003	06	02	08
2003-2004	07	03	10
2004-2005	01	01	02
Total	142	24	166

Source: Institute of International Relations, Yaoundé, Cameroon.

21 (bis). Breakdown of admissions to IRIC for the DESS programme in international relations

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
2002-2003	10	02	12
2003-2004	21	06	27
2004-2005	14	05	19
2005-2006	02	00	02
Total	47	13	60

Source: Institute of International Relations, Yaoundé, Cameroon.

22. Women in diplomatic posts at the Presidency of the Republic

<i>Posts</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Attaché	01	00	01
Chargé de mission	03	02	05
Technical Adviser	01	00	01

Source: Ministry of Foreign Affairs, General Affairs Department, 2006.

22 (bis). Women in diplomatic missions, by function

<i>Function</i>	<i>Total posts</i>	<i>Men</i>	<i>Women</i>	<i>% accounted for by women</i>
Plenipotentiary Minister	60	55	05	8.3%
Counsellor for Foreign Affairs	28	28	00	0.0%
Secretary for Foreign Affairs	123	90	33	26.8%
Total	211	173	38	18.8%

Source: MINPROFF, 2004 statistical yearbook (analysis using documents of the Ministry of Foreign Affairs).

23. Women in senior posts in the Ministry of Foreign Affairs

<i>Posts</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Minister	1	0	1
Deputy minister	2	0	2
Secretary-General	1	0	1
Inspector-General	3	00	03
Technical Adviser	4	00	04
Director	08	02	10
Assistant Directors	33	07	40
Chief of Service	45	36	81

Source: Ministry of Foreign Affairs, General Affairs Department, 2006.

Article 10**24. Literacy rate (as a percentage) of the population aged 15 years or over in 2001**

	<i>Men</i>	<i>Women</i>	<i>Total</i>
Yaoundé	96.3	92.5	94.4
Douala	97.2	90.5	94.0
Urban areas	92.4	83.1	87.8
Rural areas	66.5	46.6	55.7
Total	77.0	59.8	67.9

Source: ECAM II (2001), MINEPAT/INS.

25. Population aged six years or over, by highest level of schooling

<i>Sex</i>	<i>No education</i>	<i>Primary</i>	<i>Secondary</i>	<i>Higher</i>	<i>Total</i>
Male	17.0	51.4	27.8	3.2	100.0
Female	29.2	46.8	22.1	1.4	100.0

Source: EDSC III (2004).

26. Net school attendance rate of the population, by highest level of schooling

<i>Sex</i>	<i>Primary</i>			<i>Secondary</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Net attendance rate ⁶	79.2	76.4	77.8	34.2	31.4	32.8
Gross attendance rate ⁷	124.0	111.1	117.7	49.9	42.7	46.3

Source: EDSC III (2004).

⁶ The net attendance rate for the primary level is the percentage of the population aged 6-11 years that attends primary school. For secondary school it refers to children aged 12-18 years. By definition, it cannot be more than 100%.

⁷ The gross attendance rate for the primary level is the proportion of primary-level pupils of any age in the population of the official age for attending primary school.

27. Percentage of girl pupils, by level of schooling

<i>Level of schooling</i>	<i>% accounted for by girls</i>
Nursery school	49.5%
Primary	45.7%
General secondary	46.7%
Technical secondary	41.2%
Teacher training	61.6%
Total	45.9%

Source: MINEDUC, education statistics for Cameroon.

28. Percentage of girls at State universities

<i>University</i>	<i>Buea</i>	<i>Douala</i>	<i>Dschang</i>	<i>Ngaoundéré</i>	<i>Yaoundé I</i>	<i>Yaoundé II</i>	<i>Total</i>
Girls as %	49.9	38.1	36.1	26.7	39.1	42.1	38.8
Women as % of teachers	23.6	18.9	12.7	10.2	14.5	13.1	15.8

Source: MINESUP.

<i>University</i>	<i>2001/2002</i>	<i>2002/2003</i>
Buea	49.9%	50.0%
Douala	38.1%	36.2%
Dschang	36.1%	36.6%
Ngaoundéré	26.7%	27.8%
Yaoundé I	39.1%	40.1%
Yaoundé II	42.1%	38.0%
Total	38.8%	38.2%

29. Net enrolment ratio⁸ of children aged 6-14 years (as a percentage)

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Adamaoua	66.8	53.8	60.7
Centre	91.0	92.4	91.7
Est	79.2	79.4	79.3
Extrême-Nord	54.6	38.0	46.7
Littoral	94.7	94.1	94.4
Nord	60.7	42.2	51.5
Nord-Ouest	90.2	88.0	89.1
Ouest	93.5	93.5	93.5
Sud	94.6	90.0	92.3
Sud-Ouest	92.2	91.4	91.8
Total	81.3	76.2	78.8

	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Yaoundé	94.6	94.0	94.3
Douala	95.9	96.4	96.1
Urban areas	91.1	89.9	90.5
Rural areas	77.1	69.6	73.5

Source: ECAM II, MINEPAT/INS.

⁸ The net enrolment ratio here is the number of pupils aged 6-14 years enrolled in school as a percentage of the population of official school age for primary school.

30. Primary gross enrolment ratio,⁹ by province, in 2003/2004

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Adamaoua	113.83	80.87	97.26
Centre	114.48	112.24	113.37
Est	109.62	97.58	103.72

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Extrême-Nord	113.06	70.75	92.01
Littoral	93.37	89.18	91.27
Nord	117.28	74.94	96.66
Nord-Ouest	96.27	90.54	93.43
Ouest	129.65	119.26	124.41
Sud	105.49	105.35	105.42
Sud-Ouest	85.17	79.22	82.15
Total	108.14	92.05	100.14

Source: MINEDUC, education statistics for Cameroon.

⁹ The gross enrolment ratio here is the number of pupils enrolled in primary school, regardless of age, as a percentage of the population of official school age for the primary level. The rate is over 100% owing to grade repetition and, in particular, to early admissions (many children under 6 years of age attend primary school).

31. Number of pupils in MINEDUC establishments by level of schooling, in 2002-2003 and 2003-2004

<i>Level of schooling</i>	<i>2002-2003</i>			<i>2003-2004</i>		
	<i>Female</i>	<i>Total</i>	<i>Girls as %</i>	<i>Female</i>	<i>Total</i>	<i>Girls as %</i>
Nursery school	69 073	138 716	49.8%	87 181	175 970	49.5%
Primary	1 278 804	2 798 523	45.7%	1 329 106	2 906 732	45.7%
General secondary	311 230	669 129	46.5%	355 652	762 053	46.7%
Teacher training	4 150	6 739	61.6%	3 123	5 068	61.6%
Total	1 663 257	3 613 107	46.0%	1 775 062	3 849 823	46.1%

Source: MINEDUC, education statistics for Cameroon.

32. Number of pupils in MINEDUC establishments, by level of schooling, sector and gender, in 2003/2004

<i>Level of schooling</i>	<i>Public</i>			<i>Private</i>		
	<i>Girls</i>	<i>Total</i>	<i>Girls (%)</i>	<i>Girls</i>	<i>Total</i>	<i>Girls (%)</i>
Nursery school	31 073	62 773	49.5	56 108	113 197	49.6
Primary	1 002 723	2 222 051	45.1	326 383	684 681	47.7
General secondary	230 984	519 259	44.5	124 668	242 794	51.3
Teacher training	3 042	4 955	61.4	113	145	77.9
Total	1 267 822	2 809 038	45.1	507 272	1 040 817	48.7

Source: MINEDUC, education statistics for Cameroon.

33. Number of pupils at all levels in MINEDUC establishments, by province, in 2003/2004

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>	<i>Girls (%)</i>
Adamaoua	91 956	64 571	156 527	41.3
Centre	383 702	367 334	751 036	48.9
Est	94 277	80 294	174 571	46.0
Extrême-Nord	326 604	188 206	514 810	36.6
Littoral	273 899	269 657	543 556	49.6
Nord	156 436	91 049	247 485	36.8
Nord-Ouest	226 995	216 154	443 149	48.8
Ouest	302 418	287 832	590 250	48.8
Sud	74 478	68 166	142 644	47.8
Sud-Ouest	143 996	141 799	285 795	49.6
Total	2 074 761	1 775 062	3 849 823	46.1

Source: MINEDUC, education statistics for Cameroon.

Article 11

34. Membership of trade unions

<i>Trade union</i>	<i>Women</i>	<i>Men</i>	<i>Total number of members</i>
Community	120	350	470
Agriculture	1 055	2 800	3 855
Forestry	475	2 500	2 975
Trade	120	350	470
Private education	200	400	600
Transport	515	15	530
Industry	184	1 586	1 770
Textiles and leather	70	30	100
Total	2 739	8 031	10 770

Article 12

35. Percentage of adolescents between the ages of 15 and 19 years who have had children or reached reproductive age

	15 years (%)	16 years (%)	17 years (%)	18 years (%)	19 years (%)	Total (%)
Teenage mothers	3.5	9.5	19.9	34.2	47.3	22.7
Girls of reproductive age	6.8	15.2	24.6	42.8	53.1	28.4

Source: EDSC III (2004).

36. Percentage of men and women using condoms, by category of partner

Category of partner	Women (%)	Men (%)
Spouse or cohabiting partner	5.7	7.3
Non-cohabiting partner	40.5	53.9
Any category of partner	14.9	29.5

Source: EDSC III (2004).

37. Fertility rate, by age

Age (Years)	Urban areas	Rural areas	Total
15-19	104	184	137
20-24	186	303	236
25-29	201	267	232
30-34	166	221	192
35-39	102	161	131
40-44	41	60	51
45-49	11	21	16

Source: EDSC III (2004).

38. Overall fertility index (OFI),¹⁰ overall general fertility rate (OGFR)¹¹ and crude birth rate (CBR),¹² by residential area

	Urban areas	Rural areas	Total
OFI	4.1	6.1	5
OGFR (per 1,000)	142	217	176
CBR (per 1,000)	35	40.5	37.9

Source: EDSC III (2004).

¹⁰ The overall fertility index (OFI) measures the average number of live children born to a woman during her reproductive years under current fertility conditions.

¹¹ Overall general fertility rate (OGFR): number of births divided by the number of women aged between 15 and 49, per 1,000 women.

¹² Crude birth rate (CBR) per 1,000 women.

39. Changes in the overall fertility index (OFI) since 1991

<i>Survey</i>	<i>Overall fertility index</i>
EDSC I (1991)	5.8
EDSC II (1996)	5.2
MICS (2000)	5.1
EDSC III (2004)	5

40. Access to the nearest health centre, by residential area

<i>Area</i>	<i>Average distance (km)</i>	<i>Average time taken to reach the centre (minutes)</i>	<i>Percentage of households served (%)</i>
Urban	1.13	13	82.5
Rural	5.26	39.7	65.1
Douala/Yaoundé			
Douala	0.99	12.1	72.1
Yaoundé	0.93	9.3	87.3
Total	3.86	30.6	69.3

Source: ECAM II, INS.

41. Percentage of married women using contraception by method currently used

<i>Contraception method</i>	<i>Usage rate (%)</i>
At least one method	26
A modern method	12.5
Modern method	
Female sterilization	1.2
Pill	1.6
IUD	0.3
Injections	1.4
Implants	0.3
Condom	7.6
Female condom	—
Mousse/gel	—
A traditional method	13.5
Traditional method	
LAM	0.6
Periodic abstinence	10.2
Withdrawal	2.1
Popular method	0.6
No method	74

Source: EDSC III (2004).

42. Percentage of women giving birth in health centres, by various socio-demographic characteristics

<i>Characteristics</i>	<i>Percentage of women attended by a health-care worker (%)¹³</i>	<i>Percentage of women giving birth in a health centre (%)</i>
Mother's age (years)		
Under 20	60.6	58.2
20-34	62.3	59.5
35 and over	60.6	57.4
Area		
Urban	84.3	81.2
Rural	44.2	41.7
Douala/Yaoundé		
Douala	97.2	95.3
Yaoundé	94	90.2
Province		
Adamaoua	37.1	34.1
Centre	74.5	65.3
Est	47.6	40.5
Extrême-Nord	26.5	25.7
Littoral	93.7	92.2
Nord	22.3	20.9
Nord-Ouest	87.5	87.8
Ouest	93.2	89.7
Sud	70.6	63.4
Sud-Ouest	77.8	76.9
Educational level		
No education	22.8	21.6
Primary	69.3	65.9
Secondary	91.6	88.2
Higher	98.6	96.4
Total	61.8	59

Source: EDSC III (2004).

¹³ Health-care worker: Either a doctor, nurse, midwife or care assistant.

43. Percentage of men and women who have heard of AIDS, by various socio-demographic characteristics

<i>Characteristics</i>	<i>Percentage of women who have heard of HIV/AIDS (%)</i>	<i>Percentage of women who believe that HIV/AIDS can be avoided (%)</i>	<i>Percentage of men who have heard of HIV/AIDS (%)</i>	<i>Percentage of men who believe that HIV/AIDS can be avoided (%)</i>
Age (years)				
15-19	97.4	82.9	98.6	91.2
20-24	98.2	83.2	99.5	93.4
25-29	98.4	83.2	99.9	96.6
30-39	98.2	82.2	99.2	94.8
40-49	96.7	76.4	99.2	92.5
50-59	—	—	98.8	90.8
Area				
Urban	99.4	89.4	99.4	94.8
Rural	95.9	72.8	98.9	91.4
Marital status				
Single	97.6	88	98.3	94.3
Married or cohabiting	97.8	79.6	99.3	93.4
Divorced/separated/widowed	98.6	83.1	99	92.3
Douala/Yaoundé				
Douala	99.8	92.5	99.4	95.9
Yaoundé	100	93	99.6	95.4
Province				
Adamaoua	96.4	83.2	100	92.4
Centre	97.9	84.3	98.6	96.5
Est	93.8	75.2	98.3	93.4
Extrême-Nord	96	72	98.9	89.7
Littoral	99.2	85.8	98.6	92.8
Nord	93.1	52.6	99.2	83.1
Nord-Ouest	99.9	87.7	98.8	96.7
Ouest	98.4	83.9	100	95.1
Sud	99.4	91.9	99.2	95.4
Sud-Ouest	99.4	91.1	99.3	94.5
Educational level				
No education	93.5	59.1	97.7	83.3
Primary	98.2	81.1	98.6	90
Secondary	100	95.6	99.9	97.8
Higher	100	98.8	100	99
Total	97.8	81.9	99.2	93.3

Source: EDSC III (2004).

44. Percentage of men and women using condoms, by category of partner

<i>Category of partner</i>	<i>Women (%)</i>	<i>Men (%)</i>
Spouse or cohabiting partner	5.7	7.3
Non-cohabiting partner	40.5	53.9
Any partner	14.9	29.5

Source: EDSC III (2004).

45. Percentage of women who used a condom during their most recent sexual contact with their husband, cohabiting partner, or any partner, by various socio-demographic characteristics

<i>Characteristics</i>	<i>With spouse or cohabiting partner (%)</i>	<i>With non-cohabiting partner (%)</i>	<i>With any partner (%)</i>
Age (years)			
15-19	6.3	47.5	28.6
20-24	7.8	45.4	20.8
25-29	6.9	39.9	13.3
30-39	4.4	31.3	8.2
40-49	3.5	17.5	5.3
Area			
Urban	9.1	47.1	22.8
Rural	6	23.6	5.9
Marital status			
Single	—	49.9	49.8
Married or cohabiting	5.6	34.7	8.9
Divorced/separated/widowed	6	32.7	27.1
Douala/Yaoundé			
Douala	9.6	47.7	25.5
Yaoundé	17.9	54.4	33.9
Province			
Adamaoua	2.5	53.7	7.4
Centre	5	31.3	15.1
Est	5.4	25.3	11.6
Extrême-Nord	0.5	27.8	1.3
Littoral	12.2	40.7	23.7
Nord	0.8	44.7	2.1
Nord-Ouest	7.4	32.7	15.2
Ouest	8.7	50	20.2
Sud	9.5	36.1	19.1
Sud-Ouest	3.8	23.9	11.9

<i>Characteristics</i>	<i>With spouse or cohabiting partner (%)</i>	<i>With non-cohabiting partner (%)</i>	<i>With any partner (%)</i>
Educational level			
No education	0.6	10.9	0.9
Primary	5.1	26.9	9.9
Secondary	12.3	47.9	28.4
Higher	13.1	64.3	41.1
Total	5.7	40.5	14.9

Source: EDSC III (2004).

46. Percentage of men who used a condom during their most recent sexual contact with their wife, cohabitating partner or any partner, by age, marital status, residence, province and level of education

<i>Characteristics</i>	<i>With wife or cohabitating partner (%)</i>	<i>With non-cohabitating partner (%)</i>	<i>With any partner (%)</i>
Age (years)			
15-19	4.3	55.8	53.9
20-24	8.7	58.4	50.6
25-29	8.8	60.2	35.0
30-39	9.8	50.5	21.5
40-49	5.7	40.9	12.1
50-59	2.7	32.9	5.6
Area			
Urban	10.1	62.2	39.2
Rural	4.6	37.6	16.4
Marital status			
Single	—	57.1	57.1
Married or cohabitating	7.2	51.9	15.9
Divorced/separated/widowed	7.2	49.1	43.9
Douala/Yaoundé			
Douala	8.9	65.8	43.1
Yaoundé	12.9	69.5	49.5
Province			
Adamaoua	2.1	50.5	21.0
Centre	8.8	47.9	29.7
Est	6.0	42.7	25.4
Extrême-Nord	1.8	35.0	8.2
Littoral	12.5	52.7	35.9
Nord	3.4	43.0	12.4
Nord-Ouest	8.5	41.6	24.8
Ouest	14.2	66.7	41.0

<i>Characteristics</i>	<i>With wife or cohabitating partner (%)</i>	<i>With non-cohabitating partner (%)</i>	<i>With any partner (%)</i>
Sud	7.4	49.6	30.3
Sud-Ouest	9.4	44.7	26.7
Level of education			
No education	2.1	26.9	5.6
Primary	4.7	38.7	19.5
Secondary	11.4	62.6	42.0
Higher	15.1	69.8	40.8
Total	7.3	53.9	29.5

Source: EDSC III.

47. HIV prevalence rate in men and women aged 15 to 49 years, by age, place of residence and province

<i>Characteristics</i>	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Age (years)			
15-19	0.6	2.2	1.4
20-24	2.5	7.9	5.5
25-29	5.1	10.3	7.8
30-34	8.3	9.4	8.9
35-39	8.6	7.8	8.2
40-44	5.6	6.0	5.8
45-49	3.8	5.5	4.7
Area			
Urban	4.9	8.4	6.7
Rural	3.0	4.8	4.0
Douala/Yaoundé			
Douala	3.7	5.5	4.6
Yaoundé	6.0	10.7	8.3
Province			
Adamaoua	4.1	9.8	6.9
Centre	2.2	6.8	4.7
Est	7.6	9.4	8.6
Extrême-Nord	1.7	2.2	2.0
Littoral	4.4	6.5	5.5
Nord	1.7	1.7	1.7
Nord-Ouest	5.2	11.9	8.7

<i>Characteristics</i>	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Ouest	5.2	4.3	4.7
Sud	4.5	8.4	6.5
Sud-Ouest	5.1	11.0	8.0
Total	4.1	6.8	5.5

Source: EDSC III (2004).

Article 13

48. Participation rate¹⁴ as defined by the International Labour Organization (ILO), by province

<i>Province</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Adamaoua	80.8	53.6	66.5
Centre	71.3	65.6	68.3
Est	77.6	64.9	70.9
Extrême-Nord	84.8	76.0	79.9
Littoral	72.1	64.4	68.0
Nord	83.8	72.5	77.8
Nord-Ouest	85.1	84.0	84.5
Ouest	74.5	75.6	75.1
Sud	77.2	66.0	71.4
Sud-Ouest	76.1	59.1	67.7
Total	77.5	66.9	71.9

Source: ECAM II (2001), INS.

¹⁴ The participation rate provides information on the labour force. It is the ratio of the economically active population to the working age population, i.e. the number of people aged 15 to 64 years.

49. Participation rate as defined by ILO¹⁵ in Douala and Yaoundé and places of residence

[Table missing.]

¹⁵ As defined by ILO, an economically active person is any employed person or any unemployed person actively seeking work. Unlike the ILO definition of employment, in the broader sense employment includes discouraged unemployed workers.

50. Distribution of employed persons in socio-economic groups,¹⁶ by sex

<i>Socio-economic group</i>	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Formal sector	25.8	8.7	17.4
Public sector managers and employers	4.2	1.5	2.8
Other public sector employees	5.5	2.3	3.9
Formal private sector managers and employers	6.5	2.7	4.7
Other formal private sector employees	9.6	2.2	5.9
Informal sector	74.2	91.3	82.6
Informal sector agricultural workers	48.4	66.3	57.2
Farmers	37.1	39.1	38.1
Informal sector agricultural dependent workers	11.2	27.2	19.1
Informal non-agricultural sector	25.9	24.9	25.4
Informal sector non-agricultural employers	1.1	0.8	0.9
Self-employed informal sector non-agricultural workers	12.6	18.8	15.7
Informal sector non-agricultural workers	12.2	5.4	8.8

Source: ECAM II (2001), INS.

¹⁶ The different socio-economic groups are as follows: public sector managers and employers, public sector employees, formal private sector managers and employers, other formal private sector employees, farmers, informal sector agricultural dependent workers, informal sector non-agricultural employers, self-employed informal sector non-agricultural workers and informal sector non-agricultural workers.

51. Distribution of economically active persons, by sector and sex

	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Formal sector	25.8	8.7	17.4
Informal sector	74.2	91.3	82.6
Total	100	100	100

52. Unemployment rate

	<i>Unemployment rate as defined by ILO</i>	<i>Broad unemployment rate¹⁷</i>
Urban	18.9	32.2
Rural	2.3	8.6
Douala/Yaoundé		
Douala	25.6	38.3
Yaoundé	21.5	34.5
Total	7.9	17.1

¹⁷ Unemployment is referred to as broad when discouraged unemployed workers are added to the ILO definition of unemployed workers.

Article 15

53. Distribution of judges, by grade and sex, in 2003

<i>Grade</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Women (%)</i>
Highest judicial office (first group)	14	3	17	17.6
Highest judicial office (second group)	29	1	30	3.3
Fourth grade	103	21	124	16.9
Third grade	173	46	219	21.0
Second grade	103	21	124	16.9
First grade	215	87	302	28.8
Total	637	179	816	21.9

Source: Ministry of Justice.

54. Distribution of judicial officials in 2003

	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Women (%)</i>
Judges	637	179	816	21.9
Clerks of the court	877	519	1 396	37.2
Bailiffs	262	64	326	19.6
Notaries	25	18	43	41.9
Lawyers	1 081	255	1 336	19.1
Agents	29	—	29	0.0
Total	2 911	1 035	3 946	26.2

Source: MINPROFF/Division of Studies, Planning and Cooperation (DEPC)/(CEPSI), analysis using Ministry of Justice documents.

55. Distribution of prison staff, by sex and grade

<i>Central Prisons: function</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Women (%)</i>
Senior administrator	6	1	7	14.3
Prison administrator	29	1	30	3.3
Superintendent of Prisons	2	—	2	—
Senior prison governor	58	6	64	9.4
Prison governor	193	19	212	9.0
Chief warden	333	65	398	16.3
Senior prison guard	836	149	985	15.1
Prison officer	685	137	822	16.7
Prison guard	336	141	477	29.6
Not declared	152	60	212	28.3
Total	2 630	579	3 209	18.0

Source: MINADT, August 2000.

56. Distribution of judiciary staff in courts and tribunals, by sex

<i>Jurisdiction</i>	<i>Function</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Supreme Court	President	1	0	1
	Public Prosecutor	1	0	1
	Advisers	20	2	22
	Lawyers and assistant trial attorneys	7	0	7
Court of Appeal	President	9	1	10
	Public Prosecutor	10	0	10
	Lawyers and assistant trial attorneys	56	13	69
Regional Courts (Tribunaux de grandes instances)	President	10	2	12
District Courts (Tribunaux de grandes instances)	President	52	3	55
	State Prosecutor	62	3	65

Source: Ministry of Justice.

57. Distribution of Ministry of Justice officials

<i>Function</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Secretary-General	1	0	1
Inspector-General of Judicial Services	0	1	1
Advisers	0	2	2
Directors	5	0	5

Source: Ministry of Justice.

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-eighth session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE
CONVENTION**

Concluding observations of the Committee on the Rights of the Child: Cameroon

1. The Committee considered the initial report of Cameroon (CRC/C/28/Add.16), received on 4 April 2000, at its 737th and 738th meetings (see CRC/C/SR.737-738), held on 4 October 2001 and adopted (At the 749th meeting, held on 12 October 2001) the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial report, which followed the established guidelines. The Committee also takes note of the timely submission of the written replies to its list of issues (CRC/C/Q/CAM/1), which allowed for a clearer understanding of the situation of children in the State party. The Committee also notes the constructive, open and frank dialogue it had with the delegation of the State party. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the rights of children in the State party.

B. Positive aspects

3. The Committee welcomes the adoption of:
 - (a) The Act on Education Guidelines (Act 98/004);
 - (b) The Act containing the Health Framework Law (Act 96/03);
 - (c) The Act on the Control of Narcotic Drugs, Psychotropic Substances and Precursors and on Extradition and Judicial Assistance in connection with Trafficking in Children, Psychotropic Substances and Precursors (Act 97/019);
 - (d) The Finance Act 2000/08 incorporating the principle of free primary education at public schools;
 - (e) The Decree providing for the Organization and Operation of Early Childhood Facilities (2001/110/PM).
4. The Committee also welcomes the ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment by a decree of 17 April 2001.
5. The Committee welcomes the establishment, in 1998, of the Children's Parliament.
6. The Committee notes with satisfaction that the State party is party to all six United Nations human rights treaties and the African Charter on the Rights and Welfare of the Child.
7. The Committee appreciates the actions undertaken by the State party to ameliorate the situation of refugee children.

C. Factors and difficulties impeding the implementation of the Convention

8. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, the fact that the State party is composed of 230 ethnic tribes with different languages, the legal dual system (civil and common law), the coexistence of customary law and statutory law, traditional practices not conducive to children's rights and the high rate of illiteracy affect the full implementation of the Convention. The remoteness and inaccessibility of some areas, as well the disparity in their development, also affect the full implementation of the Convention.

D. Principal subjects of concern and recommendations

D.1. General measures of implementation

Legislation

9. The Committee notes the process begun by the State party to harmonize existing legislation with the Convention, but it remains concerned that the domestic legislation, including customary law, is very fragmented and partly unsuitable, outdated and not in conformity with the Convention, and at the continued existence of customs and traditions which impede children fully enjoying their rights.
10. **The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention on the Rights of the Child. In that respect, the Committee recommends that the State party:**
 - (a) Take steps, using a rights-based approach, to harmonize existing legislation, including customary law, with the Convention;
 - (b) Consider the adoption of a comprehensive children's code, reflecting the general principles of the Convention on the Rights of the Child;
 - (c) Adopt a comprehensive family code.

Coordination

11. While the Committee notes that the Ministry of Social Affairs, and more particularly its Departments for the Well-being of Families and Children and for Solidarity, is in charge of the coordination of governmental action on questions relating to children, it is concerned at the lack of an inter-institutional mechanism responsible for coordination at the national level, and particularly at the local level, of the promotion and implementation of the Convention. It is also concerned that there is no comprehensive strategy for the implementation of the various plans of action relevant to the rights of children.
12. **The Committee recommends that the State party take all necessary measures to allocate principal responsibility for coordinating implementation of the Convention to a single body or mechanism. For this purpose, the Committee also recommends that adequate human and financial resources be allocated and appropriate measures be taken to include NGOs.**

Independent/monitoring structures

13. The Committee takes note of Decree No. 90/1549 of 8 November 1990 establishing a National Committee on Human Rights and Freedoms. However, the Committee is concerned at the lack of

an independent mechanism to monitor and evaluate effectively progress in the implementation of the Convention, and empowered to receive and address complaints.

14. The Committee recommends that the State party:

- (a) Consider establishing an independent national human rights institution in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134, annex), to monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children and be empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively;
- (b) Continue efforts to develop good governance strategy and to combat corruption, especially in the social sector;
- (c) Seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF.

Resources for children

15. While noting the State party's priority of increasing the budget allocated to education, the Committee expresses its concern at the decrease in government spending and its adverse impact on the funding of social services for children in particular. The Committee is also concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of economic, social and cultural rights of children.
16. While recognizing the difficult economic conditions, the Committee recommends that the State party:
- (a) Make every effort to increase the proportion of the budget allocated to the realization of children's rights and, in this context, to ensure the provision of appropriate human resources and to guarantee that the implementation of policies relating to children are a priority;
 - (b) Develop ways to establish systematic assessment of the impact of budgetary allocations on the implementation of children's rights, and to collect and disseminate information in this regard.

Data collection

17. While welcoming the publication of the indicators for children and women by the Department of Statistics and National Accounts, the Committee is concerned at the lack of systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.
18. The Committee recommends that the State party:
- (a) Develop a system of data collection and indicators consistent with the Convention, disaggregated by gender, age, indigenous and minority groups, and urban and rural areas. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children victims of abuse, neglect or ill-treatment; children with disabilities; children belonging to marginalized groups, such as Pygmy, Bororos and Mafa children; and other children in need of special protection (see D.8);

- (b) Use these indicators and data for the formulation and evaluation of policies and programmes for the effective implementation of the Convention.

Cooperation with civil society

19. Taking note of the Act on Non-Governmental Organizations (Act 99/014), the Committee is concerned that insufficient efforts have been made to implement this legislation and to involve civil society in the implementation of the Convention, particularly in the area of civil rights and freedoms.

20. The Committee recommends that the State party:

- (a) Systematically involve communities and civil society, including children's associations, throughout all stages of the implementation of the Convention, including legislation procedure and formulation of policies and programmes and including with respect to civil rights and freedoms;
- (b) Ensure that legislation regulating NGOs is fully implemented.

Dissemination of training on the Convention

21. While aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention (e.g. through radio programmes, seminars and workshops), the Committee is of the opinion that these measures need to be strengthened and systematized. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children.

22. The Committee recommends that the State party:

- (a) Strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization;
- (b) Translate the Convention into the major written national languages to achieve its widespread dissemination;
- (c) Systematically involve community leaders in its programmes in order to fight against customs and traditions which impede the implementation of the Convention, and adopt creative communication measures for illiterate people;
- (d) Provide systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;
- (e) Strengthen the focus on children's rights in the educational and advocacy role of the National Committee for Human Rights and Freedoms;
- (f) Introduce human rights education, including the rights of the child, into the school curricula;
- (g) Seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF.

D.2. Definition of the Child

23. The Committee is concerned at the difference between the minimum legal ages for marriage of boys (18 years) and that of girls (15 years), which is gender discriminatory and allows for the practice of early marriage, which is still widespread. The Committee is further concerned that the minimum and upper age limits have not been set for compulsory education, that a child below the age of 18 years may be recruited into the armed forces with parental consent and at the lack of a minimum age for medical counselling without parental consent.
24. The Committee recommends that the State party:
- (a) Raise the minimum age for marriage to 18 for both boys and girls; and develop sensitization programmes involving community leaders and society at large, including children themselves, to curb the practice of early marriage;
 - (b) Set a minimum and upper age limit for compulsory education;
 - (c) Set a minimum age of 18 years for recruitment into the armed forces, without any possibility of recruitment below that age, even with parental consent;
 - (d) Set a minimum age for medical counselling without parental consent, to make access to health services possible for adolescents.

D.3. General principles

Non-discrimination

25. While noting that discrimination is prohibited under the Constitution and noting that the State party has recently taken measures to increase the enrolment in schools of girls in priority education zones, the Committee is concerned at the persistence of discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups (e.g. girls, children with disabilities, children born out of wedlock; children from rural areas, least developed provinces (Far-North, North and Adamawa); Pygmy children and children from other marginalized population groups).
26. The Committee recommends that the State party:
- (a) Make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;
 - (b) Prioritize and target social services to children belonging to the marginalized and most vulnerable groups.
27. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of General Comment No. 1 on article 29.1 of the Convention (aims of education).

The right to life, survival and development

28. The Committee is deeply concerned at the living conditions of children detained in jails and prisons, which are so deplorable that they endanger their life.

29. The Committee recommends that the State party take all necessary measures to ensure that detained children are provided access to health and education services and with food, and that the conditions meet the needs of the children and are compatible with the rights under the Convention.

Respect for the views of the child

30. While noting that the much appreciated Children's Parliament serves as a forum for children to express their views, the Committee is concerned that respect for the views of the child remains limited within the family, in schools, in the courts and before administrative authorities and in the society at large owing to traditional attitudes.
31. The Committee encourages the State party to pursue its efforts to:
- (a) Promote and facilitate within the family, in schools, in the courts, including customary courts, and in administrative bodies respect for the views of children and their participation in all matters affecting them, in accordance with their age and maturity, in the light of article 12 of the Convention;
 - (b) Provide educational information to, inter alia, parents, teachers, government administrative officials, the judiciary, traditional leaders and society at large on children's right to participate and to have their views taken into consideration;
 - (c) Establish municipal councils for children.

D.4. Civil rights and freedoms

Birth registration

32. While taking note of Ordinance No. 81/2 of 29 June 1981 which makes it an obligation to declare a birth to the registry official at the place of birth, and the designation of special registration officers, the Committee remains concerned at the large numbers of children whose birth is not being registered.
33. In the light of article 7 of the Convention, the Committee urges the State party to increase its efforts to ensure the registration of all children at birth, including through awareness-raising campaigns, and to consider introducing mobile registration units.

Torture and ill-treatment

34. Further to the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his visit to Cameroon (E/CN.4/2000/9/Add.2) and in line with the concluding observations of the Committee against Torture (A/56/44, paras. 60-66) and of the Human Rights Committee (A/55/40, paras. 184-227), the Committee is deeply concerned that children are victims of cruel, inhuman or degrading treatment, sometimes constituting torture, committed notably at police stations, in detention places and in prisons. The Committee is also very concerned at some instances of forced disappearance and extrajudicial execution of children.
35. In the light of the recommendations of the Committee against Torture (CAT/C/XXV/Concl.5 of 6 December 2000) and of the Human Rights Committee (CCPR/C/79/Add.116 of 4 November 1999), the Committee recommends that the State party:

- (a) Address the causes and incidence of torture and cruel, inhuman or degrading treatment of children, in order to end and prevent these violations of children's rights;
- (b) Establish an independent mechanism to investigate reports of torture, forced disappearance and extrajudicial execution of children and to bring to justice the persons responsible;
- (c) Adopt legislative measures for the fullest compensation and rehabilitation of child victims of torture;
- (d) Establish accessible and child-sensitive structures for complaints of children; and
- (e) Systematically train the police force, prison staff and the judiciary on the human rights of children.

D.5. Family environment and alternative care

Recovery of children's maintenance allowance

36. While domestic legislation includes provisions for the payment of a maintenance allowance in the case of divorce or judicial separation, the Committee is concerned at the lack of implementation of these provisions, due mainly to widespread ignorance of the law, and at the lack of legal provisions regarding maintenance for children born out of wedlock.
37. The Committee recommends that the State party:
- (a) Make widely known, notably to women who are illiterate, the provisions of domestic legislation concerning the payment of a maintenance allowance;
 - (b) Ensure that professional groups dealing with this issue are adequately trained and that courts are stricter regarding the recovery of allowances from solvent parents who refuse to pay;
 - (c) Take measures to ensure as far as possible the maintenance of children born out of wedlock by their parents, particularly their fathers.

Children deprived of their family environment

38. The Committee is very concerned that current facilities available for the alternative care of children deprived of their family environment are insufficient and that many children do not have access to such assistance. In addition, the Committee expresses concern at the lack of appropriate training of staff and of a clear policy regarding the review of placements of children in alternative care. The Committee is also concerned that there is no legislative structure for the protection of the best interests of the child in cases of intercountry adoption.
39. The Committee recommends that the State party:
- (a) Urgently adopt a programme to strengthen and increase alternative care opportunities for children, inter alia through the reinforcement of existing structures, the improved training of staff and the allocation of increased resources to relevant bodies;
 - (b) Provide for regular periodic review of the placement of children in institutions;
 - (c) Establish a formal procedure to guarantee the best interests of the child in cases of intercountry adoption and consider ratifying the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption; and
 - (d) Seek assistance from UNICEF in this regard.

Protection from abuse and neglect

40. While noting that child abuse is a crime under article 350 of the Penal Code, and that a national study on violence and abuse against children has been launched by the Ministry of Social Affairs, the Committee is deeply concerned at the very high incidence of abuse within family and in schools in the State party and at the lack of statistical data in this regard.

41. The Committee recommends that the State party:

- (a) Complete as soon as possible the study on violence at home and in schools undertaken by the Ministry of Social Affairs, and assess the scope, nature and causes of such violence, in order to adopt effective measures and policies, in conformity with article 19 of the Convention, and to contribute to changing attitudes;
- (b) Properly investigate cases of domestic violence and violence in schools through a child-sensitive judicial procedure, and that sanctions be applied to perpetrators, due regard being given to guaranteeing the right to privacy of the child;
- (c) Give appropriate weight to children's views in legal proceedings, provide support services to child witnesses in legal proceedings, and services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and take measures to prevent the criminalization and stigmatization of victims;
- (d) Seek technical assistance from, inter alia, UNICEF.

D.6. Basic health and welfare

42. While taking note of the adoption of several national programmes relating to child survival, and the establishment of a sub-department for family health within the Ministry of Public Health, the Committee is deeply concerned at the high and increasing infant and under-five mortality rates and low life expectancy in the State party. The Committee also remains concerned that health services in the districts and local areas continue to lack adequate resources (both financial and human). In addition, the Committee is concerned that the survival and development of children in the State party continue to be threatened by early childhood diseases, such as acute respiratory infections and diarrhoea, and by chronic malnutrition. Concern is also expressed at the poor state of sanitation and at the insufficient access to safe drinking water, especially in rural communities.

43. The Committee recommends that the State party:

- (a) Reinforce its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;
- (b) Facilitate greater access to primary health-care services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; promote proper breastfeeding practices; and increase access to safe drinking water and sanitation;
- (c) Pursue additional avenues for cooperation and assistance for child health improvement with, inter alia, WHO and UNICEF.

Adolescent health

44. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse. The Committee is also concerned at the particular situation of girls, given, for instance, the very high percentage of early marriages, which can have a negative impact on their health.
45. The Committee recommends that the State party:
- (a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, and use this study as a basis for the formulation of adolescent health policies and programmes, paying particular attention to adolescent girls;
 - (b) Strengthen mental health and adolescent-sensitive counselling services and make them accessible to adolescents.

HIV/AIDS

46. While noting the existence of a national AIDS prevention programme and the efforts of the State party in that respect (e.g. agreement with pharmaceutical companies to ensure cheap access to AIDS drugs), the Committee remains extremely concerned at the high and increasing prevalence of HIV/AIDS among adults and children, and the resulting number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.
47. The Committee recommends that the State party:
- (a) Increase its efforts to prevent the spread of HIV/AIDS and take into consideration the recommendations the Committee adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243);
 - (b) Urgently consider ways of minimizing the impact on children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, to adoption, to emotional care and education;
 - (c) Involve children in formulating and implementing preventive policies and programmes;
 - (d) Seek further technical assistance from, inter alia, UNAIDS.

Traditional harmful practices

48. While noting that the prevalence of female genital mutilation is not as high in the State party as in other countries of the region, the Committee is concerned at the use of this practice in the State party and at the lack of legal prohibition or national strategy of prevention of this practice.
49. The Committee urges the State party to adopt legislation prohibiting the practice of female genital mutilation and to implement programmes to sensitize the population about the harmful effects of this practice. The Committee recommends that the State party take advantage of the efforts in this regard made by other States in the region.

Children with disabilities

50. Noting the current efforts by the State party (notably Act No. 83/013 of 21 July 1983 on the Protection of Disabled Persons and the Establishment of a Sub-Department for the Protection of

Disabled Persons within the Ministry of Social Affairs), the Committee is concerned at the lack of statistical data on children with disabilities in the State party, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, education and employment possibilities available for them. The Committee is concerned further that poor health conditions and poverty are leading to an increase in the number of children with disabilities.

51. The Committee recommends that the State party:

- (a) Ensure the use of adequate and comprehensive data in the development of policies and programmes for children with disabilities;
- (b) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities;
- (c) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (see CRC/C/69);
- (d) Allocate adequate resources to strengthen services for children with disabilities, to support their families and for training of professionals in the field;
- (e) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;
- (f) Carry out genetic and other studies to assess the causes of disabilities in the State party;
- (g) Sensitize the population to the human rights of children with disabilities;
- (h) Seek assistance from, inter alia, UNICEF and WHO.

Standard of living

52. The Committee notes the challenging socio-economic situation and the comprehensive debt reduction package recently agreed under the International Monetary Fund/World Bank enhanced heavily indebted poor countries initiative. However, it is concerned about the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, children living in remote rural and other under-developed areas, and children belonging to marginalized groups of the population. In addition, while taking note of the State party's intention to improve the coverage of the social security system, it joins the State party in expressing concern at the limited access to such assistance, and the need to reform the social security system.

53. In accordance with article 27 of the Convention, the Committee recommends that the State party:

- (a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;
- (b) Pay particular attention to the rights and needs of children in the Poverty Reduction Strategy Paper and in all programmes intended to improve the standard of living in the country;
- (c) Cooperate and coordinate its efforts with civil society and local communities;
- (d) Reform the social security system, with a view to broadening its coverage after completion of the studies undertaken by the State party to this end.

D.7. Education, leisure and cultural activities

54. While noting the adoption of the Act on Education Guidelines (Act No. 98/004) and the Finance Act 2000/08, the Committee remains deeply concerned that primary education is not yet entirely free to all in the State party. The Committee is also concerned at the low education levels among children in the State party, gender, rural/urban and regional disparities in school attendance, the limited access of children with disabilities to formal or vocational educational opportunities, the number of children who are several years behind in their primary education, the high drop-out rate from school, the large number of children per classroom and the decline in the number of primary-school teachers due to the freeze on their recruitment. The Committee is also concerned at the very high prevalence of violence against, and sexual abuse of children in schools.

55. The Committee recommends that the State party:

- (a) Urgently implement the Finance Act 2000/08 to make primary education free to all and in addition provide financial assistance for the costs of transportation, when needed, uniforms and other school materials for poor families;
- (b) Raise the level of educational achievement among children through, inter alia, effectively decreasing the drop-out rate, increasing the number of classrooms and teachers, providing initial and ongoing training of teachers and school inspectors, developing standard national textbooks and increasing the rates of enrolment;
- (c) Ensure that children with disabilities have access to formal and vocational educational opportunities and that girls and boys, as well as children from urban, rural and least developed areas, and from marginalized groups of the population have equal access to educational opportunities;
- (d) Pursue its efforts to include “education for peace and tolerance”, children’s rights and other human rights subjects in the curricula of primary and secondary schools;
- (e) Address education to the aims mentioned in article 29.1 of the Convention and the Committee’s General Comment on the aims of education;
- (f) Monitor and enforce the ban of corporal punishment in schools and train teachers in regard to alternative measures of discipline;
- (g) Take measures against teachers who are violent and abusive towards students;
- (h) Establish child-sensitive structures for children to make complaints;
- (i) Take measures to prevent bullying and sexual abuse of students by other students;
- (j) Pursue efforts for special projects of education for children belonging to marginalized groups like the Pygmies;
- (k) Encourage participation of children at all levels of school life;
- (l) Seek assistance from UNICEF and UNESCO.

D.8. Special protection measures Refugee, asylum-seeking and unaccompanied children

56. The Committee, while acknowledging the efforts made to ameliorate the situation of child refugees, is concerned about the inadequate standards, procedures, policies and programmes to guarantee and protect the rights of refugee, asylum-seeking and unaccompanied children, including their registration, adequate education and other social services.

57. The Committee recommends that the State party:

- (a) Establish a national system for determining the status of asylum-seekers, and integrate the rights of refugees into its domestic law;**
- (b) Urgently set up a system for the registration of refugee children;**
- (c) Consider ratifying the 1954 and 1961 Conventions on statelessness;**
- (d) Continue and expand its cooperation with international agencies such as, UNHCR and UNICEF.**

Economic exploitation, including child labour

58. While noting the recent ratification by the State party (August 2001) of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, the Committee is deeply concerned that child labour in the State party is extremely widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance. The Committee is also concerned at practices of forced labour among children belonging to certain groups of the population, such as the Pygmies and the Kirdi.

59. The Committee recommends that the State party:

- (a) Consider ratifying and implementing ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;**
- (b) Adopt and implement the national plan of action to combat child labour;**
- (c) Strengthen the implementation of the labour laws and increase the number of labour inspectors;**
- (d) Continue to seek assistance from ILO with a view to participating in the International Programme on the Elimination of Child Labour (IPEC).**

Sale, trafficking and abduction

60. The Committee is deeply concerned at the large number of children being sold by their parents and subsequently exploited in the labour market. The Committee is also concerned at information on alleged instances of trafficking in children for their exploitation in the State party and in neighbouring countries. The Committee is further concerned at the possible use of intercountry adoption for the purpose of trafficking.

61. The Committee recommends that the State party:

- (a) Take measures to prevent and combat the sale and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;**
- (b) Facilitate the reunification of child victims with their families and provide adequate care and rehabilitation for them;**
- (c) Ratify the 1980 Hague Convention on the Civil Aspects of International Child Abduction.**

Street children

62. The Committee expresses its concern at the increasing number of street children and at the lack of specific mechanisms to address this situation and to provide these children with adequate assistance.

63. The Committee recommends that the State party:

- (a) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;**
- (b) Ensure that these children are provided with: recovery and reintegration services for physical, sexual and substance abuse; protection from police brutality; and services for reconciliation with their families;**
- (c) Undertake a study on the causes and scope of this phenomenon and develop a comprehensive strategy to address the high and increasing numbers of street children, with the aim of preventing and reducing this phenomenon.**

Commercial sexual exploitation and pornography

- 64.** The Committee is concerned about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, especially among those engaged in child labour and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of children victims of such abuse and exploitation.
- 65.** In the light of article 34 and related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the extent of the commercial sexual exploitation of children, including for prostitution and pornography, and implementing appropriate policies and programmes for its prevention and for the rehabilitation and recovery of child victims, in accordance with the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996.

Administration of juvenile justice

- 66.** While recognizing the State party's efforts in this domain, including legislation, decrees and ministerial circulars, the Committee remains concerned at the limited progress achieved in establishing a functioning juvenile justice system throughout the country. In particular, the Committee is concerned at the absence of juvenile courts and juvenile judges, and the lack of social workers and teachers to work in this field. In addition, the Committee is deeply concerned at the poor conditions of detention, due notably to overcrowding in detention and prison facilities, overuse and long periods of pre-trial detention, the length of time before the hearing of juvenile cases, the absence of assistance towards the rehabilitation and reintegration of juveniles following judicial proceedings, and the sporadic training of judges, prosecutors and prison staff. Noting that there are no criminal penalties for children below the age of 14 years, the Committee is still concerned that the minimum age for criminal responsibility is too low (10 years).
- 67.** The Committee recommends that the State party take additional steps to reform the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System.
- 68.** In addition, the Committee recommends that the State party:

- (a) Raise the age of criminal responsibility;
- (b) Undertake all necessary measures to ensure the establishment of juvenile courts and the appointment of trained juvenile judges in all regions of the country;
- (c) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period and limit by law the length of pre-trial detention;
- (d) Provide children with legal assistance at an early stage of the proceedings;
- (e) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, including through addressing the problem of overcrowding in prisons and establishing special prisons for children with conditions suited to their age and needs, and in the meantime guarantee the separation of children from adults in prisons and places of pre-trial detention throughout the country;
- (f) Ensure that children in conflict with the law do not receive the same sanctions as adults;
- (g) Ensure that children remain in regular contact with their families while in the juvenile justice system;
- (h) Introduce regular medical examination of inmates by independent medical staff;
- (i) Establish an independent child-sensitive and accessible system for complaints for children;
- (j) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;
- (k) Make every effort to establish a programme of rehabilitation and reintegration of juveniles following judicial proceedings; and
- (l) Request technical assistance in the area of juvenile justice and police training from, inter alia, the Office of the High Commissioner for Human Rights, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Minorities

- 69. The Committee is deeply concerned about the poor situation of Pygmy children and children of similar marginalized groups, and at the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to enjoy their own culture and to be protected from discrimination. The Committee is also concerned at the displacement of Pygmy families, including children, as a result of logging policies.
- 70. The Committee urges the State party urgently to gather additional information on the Pygmies and other marginalized groups of the population, and to elaborate a plan of action to protect their rights.

D.9. Optional Protocols to the Convention on the Rights of the Child and acceptance of the amendment to article 43.2 of the Convention

- 71. The Committee notes that the State party has not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. The Committee welcomes the fact that the State party has recently accepted the amendment to article 43.2 of the Convention on the Rights of the Child concerning the expansion of the Committee from 10 to 18 members.

72. The Committee encourages the State party to ratify and implement the two Optional Protocols to the Convention on the Rights of the Child.

D.10. Dissemination of documents from the reporting process

73. Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
(CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL
FORMS OF DISCRIMINATION AGAINST WOMEN

Initial reports of States parties

CAMEROON

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INTRODUCTION

Women have always made a considerable contribution to the development of the society in which they live. However, their contribution has gone unappreciated and, what is worse, they have been held back by a variety of constraints linked with the socio-cultural, economic and political realities.

Accordingly, some time ago, the international community, through the United Nations, opted to establish an egalitarian framework within which women can flourish and play a full part in the life of society.

The Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations on 18 December 1979, is one of the instruments prepared within this framework.

Cameroon, as a member of this world institution, effectively ratified the Convention on 23 August 1994 and fully supports all international instruments in general and those which promote human rights in particular.

This document is intended to meet the demands of article 18 of the above-mentioned Convention which requires States Parties to submit a report on the various legislative, judicial, administrative or other measures adopted to give effect to the Convention and on the progress made in this respect.

Despite the fact that the Convention calls for an initial report within one year of ratification and periodic reports every four years or at the express request of the Committee on the Elimination of Discrimination against Women, this is Cameroon's first report.

The report is in two parts:

- the first part describes the general background to the implementation of the Convention in Cameroon;
- the second part provides specific information concerning each provision of the Convention.

PART ONE

GENERAL BACKGROUND TO THE IMPLEMENTATION OF THE CONVENTION

CHAPTER I

OVERVIEW OF CAMEROON

I.1. LAND, PEOPLE AND ECONOMY

1. The land

Situated in Central Africa, at the eastern end of the Gulf of Guinea, above the Equator, between 2 and 13 degrees North and 9 and 16 degrees East, the territory of Cameroon, triangular in shape, covers a total area of 475,000 km². It is bounded on the North by Chad, on the South by the Republics of Equatorial Guinea, Gabon and the Congo, on the East by the Central African Republic and on the West by Nigeria. In addition, it has an Atlantic coast 400 km long.

Cameroon is notable for the diversity of its natural environments:

- the southern 42 per cent of the country is covered by a luxuriant forest, nearly 20 million hectares in extent;
- the northern part of Cameroon, which has a dry tropical climate, is savannah country consisting of vast prairies on the high plateaux of Adamaoua and steppes in the Far North;
- the West and North-West, which have a wet tropical climate, are regions of mountain ranges which stretch from the South-West coast to the Mandara mountains in the Far North of the country. This mountain chain culminates in Mount Cameroon, an approximately 4,100 m high peak.

2. The people

The first inhabitants of Cameroon were the pygmies.

After them came the Sudanese and Bantu settlers. These migrations were halted by the European invasion (German, French and British) in the nineteenth century.

The population of Cameroon is now made up of more than 230 ethnic groups defined on the basis of dialect and belonging to three broad cultural communities:

- the Bantus of the South, Littoral, South-West, Centre and East provinces;
- the semi-Bantus of the West and North-West provinces;

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- the Sudanese of the province of Adamaoua and the North and Far North provinces.

The pygmies, who are not included in this broad classification, live in the Centre, South and East provinces.

Far from being a source of conflict and divisiveness, this ethnic diversity is regarded by government and people as mutually enriching.

The population of Cameroon is estimated to number 13,650,000 (projections based on the general census of 1987) which corresponds to a density of 29.1 per km².

It can be broken down as follows:

- 51.1 per cent women and 48.9 per cent men;
- 40 per cent under 15, 50 per cent between 16 and 64, and 10 per cent over 65;
- 1/3 in the towns and 2/3 in the rural areas.

Average life expectancy is 59 for women and 54.5 for men.

The illiteracy rate is 30 per cent for men and 50 per cent for women.

The crude birth rate is 38.2 per 1,000; the crude death rate is 10.1 per 1,000; the population growth rate is 2.81 per 1,000.

The general fertility rate is 166.5 births per 1,000 women of child-bearing age.

There are about 4 million foreigners, nationals of various countries around the world, who live peaceably alongside the native population.

The HCR report for 1998 estimates the number of refugees living in Cameroon at 47,057. Of these 6,007 are being assisted by the HCR, namely:

- 3,053 Chadians;
- 1,227 Rwandans;
- 332 Burundians;
- 182 Congolese (Kinshasa);
- 230 Congolese (Brazzaville);
- 180 Sudanese;
- 167 Liberians;
- 636 other nationalities.

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3. The economy

The Cameroonian economy is mainly based on the primary sector. Almost 75 per cent of the economically active population is employed in agriculture, in the broad sense of the term. Agriculture more or less enables the country to feed itself, generates about one third of hard-currency earnings and 15 per cent of government revenue, and contributes 24 per cent to GDP.

The tertiary sector employs 20 per cent of the active population, while the industrial sector is still in the embryonic stage.

Many women find employment in the informal sector.

Cameroon has experienced a decade of economic crisis aggravated by the implementation of structural adjustment plans since 1987 and by the devaluation of the CFA franc in 1994. Now, however, it has returned to the path of growth: about 5 per cent in terms of GDP in 1996/1997. Nevertheless, the effects of the recovery were still not very apparent in 1997/1998, as evidenced by the following main indicators:

- per capita income (about US\$ 600);
- gross domestic product (CFAF 4,948 billion);
- inflation rate (about 2 per cent);
- external debt (CFAF 3,756 billion);
- unemployment rate (about 25 per cent of the active population).

Some 40 per cent of Cameroonians live below the poverty threshold (US\$ 345 per person per year). Moreover, the rural population is particularly exposed and it is now possible to observe a certain feminization of the poverty effect.

I.2. LEGAL, POLITICAL AND ECONOMIC SYSTEM

1. The legal system

Cameroon's dual legal system (Napoleonic code plus common law) is part of its colonial legacy from the British and French mandates and trusteeships. This dualism is further complicated by the coexistence of customary and written law.

2. The political system

Cameroon acquired international sovereignty in 1960. On 1 October 1961, East (French) and West (British) Cameroon were united. Following the referendum held on 20 May 1972 Cameroon became a unitary State.

Under the Constitution of 18 January 1996, Cameroon is a democratic decentralized unitary State with a semi-presidential form of government.

There is separation of the executive, legislative and judicial powers.

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A de facto single party system prevailed in Cameroon from 1966 to 1990, the year in which the Political Parties Act (Law No. 90/56 of 19 December 1990) was promulgated.

Since that change was made, five elections have been held:

- in 1992, 5 political parties participated in the presidential elections and 32 in the legislative elections;
- in January 1996, 36 political parties participated in the municipal elections. Of these 15 won seats on municipal councils and many mayors are members of opposition parties;
- in the months of May and August 1997, 44 political parties participated in the legislative elections. The present legislature includes deputies from 7 political groupings;
- in October 1997, 9 parties put forward candidates to run in the presidential elections.

The various organs of State as defined in the Constitution are as follows:

(a) Executive power

The President of the Republic is the Head of State. Elected by the whole of the nation, he is the symbol of national unity, he defines the policy of the nation, ensures respect for the Constitution and, through his arbitration, ensures the proper functioning of the public authorities. Moreover, he is the guarantor of the independence of the nation and of its territorial integrity, of the permanency and continuity of the State and of respect for international treaties and agreements (art. 5).

The President of the Republic is elected by a majority of the votes cast through direct, equal and secret universal suffrage for a term of office of 7 (seven) years and is eligible for re-election once.

The Government: the Prime Minister is the Head of Government and directs its action.

The Government implements the policy of the nation as defined by the President of the Republic (art. 11). It is appointed by the President of the Republic.

(b) Legislative power

Legislative power is exercised by the Parliament which comprises 2 (two) Houses: the National Assembly and the Senate. The Parliament legislates and monitors government action (art. 14).

The National Assembly has 180 deputies elected by direct and secret universal suffrage for a five-year term of office.

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The Senate, which is not yet effectively in place, represents the regional and local authorities. It is composed of 100 members, 70 of whom are elected by indirect universal suffrage on a regional basis while the other 30 are appointed by the President of the Republic.

(c) Judicial power

Under article 37 of the Constitution, justice is administered in the territory of the Republic in the name of the people of Cameroon.

Judicial power is exercised by the Supreme Court, courts of appeal and courts. It is independent of the executive and legislative powers.

(d) The Constitutional Council

The Constitutional Council has jurisdiction in matters pertaining to the Constitution. It rules on the constitutionality of laws. It is the organ regulating the functioning of the institutions (art. 47). Pending the establishment of this body, its functions are being exercised by the Supreme Court.

(e) The Court of Impeachment

The Court of Impeachment has jurisdiction, in respect of acts committed in the exercise of their functions, to try:

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

(f) The Economic and Social Council

There is an Economic and Social Council whose composition, duties and organization are laid down by law (art. 54).

3. The administrative system

Within this system the three main forms of administrative organization: centralization, devolution and decentralization exist side by side.

Central government consists of the various ministerial departments established and organized by presidential decree. Their number varies according to need. Under the terms of the latest decree on government organization (No. 97/205 of 7 December 1997) there are 30 ministerial departments.

Devolved government consists of the local ministerial departments in the provinces, of which there are now 10. The provinces themselves are subdivided into divisions (départements) (58) which, in their turn, are broken down into areas (arrondissements) (268) and districts (districts) (53). These administrative units are headed, respectively, by governors, prefects, sub-

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prefects and district heads, each of whom exercises the same powers within his jurisdiction in all areas of activity.

As for decentralized government, article 55 of the Constitution specifies that the regional and local authorities of the Republic shall consist of "regions" and "councils". The 10 existing provinces are to become "regions", but these are not yet operational.

The regional and local authorities are legal persons of public law. They have administrative and financial autonomy in the management of regional and local interests. They are freely administered by councils elected under conditions laid down by law.

In Cameroon, technical decentralization is also practised through innumerable public institutions of an administrative, industrial or commercial nature, as well as through a whole range of quasi-public enterprises which play a part in the various sectors of the country's economic and social life.

I.3. LEGAL MACHINERY FOR THE PROTECTION OF HUMAN RIGHTS

The Constitution of Cameroon guarantees the protection of human rights since it enshrines the basic principles which underlie the Universal Declaration of Human Rights, namely, the equality of men and women, offences and punishments to be strictly defined by law, non-retrospective effect of the law, etc. Moreover, it accords to the people of Cameroon the various fundamental freedoms (of the press, of expression, of worship, etc.).

Moreover, it is explicitly stated in the Preamble to the Constitution that the law shall ensure the right of everyone to a fair hearing in strict compliance with the rights of defence (presumption of innocence).

The criminal law applies to all. Everyone has the right of recourse to the competent national courts to seek an effective remedy against acts that violate the fundamental rights accorded to him or her by the laws in force. Thus, any victim of an act that violates his or her rights has a triple right of action:

- proceedings in the criminal courts for application of the penalties laid down for any offence;
- proceedings for damages in the civil courts;
- proceedings in the administrative courts to have an administrative act that violates a right declared invalid or set aside.

In addition to this triple right of action, which is available to everyone, there is a constitutional remedy which makes it possible to challenge the constitutionality of a law, but this is available only to the President of the Republic, the President of the National Assembly, the President of the Senate or one third of the deputies.

This range of remedies is supported by other mechanisms, in particular:

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- the principle of two-tier proceedings whereby any citizen of Cameroon may bring the same case before the competent court of first instance (trial court) and then, if he or she fails to obtain satisfaction, before the court of second instance (appeal court);
- the Supreme Court, which does not decide on the facts but satisfies itself that the law has been strictly observed.

Within the legal and institutional arsenal which Cameroon has accumulated for the purpose of defending human rights, the Convention on the Elimination of All Forms of Discrimination against Women takes pride of place in view of its importance for the female population.

The legal, political and administrative measures adopted to give effect to this Convention form the subject of the next chapter, which is devoted to the procedure for the incorporation of the Convention in the domestic legal system and its place in the national institutions responsible for promoting the cause of women.

CHAPTER II

LEGAL, POLITICAL AND ADMINISTRATIVE MEASURES ADOPTED TO GIVE EFFECT TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

II.1. INCORPORATION OF THE CONVENTION IN THE DOMESTIC LEGAL SYSTEM

The procedure for the incorporation of international conventions in the Cameroonian legal system requires their ratification by the President of the Republic with the express authorization of the legislative power. The President ratified the Convention on the Elimination of All Forms of Discrimination against Women under Decree No. 88/993 of 15 July 1988 pursuant to Law No. 88/010 of 15 July 1988 authorizing him to do so.

1. The place of the Convention in the domestic legal system

The revised Constitution of 18 January 1996 put an end to all controversy concerning the legal force of the Preamble to the Constitution. Thus, article 65 states: "The Preamble shall be part and parcel of this Constitution. It shall have legal force." This stipulation is of primary importance insofar as the Preamble refers to the international human rights conventions in the following terms: "We, the people of Cameroon ... affirm our attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and all duly ratified international conventions relating thereto". There can be no doubt that the Convention forms part of the conventions relating to human rights, which are not simple treaty provisions within the meaning of art. 45 of the Constitution but constitutional norms in accordance with the above-mentioned art. 65.

2. Consequences of the constitutionalization of the Convention

The main result of giving the Convention the status of a set of constitutional norms is its primacy over the infra-constitutional instruments, namely laws, ordinances and regulations.

In accordance with the hierarchical principle, which requires legal norms to conform to the basic law, all previous legislation must be reviewed to eliminate any provisions that may be contrary to the spirit of the Convention.

II.2. NATIONAL MACHINERY FOR THE ADVANCEMENT OF WOMEN

In Cameroon, the question of the advancement of women is not the responsibility of the Government alone. Thus, alongside the public institutions which have been gradually built up over the last two decades, there exist numerous private organizations established as a result of the liberalization of political, cultural and economic life.

1. The public institutions for the advancement of women

Well before the ratification of the Convention, Cameroon was already taking an undeniable interest in questions relating to the advancement of women, as reflected in the establishment of appropriate government bodies.

- Thus, as early as 1975, the year of the First World Conference on Women in Mexico City, a Ministry of Social Affairs was set up. This included a service responsible for demographic action and the advancement of women attached to the Social Development Directorate.
- In 1984, on the eve of the Second World Conference on Women in Nairobi, the Ministry of Women's Affairs was established by Decree No. 84/95 of 26 March 1984.
- With the economic crisis, which became increasingly serious after 1987, Cameroon adopted a structural adjustment plan which called for a cutback in public expenditure and, among other measures, the restructuring of the Government. Thus, the Ministry of Women's Affairs and the Ministry of Social Affairs were merged by Decree No. 88/1281 of 21 September 1988 which established the Ministry of Social and Women's Affairs (MINASCOF). This ministerial department included a Directorate for the Advancement of Women which, despite the reorganization of the Ministry under Decree No. 95/100 of 9 June 1995, retains the following functions:
 - drafting and supervising the implementation of policies, programmes and action plans relating to the advancement of women;
 - monitoring organizations for the advancement of women;
 - preparing, participating in and following up national and international meetings concerned with the advancement of women;
 - designing, developing and popularizing intermediate technologies;
 - technical relations with international organizations for the advancement of women.
- Later, the Ministry of Women's Affairs was re-established by Decree No. 97/205 of 7 December 1997 on the organization of the Government. In contrast to the spirit of the decree of February 1984, which restricted the role of the Ministry of Women's Affairs essentially to carrying out studies, the new Ministry had its powers of intervention reinforced and a general secretariat, a general inspectorate, specialized technical directorates and local departments in the provinces were placed under its authority.

/...

(a) The ministries

The Ministry of Women's Affairs (MINCOF)

According to article 5.8 of Decree No. 97/205 of 7 December 1997 on the organization of the Government: "The Ministry of Women's Affairs is responsible for drafting and implementing measures relating to social observance of the rights of the women of Cameroon, the elimination of all discrimination against women and the strengthening of the guarantees of equality in the political, economic, social and cultural spheres.

To this end it shall:

- study and submit to the Government proposals for facilitating the employment of women in administration, agriculture, trade and industry;
- provide liaison with the national and international political organizations for the advancement of women;
- supervise the bodies providing training for women, other than the educational establishments of the Ministry of National Education."

The Ministry of Agriculture (MINAGRI), together with the Community Development Directorate and the women's agricultural activities service;

The Ministry of Public Investments and Territorial Development (MINIPAT), together with the women's activities planning service.

(b) The specialized institutions for the advancement of women

The Consultative Committee for the Advancement of Women

Established by Decree No. 84/324 of 23 May 1984 and placed under the Ministry of Women's Affairs, the Committee is responsible for:

- studying questions relating to the activities and vocational training of the women of Cameroon or to their status and conditions;
- issuing opinions on draft texts concerning the economic, social and cultural advancement of women under consideration by the Ministry of Women's Affairs;
- proposing to the Ministry of Women's Affairs any action or programme designed to ensure the optimum participation of women in the development effort.

/...

Institutions and organizations providing guidance and training for women

* Centres for the Advancement of Women

These are integrated structures of the Ministry of Women's Affairs. They provide social and vocational guidance for girls lacking an education and for women in urban and peri-urban areas.

* Protected Workshops

The Protected Workshops, which are managed by the Ministry of Social Affairs, are specialized retraining and reintegration establishments for young women who are socially maladjusted, at moral risk or from needy families. An example is the Yaoundé Dressmaking Workshop for Disabled Women (BOBINE D'OR).

The purpose of this Ministry-run workshop is to provide disabled women with vocational training as dressmakers and an appropriate social education with a view to their socio-economic integration. It helps to find work and accommodation for its trainees when they have completed their training.

* Appropriate Technology Centres

Their role is:

- to provide training, further training, retraining and specialist training for women in agro-pastoral, domestic and craft work;
- to promote research in the agro-pastoral, domestic and craft fields with a view to making women's work less long and arduous;
- to identify, develop and popularize appropriate technologies for the benefit of women and make them easier to acquire, with a view to increasing agro-pastoral and craft output;
- to improve methods of preserving and processing various crops, with a view to reducing post-harvest losses.

Only the centre in Maroua is operational.

There are other State bodies active in the appropriate technology field, such as:

- the National Centre for Research and Experimentation in Agricultural Mechanization (CENNEMA);
- the National Technology Development Committee (CNDI);
- the Institute of Agronomic Research for Development (IRAD).

/...

* Home-Workshops

This is a specialized institution of the Ministry of Social Affairs that provides supervision for socially maladjusted young women through training and apprenticeships.

2. Private organizations for the advancement of women

(a) The women's branches of the political parties

Within most of the parties which dominate political life in Cameroon there are organs for the advancement of women.

(b) NGOs and women's associations

The association movement in Cameroon is governed by the Freedom of Association Act (Law No. 90/53 of 19 December 1990).

About 150 national associations and NGOs are registered with the Ministry of Women's Affairs. They can be broken down as follows:

- economic development associations and NGOs: 70 per cent
- women's rights associations and NGOs: 16 per cent
- socio-cultural associations and NGOs: 7 per cent
- associations and NGOs concerned with health: 5 per cent
- associations and NGOs concerned with training: 2 per cent

The activities of all these associations and NGOs are directed towards improving the living conditions and status of women.

(c) Cooperatives

Under the Cooperative Societies and Joint Initiative Groups (COOP-GIC) Act (Law No. 92/006 of 14 August 1992) and the Economic Interest Groupings (GIE) Act (Law No. 93/015 of 22 December 1993), other types of groupings, mostly economic in nature, are being developed.

PART TWO

SPECIFIC INFORMATION ON EACH PROVISION OF THE CONVENTION

CHAPTER I

CONSTITUTIONAL AND LEGAL FRAMEWORK FOR THE PROTECTION
OF THE RIGHTS OF WOMEN

(Articles 1-3)

I.1. EMBODIMENT OF THE PRINCIPLE OF THE EQUALITY OF MEN AND WOMEN IN THE
CONSTITUTION AND OTHER LEGISLATION OF CAMEROON

The principle of the equality of men and women forms part of the corpus of
Cameroonian law. This applies to:

1. The Constitution: Cameroon's constitutions have always enshrined the
principle of gender equality. In this respect, the Preamble of the Constitution
of 18 January 1996 is quite explicit:

"We, the people of Cameroon, declare that:

- the human person, without distinction as to race, religion, sex or
belief, possesses inalienable and sacred rights;
- all shall have equal rights and obligations;
- the State shall provide all its citizens with the conditions necessary
for their development;
- the State shall guarantee all citizens of either sex the rights and
freedoms set forth in the Preamble to the Constitution."

2. The Criminal Code: under art. 1 of the Code, "the criminal law shall
apply to all".

3. The Labour Code: art. 2(1) states that "the right of every citizen to
work is recognized as a fundamental right. The State shall do its utmost to
help the citizen find a job and keep it once it has been obtained".

4. The electoral laws: these deal with the capacity to vote and the
conditions of eligibility for election. Thus, any Cameroonian national or
naturalized Cameroonian, without distinction as to sex, may vote in elections,
provided he or she has completed his or her twentieth (20th) year and is not
disqualified by law.

Moreover, any Cameroonian citizen, without distinction as to sex, may be
enrolled on a list of candidates for election to the National Assembly, provided
he or she has the right to vote, is duly enrolled on an electoral list, has
completed his or her twenty-third (23rd) year on polling day and can read and
write French or English.

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What is more, art. 3(2) of the Municipal Elections Act includes the fair representation of women among the essential criteria to be applied in compiling electoral lists.

5. The Civil Service Regulations

According to arts. 12 and 13, access to the Civil Service is open, without discrimination, to anyone of Cameroonian nationality who satisfies the age conditions, i.e. who is not under 17 or over 30 for officials of categories C and D, or over 35 for officials of categories A and B, subject to the fulfilment of certain physical fitness and character requirements.

Despite the existence of laws and regulations on the equality of men and women with respect to the enjoyment of certain rights, there is, strictly speaking, no proper legal definition of discrimination.

I.2. LACK OF A LEGAL DEFINITION OF DISCRIMINATION

Although Cameroon has adopted the principles set out in the international conventions relating to human rights in general and the equality of men and women and non-discrimination with respect to women in particular, the definition of discrimination given in art. 1 of the Convention is not explicitly reproduced in any Cameroonian text. The references to discrimination in the legislation are based on race, religion and sex.

The embodiment of the principle of equality is not in itself sufficient to change behaviour and mentalities that have become entrenched over centuries of respect for tradition, particularly when allowance is made for the coexistence of written and customary law within the Cameroonian legal system. The lack of a legal definition of discrimination and corresponding sanctions accounts, in part, for the survival of such discrimination within the family and in society at large.

I.3. EXISTENCE OF PROVISIONS AND PRACTICES THAT DISCRIMINATE AGAINST WOMEN

Despite texts which lay down principles of gender equality, there are certain areas in which the legal status of women displays weaknesses:

1. Written law

(a) Discrimination as regards women's right to work. The right and freedom to engage in an economic activity are limited by:

- Article 223 of the Civil Code and article 74 of Ordinance 81/02 of 29 June 1981 concerning the powers of the husband to object to his wife's pursuit of a separate trade or profession;
- Article 7 of the Commercial Code which authorizes the husband to put an end to his wife's economic activity simply by notifying his objection to the Registrar of the Commercial Court.

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(b) Discrimination with respect to the right to settle in any place. This right is reserved exclusively for the husband who, as head of the family, decides where the family home shall be.

(c) Discrimination with respect to the exercise and enjoyment of the right of ownership.

Under the Constitution, ownership means the right guaranteed to everyone by law to use, enjoy and dispose of property. However, under arts. 1421 and 1428 of the Civil Code concerning the administration of assets forming part of the marital community property and art. 559 of the Commercial Code on bankruptcy a married woman does not have complete enjoyment of that right.

(d) Administration of assets forming part of the community property

This is entrusted to the husband who may sell, transfer or mortgage community property without the consent of his wife (art. 1421 of the Civil Code).

"The husband shall administer all the personal property of his wife. He may independently exercise any right of action to recover movable property or to protect or recover possession vested in the wife. He shall be responsible for any physical depreciation of his wife's personal property due to failure to take protective action" (art. 1128 of the Civil Code).

(e) Bankruptcy of a trader husband

Although the provisions of arts. 557 and 558 of the Commercial Code protect the married woman in the event of the bankruptcy of her trader husband, art. 559 of the Code restricts the free enjoyment of the assets by the wife of the bankrupt.

Article 557: "If the husband goes bankrupt, the wife, whose contributions of immovables do not form part of the community property, shall take back the said immovables in kind, together with those which she may have received by succession, by gift between living persons or under a will."

Article 558: "The wife shall likewise take back the immovables purchased by her or in her name out of funds derived from the aforesaid legacies or gifts, provided that their use is expressly stated in the purchase agreement and the origin of the funds is confirmed by a statement of accounts or any other authenticated instrument."

Article 559, on the other hand, is discriminatory insofar as it provides that: "Whatever the regime under which the marriage contract was drawn up, apart from the case envisaged in art. 558 above, the legal presumption shall be that the property acquired by the wife of the bankrupt belongs to her husband, has been paid for with his money and must be pooled with the main body of his assets, unless the wife can show otherwise".

(f) Discrimination with respect to equality of rights

- The exercise of guardianship in the event of deprivation of legal capacity

It follows from art. 506 of the Civil Code that in the event of the wife being deprived of legal capacity the husband automatically becomes her guardian. Article 507 of the Civil Code, on the other hand, discriminates against the married woman since it clearly states that: "The wife may be appointed guardian of her husband. In this case, the family council shall decide the form and conditions of administration, subject to an appeal to the courts by a wife who believes herself to have been wronged by the family's decision".

- The definition and punishment of the offence of adultery

Where the criminal law is concerned, art. 361 of the Cameroonian Criminal Code punishes adultery differently according to the sex of the offender. Thus, a wife's adultery is punishable as soon as it is found that she has had sexual relations with a man other than her husband, no matter how frequently and no matter where. The husband, on the other hand, is liable to be punished only if he has had sexual relations with women other than his wife or wives in the matrimonial home or if he has habitually had such relations outside the matrimonial home.

By imposing these conditions with regard to the punishment of the offence of male adultery, the law makes it difficult to prove adultery by the husband, who is thereby afforded special protection.

On the other hand, adultery by either of the spouses is a violation of the duty of fidelity which may be cited indiscriminately by the husband or wife as an absolute ground for divorce (arts. 229 and 230 of the Civil Code).

It follows from the above provisions that the wife is, in some respects, a person lacking in legal capacity who must be protected by her husband and, indeed, the wife's state of inferiority is further accentuated by customary practices and de facto discrimination.

2. Customary practices

The statistics reveal discrimination associated with practices that are rooted in custom and tradition.

Thus, the figures on the percentage of women in the Government reveal the following trend:

- In 1984, there were 5 women out of 43 members of the Government, or 11.6 per cent;
- In 1997, there were 3 women out of 45, or 6.6 per cent.

Similarly, in the central administration the percentage of women holding responsible positions is less than 20 per cent. It is also worth noting that

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women's careers progress more slowly and there are no women holding high office (Governor, Prefect, Sub-Prefect or District Head).

Many customary practices have unfavourable consequences for women:

- early and forced marriages;
- obstacles to the exercise of traditional authority by women;
- sexual abuse;
- female genital mutilation;
- abusive widowhood rites;
- food taboos and prohibitions;
- the subjection of women in matters of reproductive health;
- physical violence and mental cruelty;
- obstacles to succession;
- levirate, a practice which is dying out.

3. De facto discrimination

There are certain forms of discrimination against women that find expression in:

- difficulties in obtaining access to credit;
- the reluctance of some enterprises to recruit women because of the maternity question or the nature of the work;
- the precedence given to male children in the field of education.

In the face of this situation experienced by women in connection with the enjoyment of certain fundamental rights, the authorities, supported by various NGOs, are calling upon all the social partners to change their attitude and have taken a series of measures to ensure that women can develop their potential to the full.

I.4. POLITICAL, SOCIAL AND ECONOMIC MEASURES TO ENSURE THE FULL DEVELOPMENT AND ADVANCEMENT OF WOMEN

Aware of the existence of the above-mentioned discriminatory customs and practices and the need for an institutional framework for the advancement of women, the authorities have taken a series of appropriate measures.

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1. Ministry of Women's Affairs

The Ministry of Women's Affairs (MINCOF) was established, with specific functions, by the Government Organization Act (Decree No. 97/205 of 7 December 1997).

The Ministry of Women's Affairs plays a watchdog role and performs the following functions:

- the institutionalization of International Women's Day on which public opinion is made aware of the problems of women. Thus, in 1998, the chosen theme for the celebration of International Women's Day in Cameroon was "Practices and customs that discriminate against women".

The discussion of this subject led to:

- the listing of the various customs and practices that discriminate against women;
- the noting of the adverse consequences of these practices for women, the family and society as a whole;
- the drafting of specific proposals with a view to the eventual elimination of these customs and practices.
- informing women of their rights by distributing rights brochures;
- the establishment of focal points in certain ministerial departments;
- the establishment of institutions for the guidance and training of women, such as:
 - centres for the advancement of women;
 - appropriate technology centres;
 - social centres;
 - home-workshops;
 - protected workshops;
 - leadership pools;
 - dressmaking workshop for disabled women.
- the establishment of the Committee of Women Ministers and Parliamentarians (CFEMP);
- the launching of projects such as:

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- the advancement of women in the Civil Service;
- the drafting of a programme of guidance and advice for girls and women in Africa (under the aegis of UNESCO/ISESCO and the Ministry of National Education (MINEDUC)).
- contributing to projects and programmes concerning women initiated by other ministerial departments, such as:
 - the financing programme for agricultural and community microprojects (FIMAC);
 - the national agricultural extension services programme (PNVA);
 - the Central Rural Reform Unit (CUROR);
 - the Fund for the Support of Rural Organizations (FONDAOR).
- with the Ministry of Public Investments and Territorial Development:
 - the project to reduce poverty and promote the advancement of women. The corresponding loan agreement was signed with the African Development Bank in February 1998.
- with the Ministry of Public Health:
 - the nutrition education programme.
- with the Ministry of National Education:
 - the girls' non-formal education project in collaboration with UNICEF.
- material support for women's groups;
- financial support for women in distress;
- the granting of loans to women under bilateral and multilateral cooperation projects such as:
 - Productive Microprojects for the Benefit of Women in Cameroon (MPPF-CAM/CIDA);
 - Women, Population and Development (UNFPA).
- the development of association activities.

These efforts by the Ministry of Women's Affairs have already led to abolition of the requirement that married women obtain marital authorization to travel and to the payment of the housing allowance to married women.

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2. Consultative Committee for the Advancement of Women

Since it was established, the Committee has held only three ordinary meetings, the repeated restructuring of the supervisory Ministry having resulted in its operations being placed on the back burner. A study is currently being conducted with a view to its revitalization.

Associations and NGOs, whose activities are encouraged by the State, work alongside these public institutions for the advancement of women.

There are groups of these associations active in different fields, for example:

(a) In economic development:

- ACAFIA (Cameroonian Association of Women Agricultural Engineers);
- AID-CAMEROUN (Support for Development Initiatives);
- CIFEDI (Committee for the Integration of Women in Industrial Development);

(b) In the protection of women's rights:

- ACAFEJ (Cameroonian Association of Women Lawyers);
- ALVF (Association to Combat Violence against Women);
- COCADEF (Cameroonian Committee for Women's Rights);

(c) In women's health:

- CAMNAFAW (Cameroonian National Association for Family Welfare);
- FESADE (Women-Health-Development);
- ACAFEM (Cameroonian Association of Women Doctors);

(d) In training:

- CERFEPROD (Women's Group for the Promotion of Development);

(e) In socio-cultural development:

- FOCARFE (Cameroonian Women's Foundation for Rational Environmental Action);

(f) In promoting peace:

- FAWECAM (Forum of African Women Educationalists/Cameroon);

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(g) In advocacy:

- the Women's Caucus;
- LEFE (League for the Education of Women and Children).

With regard to legislative measures taken to ensure the full development and advancement of women, it should be noted that since Cameroon ratified the Convention no legislation has been adopted with a view to its implementation.

At the same time, although some of the above-mentioned discriminatory provisions remain in force, it is nonetheless true that the establishment of a national commission to revise the laws and regulations reflects the Government's concern to have them repealed.

With a view to regulating the operation of the public institutions, the authorities have set up judicial machinery to protect the rights of women.

I.5. JUDICIAL MACHINERY FOR THE PROTECTION OF WOMEN'S RIGHTS

Cameroon is a State governed by the rule of law. The Constitution provides for judicial machinery to protect human rights. Thus, every Cameroonian citizen has the right to a fair hearing before the courts. Justice is administered by the courts of first instance, appeal courts and the Supreme Court, in strict compliance with the rights of defence.

Any woman victim of an act of discrimination has the right to refer the case to the civil, criminal or administrative courts of the first and second instance and even to bring it before the Supreme Court.

There are legal remedies for discrimination, but the lack of a legal definition of discrimination and its too general characterization in the Criminal Code mean that acts of discrimination cannot always be identified as such. This would appear to be the reason why there is so little jurisprudence.

In some areas, however, there are established precedents. The Supreme Court has always affirmed the principle of gender equality with respect to the right to inherit on intestacy. In matters of divorce, where the spouses have not previously determined the fate of their property under a marriage settlement, they are subjected to the regime of community of movables and property acquired during marriage laid down in the Civil Code.

Similarly, there are no specific national agencies or ombudsmen responsible for watching over the application of the Convention. However, the new organization chart of the Ministry of Women's Affairs provides for a women's rights monitoring unit.

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CHAPTER II

TEMPORARY SPECIAL MEASURES AIMED AT ACCELERATING DE FACTO EQUALITY BETWEEN MEN AND WOMEN

(Article 4)

The Constitution of 18 January 1996 guarantees compulsory primary education. This reflects the political will to provide access to education for all, without discrimination.

Even though discrimination is nowhere precisely defined, Cameroon has taken a number of specific measures to accelerate equality between men and women. These measures relate to three particular areas: education, health and employment.

II.1. EDUCATION

The authorities have taken measures relating to both formal and non-formal education.

1. State of formal education

In Cameroon, the right of access to education applies equally to boys and girls. However, the proportion of girls among the children attending school is low and there are subsequent disparities associated with socio-cultural attitudes and practices stemming from the hostile environment in which the girls have to live.

In general, the enrolment rate is declining: from 78 per cent in 1984 to 61 per cent in 1995.

- At the primary education level, girls account for less than half the total, or barely 46 per cent. The percentage varies from province to province and between the two educational systems (French-speaking and English-speaking), which are not harmonized.
- At the secondary education level, girls make up less than 42 per cent of the total.

2. Non-formal education

To encourage the education of girls and women no longer of the required age for first enrolment in the formal system, the Government has provided certain alternative schemes run by several different ministries:

- the Ministry of Youth and Sports with its youth and recreation and functional literacy centres;
- the Ministry of Social Affairs with its social centres and specialized institutions;

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- the Ministry of Women's Affairs with, for example, its Centres for the Advancement of Women;
- the Ministry of National Education with its SAR-SM (Craft and Rural Sections-Domestic Sections);
- the Ministry of Employment, Labour and Social Insurance with its vocational training centres;
- the Ministry of Agriculture with its rural advisory services;
- the Ministry of Livestock, Fisheries and Animal Industries with its zootechnical and veterinary training centres.

In addition to these public non-formal education initiatives, there are others undertaken by denominational and lay organizations.

3. Special educational measures

- Circular Letter No. 10/A/562/MINEDUC/ESG of 10 January 1980 concerning the readmission of a pupil suspended in connection with a case of pregnancy;
- launch of the national functional literacy programme in 1988;
- commemoration of Literacy Day since 1992;
- preparation and implementation of programmes specially designed for women in both national languages (META languages in the North-West, the TOUROU project in the Far North, experience with the NUFI programme) and official languages (experience of the International Linguistics Society);
- assumption of the Vice-Presidency of the UNESCO National Commission by the Ministry of Women's Affairs;
- presence of Cameroon at various international meetings: conferences of African Ministers of Education at Addis Ababa in 1961 and Nairobi in 1968, Lagos Action Plan (1986), Caracas (1988), Ouagadougou (1993), Copenhagen (1995).

Similarly, following the world conference on education for all (1990), in 1991 Cameroon adopted a declaration of general education policy whose essential aim is to meet the educational needs of all the target populations by the year 2000.

The resulting framework of action includes specific objectives in the field of women's education, namely:

- strengthening the public non-formal education structures;
- reducing regional educational disparities taking sex and age into account.

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Likewise, the national action plan for children assigns the following objectives to be achieved by the year 2000:

- improved access to basic education for all;
- reduced disparities, with special emphasis on the most deprived regions;
- priority to be given to enrolling girls and keeping them in school.

It was on this basis that the Cameroonian Education Forum (1995) recommended, among other things, access to education for disadvantaged groups. This led to the adoption of a declaration on the new education policy (1996) which reaffirmed the political will of the Government to:

- combat educational exclusion;
- reduce regional inequalities;
- remove obstacles to the education of girls.

Finally, the new law on educational guidance is strengthening the compulsory aspect of primary education and facilitating non-discriminatory access to education for all.

These temporary special measures aimed at accelerating de facto equality between men and women also concern the field of health.

II.2. HEALTH

Clearly, in the absence of special measures in the field of health the degree of development cannot be properly assessed. In most cases women do not have easy access to health care. Despite the efforts of the authorities to promote the health of all social groups, women, because of their adverse circumstances, experience difficulty in obtaining access to health care facilities.

Nevertheless, there are measures which protect women's interests in the health field. For example,

- Law No. 90/062 of 19 December 1990 granting a special exemption for health care units. It is a feature of this law that the income from the services provided must be devoted, on a priority basis, to the operation of the health facilities. This measure enables women, the main target group, to benefit from these services more cheaply;
- the Labour Code Act (Law No. 92/007 of 14 August 1992). Articles 84 and 85 of the Act read as follows:

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Article 84

- "(1) Any pregnant woman whose condition has been medically confirmed may terminate her contract without notice and without having to pay any compensation as a result. During this period, the employer may not terminate the contract of employment of the woman concerned on grounds of pregnancy.
- (2) Every pregnant woman has the right to fourteen (14) weeks of maternity leave beginning four (4) weeks before the expected date of confinement. This leave may be extended by six (6) weeks in the event of illness, duly confirmed, resulting from either pregnancy or childbirth. At no time during this period of leave may the employer terminate the employment contract of the woman concerned.
- (3) When confinement takes place before the expected date, the rest period shall be extended to make up the fourteen (14) weeks of leave to which the employee is entitled.
- (4) When confinement takes place after the expected date, the pre-confinement leave shall be extended to the date of confinement without the post-confinement leave being reduced."

Article 85

- "(1) During a period of fifteen (15) months following the birth of the child, the mother shall have the right to rest breaks for nursing purposes.
- (2) The total duration of these rest breaks may not exceed one (1) hour per working day.
- (3) During this period, the mother may terminate her contract without notice under the conditions laid down in Art. 84(1) above."
- Law No. 96/03 of 4 January 1996 establishing a framework law in the field of health relating to the protection and advancement of vulnerable groups, particularly women and children;
 - free pre-natal monitoring in mother and child protection centres and free examination of infants;
 - training for women in health problems to enable them to promote health in their families and the community.

II.3. EMPLOYMENT

The terms of the Labour Code, which offers broad protection for women and children, exclude discrimination in this field. In practice, some employers refuse to recruit women for certain jobs because of the maternity question.

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The Labour Code makes no provision for the care of babies whose mother dies in childbirth.

On the other hand, it regulates the daytime and night working hours for women.

Article 80 fixes the length of the working week at 40 hours.

Article 82 deals with night work. Thus, women and children must have at least 12 consecutive hours of rest. Similarly, women may not be employed to do night work in industry.

The law lays down penalties for non-compliance with these regulations to protect women.

II.4. PENALTIES FOR NON-COMPLIANCE

These penalties relate to the fields of education, health and employment.

1. Education

If discrimination is found, the victim can assert her rights by appealing to higher administrative authority or to the courts.

Another difficulty is the effective application of the regulations in force.

2. Health

Article 338 of the Criminal Code protects pregnant women who are victims of violence. Thus, "anyone who by using violence against a pregnant woman or a child in the process of being born causes, even unintentionally, the death or permanent disablement of the child shall be liable to imprisonment for five to ten years and a fine of 100,000 to 2,000,000 francs".

Strictly speaking, there are no sanctions against sexual mutilation. However, it can be treated as an assault causing bodily harm punishable under the Criminal Code.

3. Employment

The rights of the worker of either sex are guaranteed by the Labour Code. Thus, in cases of unfair dismissal, the victim is entitled to compensation for the injury suffered. This leads to pecuniary and civil penalties. The dismissal of a pregnant woman constitutes aggravating circumstances.

Nevertheless, it seems that women, despite the existence of protective legislation, are still the subject of gender-related social prejudice and discrimination.

CHAPTER III
STEREOTYPED ROLES FOR MEN AND WOMEN
(Article 5)

The roles of men and women vary with the type of society though, fundamentally, the man continues to be perceived as the head of the family. In many cases, especially in rural areas, this is one of the most tenacious stereotypes, although in the cities under the influence of various factors it is tending to fade.

Despite this trend and the laws in force, the women of Cameroon continue to be subjected to numerous forms of discrimination in the political, economic, legal, social and cultural fields. Below, we identify some of these forms of discrimination and examine the strategies adopted by the authorities to lessen their adverse effects.

III.1. IDENTIFICATION OF CERTAIN PRACTICES AND CUSTOMS THAT DISCRIMINATE AGAINST WOMEN

- Forced and early marriages;
- limited access to productive resources;
- female genital mutilation;
- limited freedom of expression;
- restricted role in the community;
- inferior status relative to men;
- exclusion of women from certain religious responsibilities;
- domestic and other violence;
- harassment and sexual abuse;
- food taboos and prohibitions;
- abusive widowhood rites;
- subjection of women in the field of reproductive health;
- principle of stereotyped socialization;
- exclusion of women from certain high offices of State (Governor, Prefect, Sub-Prefect, District Head).

Strategies have been adopted with a view to mitigating the ill effects of this discrimination.

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III.2. ACTION STRATEGIES

The various strategies are listed below, followed by the principal actors.

1. The strategies

These strategies, which feature in the Declaration of Policy for the Integration of Women in Development (PANIFD), include:

- promoting and installing machinery to ensure the full development of women's potential;
- eliminating the cultural taboos that are holding back the development of young women through awareness-raising and education;
- improving women's awareness of family planning and popularizing education in responsible parenthood;
- providing drinking water supplies for rural communities;
- promoting the rights of women;
- promoting direct intervention on behalf of women victims of violence;
- adopting measures to encourage the integration or reintegration of poor and marginalized women into the economically active population.

2. The actors

The principal actors involved in implementing these strategies are:

- the authorities;
- the NGOs and various associations;
- the religious communities;
- the media.

CHAPTER IV

SUPPRESSION OF EXPLOITATION OF WOMEN

(Article 6)

IV.1. EXTENT OF PROSTITUTION

Prostitution is a social scourge which is rife in both urban and rural areas, being practised by both men and women. This scourge is now so widespread that it has become difficult to identify and count the prostitutes.

Before the economic crisis, there was a strategy for identifying and recording prostitutes so that they could be given medical attention.

Prostitution affects both old and young. Its causes include:

- poverty;
- the economic crisis and its consequences (unemployment, redundancy);
- moral decline;
- early and forced marriages;
- the weakening of family ties;
- domestic violence.

Faced with the scourge of prostitution, the authorities have adopted a range of measures.

IV.2. RANGE OF MEASURES

Some of these measures are preventive, others punitive.

1. Preventive measures

There are programmes for rehabilitating girls who are at moral risk or socially maladjusted. These programmes are run by the Ministries of Women's Affairs and Social Affairs through the appropriate institutions such as centres for the advancement of women, social centres and home-workshops.

Awareness campaigns are organized from time to time. They are aimed at all the prime targets, in this case adolescents, police officers, armed forces personnel, the prostitutes, students, etc. The actions of the authorities are supported by NGOs. Thus, travelling theatre performances, concerts and pairing in red-light districts are organized to make all those concerned aware of the pernicious effects of this phenomenon.

The programmes run by the Ministry of Youth and Sports and the youth movements are designed to provide sex education for the young.

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Some youth centres also engage in information, education and communication (IEC) activities.

There is no sex tourism in Cameroon. Nevertheless, a new law to regulate tourist activity has just been passed by the National Assembly since such activity could in itself encourage trafficking in women. Thus, article 5 of Law No. 98/006 of 14 April 1998 stipulates that: "The Government shall ensure compliance with the tourism charter and the tourism code of the World Tourism Organization inviting States and individuals to prevent any possibility of tourism being used for the purpose of exploiting others. In this respect, appropriate measures should be taken to combat sex tourism involving children".

2. Punitive measures

In Cameroon, the Criminal Code identifies prostitution, procuring and the corruption of minors as punishable offences.

(a) Prostitution: art. 343

- "(1) Anyone of either sex who habitually engages in sexual acts with others, for remuneration, shall be liable to imprisonment for six months to five years and a fine of 20,000 to 500,000 francs [...]
- (2) Anyone who, with a view to prostitution or sexual immorality, proceeds publicly by gestures, words, written messages or any other means to solicit persons of either sex shall be liable to the same penalties."

(b) Procuring: art. 294

- "(1) Anyone who incites, aids or facilitates the prostitution of others or shares, even occasionally, in the proceeds of the prostitution of others or receives subsidies from a person engaged in prostitution shall be liable to imprisonment for six months to five years and a fine of 20,000 to 1,000,000 francs.
- (2) Anyone who, while living with a person engaged in prostitution, is unable to provide evidence of resources sufficient to enable him to support himself unaided shall be presumed to be receiving subsidies.
- (3) The penalties shall be doubled if:
 - (a) the offence is accompanied by coercion or fraud or if the perpetrator is armed or if he is the owner, manager or person placed in charge of an establishment in which prostitution is practised;
 - (b) if the offence has been committed at the expense of a person under twenty-one years of age;
 - (c) if the perpetrator is the father or mother, guardian or person customarily responsible.

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- (4) In the cases mentioned under subparagraph (3) above, the application of the provisions of art. 48 shall be mandatory. Thus, it follows that in the event of a minor of 18 years of age having committed acts characterized as an offence, the President of the Court may impose on the father, mother, guardian or person customarily responsible the obligation provided for in art. 46 in the event of the minor committing acts of the same nature within a period of one year unless the obligee provides evidence that he has taken all the necessary measures to prevent the minor from committing such offence.
 - (5) The court may order forfeiture of rights and deprive the person convicted for the same period of any right of guardianship or supervision; it may also prohibit him, for the same period, from having the physical custody, even when customary, of any person under the age of twenty-one.
 - (6) In the circumstances specified in subparagraph 3(a), the court may also order that the establishment be closed, even though it be assigned to some other use.
 - (7) For the purposes of the application of this article, the prostitute shall not be considered to be an accomplice."
- (c) Corruption of minors: art. 344
- "(1) Anyone who incites, encourages or facilitates sexual immorality or the corruption of a person under twenty-one years of age shall be liable to imprisonment for one to five years and a fine of 20,000 to 1,000,000 francs.
 - (2) The penalties shall be doubled if the victim is under the age of sixteen.
 - (3) In addition, the court may order forfeiture of rights and deprive the convicted person for the same period of parental authority and any right of guardianship or supervision."

Finally, as regards prostitution practised under the cover of matrimonial agencies, it should be noted that officially there are none. However, individuals or groups do enter into correspondence with foreign matrimonial agencies. This phenomenon, which is tending to become more widespread, is causing the authorities concern.

CHAPTER V

WOMEN IN POLITICAL AND PUBLIC LIFE

(Article 7)

In Cameroon, there are no laws that discriminate against women in political life. The Constitution, which is the supreme norm, guarantees the equality of all before the law without distinction as to sex, race or religion.

The various electoral laws (municipal, legislative and presidential) recognize the freedom and the equal right of men and women to vote in elections and/or to be eligible for election.

Similarly, there are no laws that discriminate against women as far as appointment to high office or participation in national and international activities are concerned.

However, despite these political good intentions, women continue to be under-represented in decision-making circles.

This is mainly due to prejudices and stereotypes, economic factors and the failure effectively to apply the laws and regulations in force.

V.1. WOMEN AND POLITICS

Cameroon has positive laws and plentiful female human resources at its disposal, but the latter are inadequately represented in various public institutions.

1. The National Assembly

There are two houses of parliament: the National Assembly and the Senate. The latter chamber, one of the innovations of the Constitution of 18 January 1996, has still to be installed.

Under the separation of powers principle, the legislative branch collaborates with the executive branch and supervises its action.

Table 1. Percentage of women in the National Assembly since 1960

Year	Number of members	Number of women	Percentage	Remarks
1960-1965	137	1	0.8	Assembly of Federated States
	50	2	4	Federal Assembly
1966-1970	141	2	1.4	Assembly of Federated States
	50	2	4	Federal Assembly
1970-1973	137	5	3.6	Assembly of Federated States
	50	2	4	Federal Assembly
1973-1978	120	7	5.8	Single chamber One-party
1978-1983	120	12	10	Single chamber One-party
1983-1988	120	17	14.2	Single chamber One-party
1988-1992	180	26	14.5	Single chamber One-party
1992-1997	180	23	12.8	Single chamber Multi-party
1997	180	10	5.5	National Assembly

Source: Cameroon Tribune, No. 6644 of 21 July 1998.

This table shows that since 1992 the percentage of women in the multi-party Assembly has fallen sharply. This is due, in particular, to the small numbers of women being nominated, starting with the preliminaries. Moreover, some political parties will not put women at the head of their lists. In 1992, out of 49 lists submitted by the RDPC, only 4 were headed by women. Out of the 46 lists submitted by the UNDP, 2 were headed by women. The MDR and the UPC had no women at the head of their lists.

Between 1960 and 1992, women held only one important post in the executive office of the National Assembly, that of secretary.

In 1992, there were two women in the executive office: one (1) quester and one (1) secretary.

In 1997, for the first time, women occupied the following posts:

- 2 posts of secretary in the office of the National Assembly;
- 1 post of committee chairman;
- 1 post of vice-chairman of a parliamentary group;

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- 1 woman among the 13 members of the Chairmen's Conference which takes important parliamentary decisions.

2. The Economic and Social Council

The Economic and Social Council is one of the country's constitutional political institutions. The number of women members is negligible.

3. The Government

- 1984: 5 women in the Government (2 ministers and 3 deputy ministers) as compared with 43 men, or 11.6 per cent of women;
- 1992: 2 women members of a Government consisting of 44 ministers, i.e. 4.5 per cent;
- 1997: 3 women ministers out of 45, or 6.6 per cent.

4. Women and local government

Women have difficulty in obtaining access to elective office because of the nominations procedures which are stacked against them.

- In 1987, women accounted for 9.19 per cent of total nominations and 8 per cent of those elected;
- In 1996, the figures were 13.69 per cent of nominations and 10.68 per cent of those elected.

With regard to the participation of women in town councils, the following trends have been observed:

Table 2. Participation of women in town councils

Year	Total number of town councillors	Proportion of women		Number of women mayors
		Total	Per cent	
1982	5 107	336	6.6	0
1987	5 345	446	8.3	1
1996	9 932	1 061	10.7	2

Source: Table based on MINAT data.

It should be noted that no woman has yet occupied the post of government delegate. In 1992, a woman was elected mayor for the first time following the resignation of the incumbent.

Despite the political will to guarantee equal opportunity of access to elective and administrative posts, there is still discrimination against women even in the political parties, where they mainly serve as grassroots activists.

5. Women and the political parties

The activities of the political parties and associations are based on the laws that regulate them. Every citizen, without distinction as to sex, is free to set up a political party.

Out of the approximately 130 political parties active in Cameroon, only one was set up by a woman. However, three parties are headed by women.

V.2. WOMEN IN ADMINISTRATION

The number of women occupying strategic posts in the civil service, the private sector and quasi-public enterprises falls well below the quota of 30 per cent determined by mutual agreement at the World Conference on Women held in Beijing in September 1995.

Out of 150,643 civil servants, 46,110 or 30.6 per cent are women. They are divided up among the various categories as follows:

Table 3. Distribution of women in the civil service, by category

Category	Total number	Number of women	Percentage
A2	13 770	2 909	21.12
A1	11 943	2 135	17.87
B2	3 048	401	13.15
B1	22 414	5 991	26.72
C	23 324	8 199	35.15
D	11 103	4 903	44.15
12	22	2	9.09
11	222	68	30.63
10	2 899	891	30.73

Source: Public Service Record, September 1997.

Table 4. Distribution of women in the public services,
by profession

Profession	Total number	Number of women	Percentage
Administration, general	4 158	991	23.83
Administration, school and university	45	4	8.8
Administration, public health	45	2	0.8
Social affairs	542	202	37.27
Agriculture	5 162	526	10.19
Aeronautics	69	6	8.69
Accountancy	509	81	15.9
Surveying	995	54	5.12
Diplomacy	154	21	13.63
Demography	29	2	6.87
Documentation	220	70	31.81
Customs	1 378	146	10.59
Education, general	29 582	9 936	33.58
Education, technical	3 922	1 541	39.29
Education, higher	913	115	11.58
Education, physical	2 503	452	18.05
Postal and telecommunication services	86	10	12.5
Forestry and water resources	1 158	163	14.07
Livestock and fisheries	746	6	8.44
Registry	1 370	421	30.73
Civil engineering	1 030	19	1.84
Nursing	8 381	4 017	47.93
Animal industries	33	5	15.15
Information technology	474	87	18.35
Government publications office	7	2	28.57
Youth and sports	13	3	23.07
Youth and recreation	441	96	21.76
Medicine	767	164	21.38
Mining and geology	88	4	4.54
Meteorology	101	17	16.88
Prices, weights and measures	86	11	12.71
Inland Revenue	511	65	10.20
Treasury	1 069	278	20.60

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Profession	Total number	Number of women	Percentage
Registration, stamps and administration	262	90	53.32
Statistics	502	35	6.97
Geographical services	16	1	6.25
Employment and social security	416	79	18.99
Translation, interpretation	174	27	15.51
Sanitary engineering	75	24	28.23
Medical technology	981	307	31.29
Telecommunication technology	129	17	13.17
Industrial technology	8	169	4.73

Source: Civil Service Record, 17 January 1995.

These figures reveal the following:

- women are represented in every branch of the public services;
- however, women are heavily concentrated in the lower echelons of the professions and the civil service hierarchy;
- in some professions there are very few women.

Table 5. Number of women occupying managerial posts in ministries

Post	Total number	Number of women	Percentage
Secretary General	25	2	8
Inspector General	34	4	11.8
Technical Adviser	40	4	10
Director	138	12	0.6
Deputy Director	94	10	10.6
Assistant Director	326	43	13.19
Head of Service	1 041	181	17.38

Source: Survey made by ISMP in December 1996.

In the quasi-public enterprises and the private sector, there are two women managers. Because they have difficulty in obtaining access to credit, women become trapped in small-scale trading activities.

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V.3. WOMEN AND THE LEGAL PROFESSION

Cameroon has considerable potential in terms of women in the legal profession.

Table 6. Distribution of women in the legal profession

Category	Men	Women	Total	Percentage
Judge	474	95	569	16.7
Barrister	403	95	498	19
Bailiff	111	7	118	5.9
Notary	31	19	50	38

Source: Data collected by MINJUSTICE, August 1998.

V.4. WOMEN AND NON-GOVERNMENTAL ORGANIZATIONS

Women's organizations and associations have grown and diversified under the protection of the Freedom of Association Act of 1990, the Cooperative Societies Act of 1992 and the Economic Interest Groupings Act of 1993. About 150 women's NGOs are registered with the Ministry of Women's Affairs.

CHAPTER VI
WOMEN AND INTERNATIONAL PARTICIPATION
(Article 8)

The women of Cameroon can represent their country on an equal footing with men.

In reality, however, as the following figures show, women are under-represented in diplomacy and the international organizations.

VI.1. CENTRAL GOVERNMENT SERVICES WITH DIPLOMATIC RESPONSIBILITIES

1. Office of the President of the Republic (Diplomatic Affairs Division)

Table 7. Proportion of women occupying diplomatic posts in the Office of the President of the Republic

Post	Men	Women	Total	Percentage
Attaché	1	2	3	66.66
Chargé de mission	2	0	2	0
TA	1	0	1	0

Source: MINREX, DAG, 1998.

2. Ministry of External Relations

Table 8. Women holding senior posts in the Ministry of External Relations

Post	Men	Women	Total	Percentage
Minister	1	0	1	0
Assistant Minister	2	0	2	0
SG	1	0	1	0
Inspector General	3	0	3	0
National Inspector	3	0	3	0
Technical Adviser	2	1	3	33.33
Director	10	0	10	0
Assistant Director	29	1	30	3.3
Head of Service	56	14	70	20

Source: MINREX, DAG, 1998.

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VI.2. DIPLOMATIC MISSIONS

Table 9. Percentage of women in diplomatic missions

Post	Men	Women	Total	Percentage
Ambassador	25	1	26	3.8
Counsellor, First and Second	40	4	44	9.09
Secretary, First	35	2	37	5.40
Secretary, Second	23	4	27	14.8

Source: MINREX, DAG, 1998.

Table 10. Percentage of women in the various diplomatic grades

Grade	Men	Women	Total	Percentage
Minister Plenipotentiary	22	3, of whom only 1 is active	25	12
Counsellor, Foreign Affairs	4	0	4	0
Secretary, Foreign Affairs	123	17	140	12.14

Source: MINREX, DAG, 1998.

VI.3. INTERNATIONAL ORGANIZATIONS

Table 11. Percentage of women in the international organizations

International organization	Post	Men	Women	Total	Percentage
United Nations Secretariat	P5	2	0	2	0
	P4	4	1	5	20
	P3	3	2	5	40
UNITAR	-	1	0	1	0
AIPO	-	2	0	2	0
OAU	-	2	6	8	75
ICO	P5	1	0	1	0
UNDP	P5	2	1	3	33.3
	P3	5	1	6	16.6
ICAO	-	2	0	2	0
FAO	-	4	0	4	0

/...

International organization	Post	Men	Women	Total	Percentage
ITU	-	1	0	1	0
UNESCO	D1	1	0	1	0
	P5	2	0	2	0
	P4	1	0	1	0
	P3	1	0	1	0
WMO	P	0	1	1	100
ILO	D1	1	0	1	0
	P	4	0	4	0
ITTO	-	1	0	1	0
IMF	-	4	0	4	0
ADB	-	1	0	1	0
UNFPA	-	4	0	4	0
CTCA	Senior officials	2	0	2	0
IBRD	Assistants to Directors and the like	5	2	7	28.5
BEAC	Senior officials	46	2	48	4.1
WFP	-	2	0	2	0
UNIDO	-	3	0	3	0
IPU	-	1	0	1	0
WIPO	-	1	0	1	0
WHO	P5	3	1	4	25
	P4	2	0	2	0
	P3	4	0	4	0
UNICEF	-	2	0	2	0
ECA	P5	1	0	1	0
	P4	5	0	5	0
	P3	2	0	2	0
ACP-EEC	-	3	0	3	0

Source: MINREX, DAG, 1998.

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CHAPTER VII

ACQUISITION/ATTRIBUTION, CHANGE AND RETENTION OF NATIONALITY

(Article 9)

VII.1. HISTORICAL BACKGROUND

Cameroonian nationality was introduced on the eve of Independence on 1 January 1960 by Ordinance No. 59-66 of 28 November 1959. It was attributed to individuals who had the status of Cameroonian subjects on 1 January 1960.

Following the reunification of the two Cameroons on 1 October 1961, Cameroonian nationality was extended retrospectively to natives of West Cameroon, then under British trusteeship, by Federal Law No. 68-LF-3 of 11 June 1968 establishing the Cameroonian Nationality Code. Thus, art. 45 of this law stipulates that:

"Individuals who on 1 January 1960, in East Cameroon, had the status of Cameroonian subjects and on 1 October 1961, in West Cameroon, had the status of a native of that State are considered to be Cameroonians."

In its Preamble, the Constitution of 18 January 1996 expressly guarantees all citizens, without distinction as to sex, the rights and freedoms enshrined in the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and all international conventions relating thereto duly ratified by Cameroon. However, the Constitution makes no mention of the right to nationality. It is therefore necessary to refer to art. 15 of the Universal Declaration of Human Rights of 1948 which reads:

- "1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."

Because of the place assigned to the provisions of human rights conventions in the Cameroonian legal system, the right to a nationality is a constitutional right (see above). The particular circumstances of history, ethnic origin, religion and language have no effect on nationality. Indeed, in the words of the Preamble to the Constitution:

"Proud of our linguistic and cultural diversity, an enriching feature of our national identity, but profoundly aware of the imperative need to further consolidate our unity, we, the people of Cameroon, solemnly declare that we constitute one and the same nation ..."

In any event, Law No. 68-LF-3 of 11 June 1968 establishing the Cameroonian Nationality Code is in conformity with the Constitution as regards equality between the sexes and makes no distinction between men and women as regards the attribution, change or retention of Cameroonian nationality.

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The same law does make a distinction between the attribution of Cameroonian nationality by origin and the acquisition of that nationality after birth.

VII.2. ACQUISITION/ATTRIBUTION, CHANGE AND RETENTION OF CAMEROONIAN NATIONALITY

1. Attribution of Cameroonian nationality by origin

Cameroonian nationality is attributed on the basis of filial relation or birth in Cameroon.

(a) Filial relation

Articles 6, 7 and 8 of the above-mentioned Law No. 68 list six possible circumstances:

According to article 6, a child has Cameroonian nationality if it is "a legitimate child of Cameroonian parents" or "a natural child, when both parents with respect to whom filiation has been established are Cameroonian".

According to article 7, a child has Cameroonian nationality if it is "a legitimate child one of whose parents is Cameroonian" or "a natural child when the parent with respect to whom filiation was established in the first instance is Cameroonian while the other parent is a foreign national, subject to the right of the minor to renounce Cameroonian nationality during the six months before he comes of age if he was not born in Cameroon or if, in accordance with the national law of that foreigner, he is able to avail himself of the latter's nationality."

According to article 8, a child has Cameroonian nationality if it is "a legitimate child of a Cameroonian mother and a father who has no nationality or whose nationality is unknown" or "a natural child when the parent with respect to whom filiation was established in the second instance is Cameroonian, if the other parent has no nationality or his/her nationality is unknown."

(b) Birth in Cameroon

Article 9 attributes Cameroonian nationality to any child born in Cameroon of unknown parents, provided that during its minority filiation is not established with respect to a foreigner.

Article 10 extends the presumption of birth in Cameroon to a newborn child found in Cameroon.

According to article 11:

"The following shall be Cameroonian, subject to the right to renounce that status during the six months before coming of age:

- (a) a legitimate child born in Cameroon of foreign parents, if one of them was himself/herself born in Cameroon;

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- (b) a natural child born in Cameroon when the parent with respect to whom filiation was established in the first instance was himself/herself born in Cameroon."

Finally, under the terms of article 12, Cameroonian nationality is acquired as of right, simply as a result of being born on Cameroonian territory, by anyone unable to avail himself/herself of any other nationality of origin.

2. Acquisition, change and retention of Cameroonian nationality after birth

The Cameroonian legislation mentions four possible ways of acquiring Cameroonian nationality after birth: by marriage (arts. 17, 18 and 19); by birth and residence in Cameroon or adoption or restoration of the former nationality of the parents (arts. 20, 21, 22 and 23); by naturalization (arts. 24, 25, 26 and 27); and, finally, by restoration of former nationality (arts. 28 and 29).

Only the first way, which concerns women, will be examined.

- (1) (a) A Cameroonian woman who marries a foreigner retains her Cameroonian nationality even if she acquires the nationality of the husband (art. 32).
- (2) (a) A foreign woman who marries a Cameroonian man can acquire Cameroonian nationality by declaration at the time of marriage (art. 17). She may also declare that she is not taking Cameroonian nationality, provided she can prove that after marriage she will retain her nationality of origin.

She may also, after marriage, acquire Cameroonian nationality by naturalization (art. 25).

There appears to be a tendency for the National Civil Law Reform Commission to favour the legal extension of dual nationality to mixed couples, on the basis of social developments and the interests of women.

Furthermore, women have the right to travel with their under-age children on their own passport, which they can obtain without their husband's authorization.

CHAPTER VIII

ACCESS OF WOMEN TO EDUCATION

(Article 10)

The Constitution establishes the compulsory nature of primary education and the right of all, without discrimination, to receive an education. In practice, however, socio-cultural factors may lead some parents and some families to favour the education of boys to the detriment of the education of girls, on the grounds that the latter are unproductive and destined to establish families elsewhere.

VIII.1. CONDITIONS FOR VOCATIONAL GUIDANCE, ACCESS TO STUDIES AND ACHIEVEMENT OF DIPLOMAS IN EDUCATIONAL ESTABLISHMENTS OF ALL CATEGORIES

The Cameroonian educational system makes no distinction between girls and boys. The proportion of girls falls progressively as the level of education rises, particularly in the sciences.

1. Primary education

In Cameroon, primary education is the level with the largest number of pupils, estimated at about 2 million in 1997. The enrolment rate is steadily falling. Thus, from 78 per cent in 1984 it dropped to 61 per cent in 1995.¹

The following table shows the trend in the number of primary school pupils between 1990 and 1995.

Table 12. Trend in the number of primary school pupils between 1990 and 1995

Year	Girls	Boys	Total	Percentage girls
1990/91	904 179	1 059 967	1 964 146	46
1991/92	906 429	1 053 370	1 959 799	46.3
1992/93	913 132	1 002 016	1 915 148	47.7
1993/94	891 530	1 001 248	1 892 778	47.1
1994/95	893 617	1 003 105	1 896 722	47.1

Source: Statistical Yearbooks of the Education Council, 1995.

¹ Draft New Policy of Education, 1997.

Between 1990 and 1992, the school population at this level of education increased steadily by about 5 per cent per year. However, from the beginning of the school year 1993/94 numbers started to fall due to pupils dropping out as a result of the economic crisis. This decline was to intensify with the devaluation of the CFA franc and the sharp fall in civil service salaries.

Between 1985 and 1991, remarkable progress was made with the provision of education following the opening of a large number of primary schools.

2. General secondary education

With about 18 per cent of pupils, general secondary education is of great importance for Cameroon. It trains children aged from 12 to 18 and provides the student with a body of general and scientific knowledge that will determine his or her choice of future occupation.

Table 13. Trend in the number of secondary school pupils between 1990 and 1996

Year	Girls	Boys	Total	Percentage girls
1990/91	148 690	218 299	366 986	41
1992/93	182 694	260 550	443 244	41
1994/95	185 057	273 084	458 141	40
1995/96	185 248	273 820	459 068	40

Source: idem.

As compared with boys, the number of girls obtaining access to secondary education is low. This is a consequence, among other things, of social prejudice against the education of girls.

As distinct from primary education, which is more widespread, general secondary education is more heavily concentrated in the urban areas. However, the authorities are making efforts to set up colleges in some large villages.

At the same time, the Cameroonian education system does not discriminate in any way between girls and boys. There is no doubt that in the official institutions education is mixed and boys and girls have equal opportunities.

In short, there are more boys than girls enrolled in primary and general secondary education.

The problem of the underrepresentation of girls among those taking science courses first arises in the second grade of the French-speaking education system and in the fourth form of the English-speaking education system.

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In general, the percentage of girls taking science courses in Cameroon is very low. By way of illustration, the percentage of girls taking second-cycle science courses, by province, is as follows:

Adamaoua:	3%	Central:	13%
Far North:	2%	East:	7%
Littoral:	14%	North:	4%
North-West:	11%	West:	24%
South:	11%	South-West:	11%

Source: Situation report on the enrolment of girls and performance in the scientific disciplines, FEMSA-Cameroon, September 1997.

Similarly, out of a sample of 10,650 candidates for Baccalaureate C in five consecutive years only 512 or 4.8 per cent, were girls, while out of a sample of 27,526 candidates for Baccalaureate D during the same period 6,348 or 23.06 per cent were girls.

The reasons for these low percentages of girls are both internal and external to the girl herself (internal contradictions, prejudices with regard to women and the sciences, the duration of the studies, the attitude of the parents).

3. Technical and vocational education

Where technical and vocational education is concerned, post-primary education should be distinguished from technical education proper.

Post-primary education is vocational in nature and comprises sections of two types, namely: Craft and Rural Sections (SAR) and Domestic Sections (SM). This type of education mainly attracts girls who drop out at the primary level. The figures show that the proportion of girls (heavily concentrated in the SM) declined from 30.5 per cent in 1975-76 to 22.15 per cent in 1984-85.²

This fall in the proportion of women is attributable to their improved "educational life expectancy".

In technical education, girls are generally less numerous than boys. According to a study carried out in 1992 by the Ministry of Social and Women's Affairs (MINASCOF) on "the factors affecting enrolment and drop-out among girls", girls account for about 40.4 per cent of the total number enrolled. This study also shows that 69 per cent of the girls enrolled in technical

² MINPAT/Planning Directorate, Seminar-Workshop on the formulation of national demographic policy "Demographic and socio-economic characteristics of the female population", pp. 23-24, 1988.

education are training to be typists and secretaries or taking so-called women's courses (sewing, domestic science, social services).

4. Higher education

According to the aforementioned study, girls account for about 23 per cent of the total number of students in higher education. Only a few of them are studying science. In 1991, only 17 per cent of the students enrolled in the Faculty of Sciences of the University of Yaoundé were girls.

VIII.2. ACCESS TO THE SAME CURRICULA AND EXAMINATIONS AND TO SCHOOL PREMISES AND EQUIPMENT OF THE SAME QUALITY

There are no discriminatory measures with respect to girls and women in these areas; the curricula and examinations, like the equipment, are available without distinction to girls and boys, except in a few denominational schools reserved exclusively for boys.

VIII.3. ELIMINATION OF ANY STEREOTYPED CONCEPT OF THE ROLES OF MEN AND WOMEN

Sending girls to school has long been perceived as an unprofitable investment. In Cameroon, this perception is more deeply entrenched in the Islamized region where sending girls to school is regarded as tending to undermine traditional and moral values. Moreover, with the fall in household purchasing power resulting from the economic crisis through which the country is passing, the education of children has increasingly come to be seen as an investment on which to capitalize. In this respect, as far as the family is concerned, boys appear to be a better risk than girls who are generally expected to leave home to become part of another family.

The Cameroonian Marriage Code specifies 15 as the minimum legal age for girls to marry and 18 for boys. Thus, at a very early age girls may find themselves deflected from their school career and exposed to the risks of early and/or undesired marriages and pregnancies or sexual harassment in and out of school. In the heavily Islamized regions, when a girl is first married her age will often be below the statutory minimum.

At the socio-cultural level, the status and preferred role of the young girl are defined in terms of the customary principles governing society. Thus, from an early age, the parents instil in their daughters attitudes and standards intended to prepare them for the role of wife, mother and productive citizen, whereas boys are responsible for the family heritage from birth.

VIII.4. SCHOLARSHIPS AND OTHER STUDY GRANTS

All applications are examined in the same way by a committee, which gives precedence to scientific subjects new to Cameroon. Thus, special grants are offered to students wishing to pursue studies in these fields. The Ministry of Women's Affairs is represented on this committee and makes sure that girls are awarded their fair share of scholarships.

VIII.5. ACCESS TO PROGRAMMES OF CONTINUING EDUCATION, INCLUDING ADULT AND FUNCTIONAL LITERACY PROGRAMMES

The Government of Cameroon is making a notable effort in the field of access to basic education for all, but the illiteracy rate among women is still high. Moreover, serious disparities remain between regions, the big cities and the rural areas and between age groups. For example, in the provinces of the Far North 64 per cent of the children who could be enrolled are not, and the difference between the enrolment rates for girls and boys is 14 per cent as compared with 9 per cent nationally.

The main obstacles to the development of education for girls are pinpointed in a study of the factors with a negative effect on the underenrolment of girls in Cameroon's schools commissioned by the Ministry of Social and Women's Affairs and revised by the NGO AGRO-PME (Small and Medium-Sized Agricultural Enterprises):

- lack of a birth certificate, which impedes enrolment and access to official examinations;
- early and undesired marriages and pregnancies;
- socio-cultural traditions that restrict the participation of women in social life;
- a mistaken social perception of the modern school on the part of parents and the community;
- the intensive exploitation of girl labour on farms and in households;
- curricula that fail to meet the basic educational needs of the target groups in terms of local cultural values.

With the assistance of UNICEF, the Government has introduced a basic education programme for girls in the northern provinces.

The three components of this programme are as follows:

- girls' basic education project;
- social mobilization project on behalf of young girls;
- girls' non-formal basic education project.

This programme aims to improve access to school for girls by 10 per cent a year and to reduce the drop-out rate by 15 per cent.

In addition, the fact that women constitute a majority of the Cameroonian population (51 per cent), together with their low level of education, has led various ministerial departments and specialized agencies [Youth and Sports, Agriculture, Livestock, Women's Affairs, Employment and Labour, Social Affairs, National Employment Foundation] to adopt functional literacy programmes and non-formal basic education as a means of reaching this important group.

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In parallel with this government action, several denominational and lay, as well as community, NGOs have developed alternative education and literacy programmes.

These alternatives are intended to serve as a bridge back to the normal education cycle or as a means of integration into the labour market. However, their impact is being blunted by a number of constraints:

- shortage of structures and qualified personnel;

The Ministry of Youth and Sports has about 115 youth and recreation centres and 75 literacy centres and supervises 60 youth movements and associations.

The Ministry of Women's Affairs has 26 operational centres for the advancement of women and plans to have one centre in each departmental capital (or 58 altogether).

Moreover, 84 rural leadership pools are open and 37 closed because of the freeze on recruitment to the civil service and retirements.

The Ministry of Social Affairs has 100 or so social centres and home-workshops.

The Ministry of Agriculture has rural promotion structures.

- financial constraints leading to the defection of beneficiaries;
- shortage of teaching materials and equipment;
- conservative attitudes;
- the negative aspects of certain religious factors;
- curricula and content ill-adapted to the needs and resources of the community and to the social demand for labour;
- lack of coordination and collaboration;
- failure to exploit non-formal education structures;
- non-acceptance of the certificates and attestations issued by such structures in relation to the professional scale in force;
- lack of competitiveness of the graduates of this system on the job market and their difficulty in integrating into the formal education system.

VIII.6. REDUCTION OF DROP-OUT RATES

In general, the school drop-out rate varies with the cycle:

- at the primary level, the estimated rate is 6.4 per cent for girls as compared with 5.6 per cent for boys;
- at the secondary level, it is 14.2 per cent for girls as compared with 10.6 per cent for boys.

The differences are more pronounced in higher education.

Moreover, since 1992, there has been a decline in the enrolment rate for girls as a result of the economic crisis, which has aggravated the problem of the protection, safety and retention of girls at school.

Aware of this problem, the Government has set up an informal basic education project which is based on a social mobilization approach and has been developed in the field in the Far North region, with the support of UNICEF. This project is currently being extended to the East province.

The project objectives are as follows:

- to convince the national community of the need for education for girls;
- to limit the dropping out and under-enrolment associated with socio-economic and cultural factors;
- to eliminate all forms of prejudice and discrimination with regard to schooling for young girls;
- to encourage a change of mentality and a more favourable social perception of school and the role of girls;
- to make girls and their parents more aware of the advantages of a better basic education;
- to keep pregnant girls in school;
- to extend the age of school admission for girls in those areas where enrolment is low and the population consists of marginal groups (pygmies, bororos, hill people, inhabitants of inaccessible or frontier areas);
- to increase the supply of education, even in low-density areas;
- to intensify advocacy campaigns and mobilize society on behalf of women;
- to introduce education into family life in order to reduce the early and/or undesired pregnancy rate;

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- to increase the number of girls enrolled in school;
- to reduce wastage by improving attendance among girls, with particular emphasis on the regions with low enrolment.

VIII.7. OPPORTUNITIES TO PARTICIPATE ACTIVELY IN SPORTS AND PHYSICAL EDUCATION

There are no restrictions except in cases of physical incapacity and/or where medically inadvisable.

Both males and females are admitted to the National Youth and Sports Institute (INJS) and girls can practise any sport there.

Moreover, women's football teams participate in competitions at both national and international level. The State assigns sports and physical education teachers to the traditional and non-formal educational establishments under a programme funded from the State budget. Girls and boys compete in all disciplines in the games organized annually by the National School Sports Federation (FENASCO).

VIII.8. ACCESS TO INFORMATION ON HEALTH, FAMILY WELL-BEING AND FAMILY PLANNING

The Ministry of Women's Affairs is promoting a women's education programme in the context of non-formal basic education and functional education involving:

- information;
- awareness-raising;
- education (educational chats);
- training;
- social mobilization.

Education programmes have been set up within the context of the AIDS programme and in connection with sexual mutilation, family planning, fundamental rights, and the education and/or protection of young girls.

CHAPTER IX

ACCESS OF WOMEN TO EMPLOYMENT

(Article 11)

In the Cameroonian context in general, in 1987 women accounted for about 42 per cent of the economically active population in work. They were most numerous in agriculture with 50 per cent of the total, followed by services (about 25 per cent) and industry (15 per cent). Moreover, they made up 15 per cent of dependent workers.

- On 30 June 1992, in the public sector or administration, they accounted for about 28 per cent of the establishment. Today, however, this figure needs to be revised downwards because of staff cutbacks and the lowering of the retirement age, which has particularly affected the lower grades where women are over-represented.
- As for the informal sector, it includes most of the self-employed, including a high proportion of the economically active female population (about 58 per cent in 1987).

Moreover, one head of household in five is a woman. It should be noted that in Cameroon the domestic work done by women is not yet taken into account in the system of national accounts.

With respect to standard of living, most Cameroonian households are classed below the poverty threshold. Women, who make up 51.9 per cent of those living in these households, are the ones who suffer most hardship. At the same time, the middle households, which account for 18.3 per cent of the population, have a composition that is only 48.4 per cent female and 51.6 per cent male.

This tendency for the proportion of women to fall as the standard of living rises is common to all the regions.

Table 14. Percentage of women by standard of living and by region

Standard of living/region	Total female population				Women heads of household			
	Poor	Interm.	Non-P.	Overall	Poor	Interm.	Non-P.	Overall
Yaoundé	50.2	50.0	51.8	50.8	15.5	28.1	40.3	32.4
Douala	42.0	48.96	47.1	46.6	8.3	16.0	20.4	17.4
Other cities	54.6	52.3	46.3	50.8	25.0	11.7	25.6	20.1
Forest	52.1	50.4	49.5	51.4	15.6	13.4	27.1	16.0
High plateaux	51.7	49.5	46.3	50.6	8.4	21.7	26.9	16.5
Savannah	53.3	49.7	52.5	52.1	13.6	4.9	22.1	11.8
Overall	51.9	50.2	50.8	50.8	12.9	13.9	26.7	17.2

Source: ECAM 96/DSTAT.

Specifically, there are three main aspects to article 11 of the Convention, namely:

- the rights exercised by women on a basis of equality with men;
- the measures taken to prevent discrimination against women on the grounds of marriage or maternity;
- the periodic review of the legislation to protect women.

IX.1. THE RIGHTS EXERCISED BY WOMEN ON A BASIS OF EQUALITY WITH MEN

1. The right to work as an inalienable right of all human beings
2. The right to the same employment opportunities, including the application of fair criteria for selection in matters of employment

These two aspects are enshrined in various pieces of national legislation:

(a) The Constitution whose Preamble clearly states that "everyone shall have the right and obligation to work".

(b) The Labour Code, according to whose art. 2(1) "the right to work is recognized as a fundamental right of every citizen".

(c) The Civil Service Regulations, according to whose art. 12(1) "access to the Civil Service is open, without discrimination, to any Cameroonian national who satisfies the requirements with respect to age, physical fitness and good character".

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3. The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to vocational training and retraining

In general, the law does not discriminate against women.

Article 2 of the Labour Code is explicit as regards the right to job security: "The State must do everything possible to help citizens to find a job and to retain it once found". Furthermore, paragraph 2 of the same article prohibits forced or compulsory labour.

Similarly, article 24 of the Civil Service Regulations states that "The civil servant shall enjoy the following rights vis-à-vis the administration:

- the right to protection;
- the right to remuneration;
- the right to a pension;
- the right to health;
- the right to in-service training;
- the right to leave;
- the right to participation."

All these rights are applicable to and enjoyed by men and women without distinction.

4. The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work

On 25 May 1970, Cameroon ratified ILO Convention No. 100 of 1951 on equality of remuneration. The provisions of this Convention are incorporated in art. 61(2) of the Labour Code which states: "For the same conditions of work and level of skill, the wage shall be the same for all workers, regardless of their origin, sex, age or status".

With regard to the system for the evaluation of the quality of work, the Civil Service Regulations (Section 1, Chapter III, art. 42) read as follows: "As soon as the fiscal year has ended and at the latest by 31 August of each year, the professional performance of the civil servant shall be evaluated in terms of the objectives assigned, the time allowed for their achievement and the quality of the results."

Paragraph 2 of the same article goes further, stipulating that the evaluation shall determine the course of the official's career, particularly as regards promotion or redundancy.

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5. The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave

The right to social security is enshrined in Social Security Organization Ordinance No. 73-17 of 22 May 1973.

Article 1 of the Ordinance reads as follows: "There shall be set up a social security organization responsible, within the framework of general government policy, for administering the various benefits for which the social and family protection legislation provides."

Only dependent workers fall within the areas of social security currently covered in Cameroon. Moreover, regardless of gender, unemployment benefit does not feature among the various benefits provided.

6. The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction

Title VI of the Labour Code deals with occupational health and safety.

In accordance with art. 95 of the Code, hygiene and safety conditions in the workplace are defined by order of the Minister responsible for labour matters. Thus, Order No. 39/MTPS/IMT of 24 November 1984 lays down general measures.

As far as health is concerned, art. 98 of the same Code requires every enterprise and every establishment of whatever description, public or private, lay or religious, civil or military, including those associated with the exercise of liberal professions and those controlled by trade associations or trade unions, to organize a medical and health service for the benefit of the employees.

The provisions of the Civil Service Regulations similarly protect the health and safety of civil servants. Thus, art. 25 stipulates that "The State is required to protect the official against any threats, abuse, violence, assault, insults or slander to which he may be exposed because or when he is performing his functions." Later, art. 31(2) stipulates that "The State is required to protect the official against work-related accidents and occupational diseases."

Article 84(1) of the Labour Code throws light on the question of safeguarding the reproductive function. The substance of this article is reproduced below in the section devoted to the legislation for the protection of the working woman.

The availability of 14 weeks of maternity leave for women and 3 days of paternity leave for men likewise reflects the authorities' concern to safeguard the function of reproduction.

Alongside these common provisions which apply equally to men and women (recruitment, working hours, rest periods, remuneration, hygiene and safety measures, premature termination of an employment contract), the Cameroonian

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legislation contains special provisions to protect the working woman in her dual capacity of employee and mother.

It is clear from the foregoing that there is a full range of measures to protect the woman employee, although it is difficult to discern whether or not they are being applied.

IX.2. LEGISLATION TO PROTECT THE HEALTH AND SAFETY OF THE WORKING WOMAN

1. Prohibition of dismissal on grounds of pregnancy

Article 84(1) of the Labour Code reads as follows: "Any pregnant woman whose condition has been medically confirmed may terminate her contract without notice and without being liable for that reason to pay compensation. During this period, the employer may not terminate the employment contract of the woman concerned on grounds of pregnancy."

2. Introduction of maternity leave with pay

This aspect features in art. 2 of ILO Convention 100, which has been ratified by Cameroon, and is reflected in various pieces of legislation:

(a) The Labour Code, art. 84(2) of which reads as follows:

"Every pregnant woman has the right to fourteen (14) weeks of maternity leave beginning four (4) weeks before the expected date of confinement. This leave may be extended by six (6) weeks in the event of illness, duly confirmed, resulting from either pregnancy or childbirth. At no time during this period of leave may the employer terminate the employment contract of the woman concerned."

(b) The Civil Service Regulations

Under art. 66(1): "At her request and on presentation of a six-month pregnancy certificate, a female official shall be entitled to fourteen (14) weeks of maternity leave for confinement and nursing, with full pay. The certificate must indicate the expected date of confinement."

According to paragraph 4 of the same article, this leave can be extended by six weeks in the event of illness duly confirmed and resulting from either pregnancy or confinement.

3. Eligibility for an allowance while on maternity leave

Under art. 84(5) of the Labour Code, apart from the various benefits for which the social and family protection legislation provides, during maternity leave a woman has the right to receive, at the expense of the National Social Security Fund, a daily allowance equal in amount to the wage effectively payable at the time of suspension of the employment contract; she retains the right to benefits in kind.

4. The right of women to rest during the nursing period

Article 85(1) stipulates that "During a period of fifteen (15) months following the birth of the child, the mother shall have the right to rest breaks for nursing purposes" while, according to paragraph 3 of the same article, "During this period, the mother may terminate her contract without notice."

5. Prohibition of heavy and dangerous work

Under the terms of art. 83, the nature of the work which women and pregnant women, respectively, are prohibited from doing shall be defined by order of the Minister responsible for labour matters.

6. Prohibition of night work

It follows from art. 82(2) that women and children may not do night work in industry. Article 81 defines night work as any work done between 10 p.m. and 6 a.m.

With regard to the provision of the necessary supporting social services, employers are having difficulty in establishing and operating day-care facilities within their enterprises.

Although Cameroon does have legislation containing provisions that protect the working woman, it is nonetheless true that some of these provisions are out of date and need revising.

IX.3. NEED FOR A PERIODIC REVIEW OF THE LEGISLATION FOR THE PROTECTION OF THE WORKING WOMAN

For the time being, there is no formal provision for a periodic review of out-of-date and inappropriate legislation. However, a national commission has been set up within the Prime Minister's services to revise the laws and regulations. Its general objective is to list all these texts and see how they might be reformed.

Although in many cases women are recognized as being entitled to the various fundamental rights, in reality they still face obstacles when it comes to exercising those rights.

1. In the field of employment

In the structured sector, women's employment opportunities are limited by their basic profile since it generally corresponds to parts of the labour market which are already saturated. Similarly, a woman's choice of occupation is often restricted by inappropriate basic training.

Moreover, the hiring practices of some employers infringe upon a woman's freedom to marry since she is often required to provide a certificate showing that she is unmarried.

The informal sector, where working women are more numerous, does not have access to the public social security system.

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With respect to the application of the principle of equal remuneration for work of equal value within the context of collective labour agreements, it must be acknowledged that in Cameroon working women generally know little about the administrative and legal systems, which makes it difficult for them to assess when their rights are being infringed.

Similarly, women take little interest in the process of collective bargaining whether inside or outside the enterprise, even though all important social and work-related decisions are discussed during this process before being endorsed by the Government. Accordingly, women should be urged and encouraged not only to join unions but also to take positions of responsibility within those unions. Tripartite bargaining (employers, workers and government) is a guarantee of dialogue and industrial peace.

Furthermore, there is as yet no national job classification, which makes it difficult to establish the percentage of women in low-paid and part-time jobs. Nevertheless, it should be pointed out that jobs in the informal sector, where women are more numerous, are poorly paid, the average wage being CFAF 32,000 per month (Bureau of Statistics and National Accounts, 1993).

2. Protection of women from bodily harm

With respect to the violence to which women may be exposed at the workplace and in the home, there are provisions in the Criminal Code that establish penalties for assaults causing bodily harm. However, sexual harassment, a form of violence experienced on a daily basis by women at work, has not been legally defined, which makes it difficult to prosecute. Similarly, the lack of a legal definition of discrimination based on sex discourages women from complaining to the courts about the not easily classifiable practices of which they are the victims.

This situation is reflected in the lack of established precedents in this area of the law.

CHAPTER X

ACCESS OF WOMEN TO PRIMARY HEALTH CARE

(Article 12)

The health of the people is a government priority since a country that neglects the people's health can hardly be expected to develop socially and economically. This objective can only be achieved if the political will exists and the health and related sectors are prepared to combine their efforts.

X.1. SECTORAL HEALTH POLICY: MEASURES TAKEN BY THE GOVERNMENT TO IMPROVE THE HEALTH OF THE PEOPLE

The priority objective of sectoral health policy (1992) is "to improve the state of health of the people by making comprehensive quality care more accessible to the whole of the population, with the full participation of the communities."

The essential components of this sectoral health policy, as incorporated in Framework Law No. 96/03 of 4 January 1996, are as follows:

- universal access to essential quality care through the development of health districts;
- reinforcement of the health care systems at every level (central, intermediate and peripheral);
- making essential generic pharmaceutical products affordable to the largest possible number of Cameroonians thanks to the creation of a National Essential Drugs Centre (CENAME);
- involvement of the communities in the co-financing and co-management of the health services (encouragement of dialogue at all levels through the establishment of health committees, management committees, etc.) with a view to their taking their share of responsibility for dealing with health problems;
- development of a partnership between government, the beneficiary communities and all the other interested parties.

This policy, whose operational strategy is based on the Declaration of National Policy for the reorientation of primary health care (PHC) and on a series of measures forming part of the priority programmes for making the health care system viable (one of these programmes is devoted specifically to the health of women and children), consists in giving the largest possible number of persons access to the care they need at a reasonable and bearable cost.

In this context, the health centres are the preferred means of establishing the interface between the community and the health services.

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Since mothers and children constitute the most vulnerable group, in both urban and rural areas, MINSANTE has laid down the basic principles of health care provision for mothers and children in a re-updated document entitled "Policy and standards for maternal and child health and family planning services", the aim being to improve the provision and delivery of these services.

Altogether, there are 12 aspects to sectoral health policy:

- controlling endemic diseases and epidemics and epidemiological monitoring;
- primary health care;
- referrals;
- health care for women, children and youth, family planning;
- mental health;
- drugs and pharmaceutical policy;
- traditional medicine;
- infrastructure and equipment;
- rationalization of personnel management;
- health and management information system;
- financing of the health sector;
- operational research.

This policy is being implemented through programmes (including the National Family Health Programme, which incorporates a dozen priority sub-programmes for mothers and children) backed by 30 or so projects, 4 of which are specifically targeted at women, namely:

- Women-Population-Development;
- Maternal and Child Health;
- Discrimination in Traditional Practices;
- EVA Project (Education in Life and Love).

This new health policy of the Government of Cameroon reflects the priority it is giving to this sector and its desire significantly to improve the health indicators for the population in general, and women and children in particular, over the course of the next 10 years.

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To achieve the aim of improving women's health and nutrition, seven priority areas have been marked out:

1. Priority areas

- reduction of risk factors;
- adequacy of health coverage;
- raising the level of education of women;
- higher incomes for women;
- improved household food security;
- educating the public about health and nutrition;
- inclusion of women in health management.

Special attention should be paid to the reduction of risk factors in view of its potential for improving women's health.

The state of women's health remains precarious due to a series of interdependent factors (serial childbirths, food taboos, traditional practices, hard work in the home and on the land) which lessen their ability to work and undermine their constitution. Thus, improved health and nutrition depend on the implementation of strategies designed to solve these problems.

The necessary measures mainly involve:

- developing a programme to support the campaign against the malnutrition and lack of micro-nutrients which are degrading the health of women and children;
- setting up a social mobilization programme to make people, especially men and the traditional authorities, aware of the highly deleterious effects of food taboos and certain traditional practices on the health of women and children;
- increase people's awareness of sexually transmitted diseases and AIDS (an IEC campaign has been organized with the support of the mass media);
- promote genital cancer screening and treatment;
- lighten women's workload (especially that of rural women) by facilitating their access at reduced cost to appropriate or intermediate technologies;
- increase the level of access to drinking water in urban and especially rural areas by building new works and introducing a national maintenance policy for the existing installations;

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- intensify the programme of education in responsible parenthood by involving all the groups concerned: young people, parents, adults. The programme should be incorporated into the school system and delivered in both urban centres and rural areas;
- promote the practice of breast-feeding up to the age of at least 6 months.

Within this framework a number of projects are being carried out.

2. Ongoing programmes and projects

- the breast-feeding programme;
- the campaign against iodine-deficiency disorders;
- the campaign against protein-energy malnutrition;
- the campaign against deficiency anaemias;
- the Women-Population-Development project;
- the campaign against AIDS;
- the Maternal and Child Health/Family Planning project;
- the Education in Responsible Parenthood project;
- the Nutrition Education pilot project;
- the COP-MIR project (communication for taking into account population problems in rural areas);
- the Guinea Worm Eradication project;
- the Health-Fertility-Nutrition project, which is in the start-up phase.

By and large, all these projects and programmes are making a real contribution to improving the living conditions of the population in general and women in particular. For example, the campaign against iodine-deficiency disorders has led to the introduction of iodine into cooking salt in Cameroon.

Some of these projects are now being carried out by NGOs.

The public, quasi-public and private hospitals and medical centres are actively engaged in operating these programmes and projects. The public health care units include:

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category 1: 2 general hospitals;
category 2: 3 central hospitals;
category 3: 9 provincial hospitals;
categories 4 and 6: 158 district medical centres;
basic medical services: 170 integrated health centres;
gynaecological services: 51 maternal and child welfare and maternity units.

3. Measures relating to offences against women and children

These offences are characterized in a series of provisions of the Criminal Code.

(a) Abortion: art. 337

1. "A woman who procures an abortion herself or consents thereto shall be liable to imprisonment for 15 days to 1 year or a fine of 5,000 to 200,000 francs or both.

2. Whoever procures an abortion for a woman, even with her consent, shall be liable to imprisonment for 1 to 5 years and a fine of 100,000 to 2,000,000 francs.

3. The penalties under paragraph 2 shall be doubled:

(a) for anyone who habitually practises abortion;

(b) for anyone engaged in a medical or related profession.

4. In addition, the professional premises may be ordered to be closed and the practice of the profession prohibited."

(b) The use of violence against a pregnant woman: art. 338

"Anyone who by using violence against a pregnant woman or against a child in the process of being born causes, even unintentionally, the death or permanent disability of the child shall be liable to imprisonment for 5 to 10 years and a fine of 100,000 to 2,000,000 francs."

(c) Exceptions: art. 339

1. "Articles 337 and 338 shall not apply if the acts are performed by an authorized person and justified by the need to save a mother whose health is at grave risk.

2. In the case of pregnancy resulting from rape, medical abortion shall not be an offence if carried out after the State prosecutor has attested to the materiality of the facts."

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(d) Infanticide: art. 340

"A mother who is principal perpetrator or accomplice in the manslaughter or murder of her child within a month of its birth shall be liable only to 5 to 10 years' imprisonment. These provisions may not be applied to the other perpetrators or accomplices."

X.2. IDENTIFICATION OF THE ACTORS

In Cameroon, the cause of health receives support from both the Government and the private sector.

1. Public sector

Responsibility for the implementation of the Government's health policy falls mainly upon the Ministry of Health, which collaborates with the other ministries.

(a) Ministry of Health

The seven directorates of the Ministry of Health, organized by Decree No. 95/040 of 7 March 1995, include the Community Health Directorate and the Family Health Sub-Directorate whose main concern is the protection of women and children. The Sub-Directorate is responsible for:

- the promotion and protection of maternal health;
- the inspection and monitoring of maternity hospitals;
- the organization of campaigns against genetic diseases;
- the organization, supervision and protection of maternal health and the health of infants and juveniles;
- the surveillance and nutrition education of mothers and children;
- health education;
- the definition of child protection strategies and action plans.

Moreover, Decree No. 95/013 of 7 February 1995 organizes the basic health services in health districts. This new subdivision of the country into health areas and districts, which is governed by operational and efficiency criteria rather than mere administrative logic, makes it possible to deal comprehensively with all the population's health problems. Thus, children and pregnant women can be best cared for at the health area level because the team working at the centre is familiar with their social and physical environment. Within the context of this reorganization there is provision for activities at every level with a view to solving most of the health and nutritional problems of children and pregnant women.

In addition, Law No. 96/03 of 4 January 1996 establishes the general framework for State action in the health field and the objectives of national

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health policy in Cameroon. According to article 4(3) of this framework law, which is mainly intended to provide a legal basis for the partnership between the State and the communities: "One of the main principles on which national health policy is based is the protection and promotion of the health of vulnerable and disadvantaged groups, particularly women, children, adolescents, older persons, the poor and the disabled".

As far as the staffing of the health service is concerned, women are adequately represented in the various branches.

Table 15. Breakdown of health service personnel by profession and gender

Profession	Men	Women	Total	Percentage women
Doctor	500	164	764	21.38
Pharmacist	14	12	26	46.15
Nurse	4 364	4 017	8 381	47.93
Sanitary engineering technician	51	24	75	28.23
Medico-sanitary technician	674	307	981	31.29
Midwife		119		100
Dental surgeon	53	26	79	31.64

Source: MINSANTE (1991).

(b) Ministry of Agriculture

As part of its services for farmers, MINAGRI has a unit specifically responsible for projects on behalf of women in agriculture. Through its extension workers this unit, which is part of the rural engineering and community development directorate, gives rural women tips on nutrition, food, health and environmental sanitation. It also advises on farming techniques and appropriate technology with a view to improving the women's income and productivity.

(c) Ministry of Mines, Water Resources and Energy

Within the context of the definition and application of water resource management policy, this department includes measures on behalf of women in its local water supply and management programmes.

(d) Ministry of National Education

Through its Health Directorate, this ministry is responsible for after-school and extracurricular activities involving the coordination of school health and social measures, in liaison with MINSANTE, and for sex education in the schools.

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(e) Ministry of Women's Affairs

As part of its task of providing guidance and continuing education for women, the Ministry of Women's Affairs includes in its programmes problems of health and nutrition. This particular service is provided by supporting institutions such as the Centres for the Advancement of Women and the leadership pools, through educational chats, health and nutritional education, diet demonstrations, etc.

(f) Ministry of Economics and Finance

Coordinates, supervises and monitors programmes and projects relating to the advancement of women.

(g) Ministry of Livestock, Fisheries and Animal Industries

Organizes the production and quality control of foodstuffs of animal and fish origin.

(h) Ministry of Youth and Sports

Its main responsibility is to inform the public about health problems through its mobile urban health promotion teams.

(i) Ministry of the Environment and Forests

Coordinates the environmental protection and management activities of the different departments. Women are a prime target for awareness-raising in connection with the management of the various natural resources they utilize on a daily basis.

(j) Ministry of Territorial Administration

Together with the local authorities, this department is responsible for public hygiene and health.

(k) Ministry of Social Affairs

Has a directorate responsible for protecting the individual and the family and for grassroots services (Social Centres).

(l) Ministry of Communication

Provides technical supervision of the tripartite MINCOM-UNFPA-UNESCO programme through Information-Education-Communication strategies.

(m) Ministry of Towns

This newly created department has sanitation and highways among its principal responsibilities.

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2. Private sector

In the private sector, the denominational and lay bodies merit attention because of the importance of their contribution and their special status as profit-making organizations.

The initiatives of the NGOs and humanitarian organizations should also be noted.

The traditional practitioners play a not inconsiderable part in the management of health problems in Cameroon.

CHAPTER XI
ECONOMIC AND SOCIAL RIGHTS OF WOMEN

(Article 13)

Women are not yet participating sufficiently in industrial, commercial, formal and craft activities. They are concentrated in the food, textile and clothing branches and excel in food production.

Women account for about 13.5 per cent of the participants in the structured sector and 9 per cent of promoters of small and medium-sized enterprises (SMEs). They head 3.2 per cent of industrial and commercial enterprises and 5.3 per cent of service enterprises.

In the informal sector, about 18 per cent of enterprises are run by women. They are concentrated in the food trade where they account for about 81 per cent of retail sellers and 9 per cent of wholesalers.

Thus, women represent a considerable human potential in the formal and informal sectors. The development of these human resources is still being impeded by certain obstacles which will be examined in relation to the provisions of article 13.

XI.1. RIGHT TO FAMILY BENEFITS

Strictly speaking, in Cameroon there is no social security system that takes the non-wage earner, including unmarried mothers, into account. On the other hand, there is a social security system that caters for the dependent worker only.

Family benefits are available to both men and women workers without distinction. These benefits consist mainly of housing, family allowances and supplementary benefits, which vary with the number of children, and the partial payment of some of the recipient's medical expenses.

XI.2. RIGHT TO BANK LOANS, MORTGAGES AND OTHER FORMS OF FINANCIAL CREDIT

Although the credit legislation in force in Cameroon does not discriminate against women, there are several factors preventing the majority of them from obtaining access to formal loans.

1. The written law

Legislative provisions restrict women's legal capacity to offer guarantees with a view to obtaining a bank loan.

Thus, the right and freedom to pursue a commercial activity are limited by:

- Article 223 of the Civil Code and article 74 of the Ordinance of 29 June 1981, which recognize the husband's right to object to his wife's pursuing a separate profession;

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- Article 7 of the Commercial Code, which authorizes the husband to put an end to the commercial activity of his wife simply by notifying his objection to the Registrar of the Commercial Court.

2. The terms and conditions offered by the banks

The banks' terms and conditions cannot easily be met by women farmers and traders because of:

- their lack of basic training in management and bookkeeping;
- their poor understanding of the notion of the return on a loan;
- their ignorance of banking and tax procedures;
- their lack of collateral and security.

In practice, some bankers demand the husband's guarantee as one of the conditions for granting a loan.

In order to make a start on overcoming some of these difficulties and obstacles, the Government has taken several specific measures on behalf of women, namely:

- the Priority Programme for the Promotion of SMEs led by the Ministry of Industrial and Commercial Development which specifically targets children, disabled persons and women. It is intended to bring about the swift and harmonious integration of women into the SME promotion effort by:
 - strengthening their ability to create and manage enterprises;
 - eliminating discrimination.

The Cooperative Societies Act (Law No. 92/006 of 16 August 1992) facilitated the establishment of decentralized financial institutions of a kind calculated to encourage entrepreneurship among women.

3. Customary practices

Because of the dead hand of custom, women find it difficult to become owners of property in general and land in particular.

XI.3. RIGHT TO PARTICIPATE IN RECREATIONAL ACTIVITIES, SPORTS AND ALL ASPECTS OF CULTURAL LIFE

The Government of Cameroon guarantees men and women without distinction the possibility of access to sports and leisure activities.

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1. Sports

Women, who previously took part in only a few sports, are now represented in almost all the sports federations, including those for the so-called "reserved" sports such as judo, karate, football, etc.

However, their level of participation is still generally low:

- two athletes out of eight are girls;
- three sports teams out of twelve are women's teams, although some sports have no women's clubs.

Ignorance of what is involved has had a profound influence on women's participation in sports. Whereas educated parents tend to appreciate sports and games, those in the rural areas are still prejudiced against them.

Other obstacles also exist such as:

- motherhood and early marriage can bring the sporting careers of girls to a premature close;
- the timidity of young girls;
- lack of sponsorship for women's sports;
- women's everyday responsibilities;
- few sports teachers are women (out of every ten teachers giving physical education and sports lessons only one is a woman);
- families may lack sufficient means;
- inadequacy of the sports infrastructure in schools and universities;
- inadequacy of the private sports infrastructure.

2. Other cultural activities

There are several areas in which Cameroonian women are displaying their talents, in particular:

- crafts
- choreography
- theatre
- dance
- singing.

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Despite women's enthusiasm for things cultural, their level of involvement is relatively low.

This is attributable to such factors as:

- socio-cultural restraints, which prevent women from playing a full part in activities that take place outside the family circle;
- lack of support;
- lack of means.

The implementation of the recommendations of the Culture Forum encouraging the expansion of cultural activities in Cameroon will certainly enable women to become involved to a greater extent than before.

CHAPTER XII

THE SITUATION OF RURAL WOMEN

(Article 14)

XII.1. GENERAL SITUATION OF RURAL WOMEN

Rural women are playing a crucial role in ensuring food security in Cameroon. They account for 52 per cent of the rural population and produce about 90 per cent of the food.

However, they still experience hardship, suffering in particular from:

- lack of credit for agricultural production and extension activities;
- lack of health care;
- lack of information on the opportunities offered by the international market;
- lack of a basic education;
- the isolation of the production areas;
- difficulties of access to land ownership;
- excessive demands on their time;
- the arduous nature of their work.

During peak periods, rural women do 8 to 12 hours of agricultural work a day and spend almost as much time on household work, or 1.5 to 3 times more than the men, who only take care of the export crops.

Moreover, since statistical data broken down by gender are few or non-existent, the contribution of rural women to the development of society cannot be satisfactorily assessed.

Rural women generally receive support from rural organizers with only limited technical abilities considering the problems they are supposed to help to solve, namely:

- raising agricultural productivity;
- crop storage;
- processing and marketing of agricultural produce;
- drinking water supply;

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- training;
- administration of health care.

It should be noted that the situation has improved as a result of the implementation of the National Agricultural Extension Services Programme (PNVA).

Moreover, the easing of the provisions of the Associations Act has encouraged the development of several NGOs and associations working to provide support for rural women.

XII.2. SITUATION OF RURAL WOMEN IN RELATION TO THE PROVISIONS OF ARTICLE 14 OF THE CONVENTION

The situation of rural women can be effectively assessed only in the light of certain leading indicators.

1. Participation in decision-making

The participation of rural women in decision-making, both within the family and in society, is still very low due to a number of obstacles:

- socio-cultural attitudes and inhibitions;
- lack of education in civics and economics;
- lack of financial resources;
- the passivity or timidity of the women;
- the excessive demands on women's time due to their multiple role (mother, wife and participant in development).

2. Access to adequate health care facilities

The authorities are making efforts to bring the health services closer to the people, especially in rural areas, by establishing health districts run by doctors and organizing a minimum package of activities, including reproductive health and nutrition.

3. Social security programmes

In Cameroon, the social security systems do not yet reach the rural population. Moreover, through lack of information and support, rural people find it difficult to obtain access to the insurance-guaranteed public security system.

4. Access to all types of education and training

The law makes no distinction between men and women as regards access to the educational and training establishments. However, rural girls are more likely to drop out of school than their urban sisters.

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Overall, the difficulties encountered by rural women and girls with respect to education and training are as follows:

- early marriages and pregnancies;
- sexist choices made by the parents;
- the low economic potential of rural families;
- excessive demands on women's time;
- persistent socio-cultural constraints;
- under-representation of women in mixed groups;
- shortage of women technically qualified to provide agricultural advisory and support services. It should be noted that the authorities are making efforts to improve the level of training of women even non-formally;
- the National Agricultural Extension Services Programme (PNVA) operates through mixed groups (men and women) and technical demonstration units. In the second phase of programme implementation it is planned to recruit nearly 200 women extension workers in order to address more effectively the concerns of rural women. In 1992/1993, the PNVA was using a total of 987 people including 32 women or 3.2 per cent. Today, it is using 117 women out of a total of 2,340 or 5 per cent;
- The training schools have been professionalized since 1994. They deliver useful and operational on-the-spot information in a specific field. Similarly, the NGOs and private institutions are working in rural development and encouraging women to organize in groups by providing training and information and transferring technology.

5. Organization of self-help groups

The Associations and COOP/GIC Acts of 1990 and 1992 encouraged rural women to organize themselves in groups. The number of joint initiative groups and associations is on the increase.

These bodies are useful on several counts:

- provision of a joint guarantee to facilitate access to credit;
- provision of low-cost services for members;
- means of integrating small farmers into the national economy;
- increased trade between the traditional sectors and the rest;
- technology transfer;
- ease of financial transactions.

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The main difficulties relating to the organization of self-help groups are as follows:

- the weak internal structuring of the groups;
- the relatively undeveloped spirit of cooperation among the members;
- the lack of land specifically identified as belonging to the group;
- the low literacy rate among rural women.

6. Participation in all community activities

Of necessity, because they make a vital contribution to the stability and functioning of the family, rural women are becoming more and more involved in the management of the village community. At the same time, their exclusion from the administration of the family assets is encouraged by the existence of unfavourable legal provisions. Thus, article 1421 of the Civil Code reads: "The administration of the community property is entrusted to the husband who may sell, transfer or mortgage it without the consent of his wife". Similarly, article 1428 recognizes that: "The husband shall administer all the personal property of his wife. He may independently exercise any right of action to recover movable property or to protect or recover possession vested in the wife. He shall be responsible for any physical depreciation of his wife's personal property due to failure to take protective action".

7. Access of women to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes

Despite their important role in the economy, women still only have limited access to productive resources. According to the Ministry of Agriculture's estimates for 1996, overall, only about 17 per cent of farms are run by women. This national average conceals differences at the provincial level.

Table 16. Percentage of farms run by men and women respectively

Province	Total number of farms	Women	Percentage	Men	Percentage
South	83	12	14.5	71	85.5
Far North	146	11	7.5	135	92.5
East	121	20	20.2	101	79.8
Centre	221	43	16.5	178	83.5
Littoral	145	38	26.2	107	73.8
South-West	127	26	20.5	101	79.5
North-West	165	25	15.2	140	84.8
West	215	54	25.1	161	74.9
North	125	9	7.2	116	92.8
Adamaoua	84	6	7.1	78	92.9
Total	1 434	246	17.2	1 188	82.8

Source: MINAGRI (Agricultural Survey Directorate, 1996).

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Women have difficulty in obtaining bank loans for the following reasons:

- inability to cope with the procedures and guarantee requirements of the commercial banks;
- scarcity of rural lending institutions;
- bankers not interested in projects that only generate low incomes;
- low quota of loans and subsidies available to women's groups;
- low literacy rate;
- limited financial resources;
- lack of business information and know-how;
- lack of organized marketing channels;
- poorly developed communications;
- underfunded NGOs and paucity of trade organizations;
- persistence of socio-cultural practices that restrict women's access to land, despite this being a resource essential to their self-fulfilment.

There are certain agencies that provide start-up support:

- the Rural Organization Support Fund (FONDAOR). Out of 2,290 grants awarded only 16 per cent went to women's groups;
- Decentralized Rural Credit;
- the National Employment Fund (FNE) provides advice and financing;
- the FIMAC programme;
- the Savings and Loan Cooperatives (COOPEC);
- the Women-Population-Development project which finances women's income-generating activities in the Far North and South-West provinces;
- the Productive Microprojects on behalf of the Women of Cameroon (MPPF-CAM) projects whose aim is to increase women's income while initiating them into the principles and rules of entrepreneurship;
- the women's pre-cooperatives and joint initiative groups;
- the First Ladies of Africa Programme for the economic advancement of rural women.

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In addition, it should be noted that the diplomatic establishment and certain international organizations are making a significant contribution in this area.

8. Living conditions of rural women, particularly in respect of housing, sanitation, electricity and water supply, transport and communications

The following table sets out the characteristics of rural housing.

Table 17. Characteristics of rural housing in 1976 and 1987

Characteristic	1976	1987
Walls made of permanent materials	6%	7%
Metal, tile or slab roof	31%	54%
Cement floor with or without tiles	7%	15%
Ownership	94%	91%

Source: Demo. 1987, vol. III, Part 9: Summary of preliminary reports.

Thus, as only a small percentage of houses are built of permanent materials with cement floors, most rural people live in flimsy housing, although they generally own it themselves.

As regards access to drinking water, surveys show that the coverage has not improved very much during the last 20 years and in most places the traditional water points have remained the main source of supply.

Table 18. Breakdown of rural housing units by method of drinking water supply

Method of supply	1976	1987
Running water	4.3%	2.2%
Standpipe	4.6%	9.9%
Well	19.9%	41.5%
Springs	39.7%	10.7%
Marigot (backwater)	29.7%	35.2%
Other	2.4%	0.5%
Total	100%	100%

Source: Demographic surveys cited by UNDP/Republic of Cameroon in "Report on Human Development in Cameroon, 1993".

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In view of the low rural drinking water coverage (31 per cent) and the defective condition of most of the hydraulic works installed (60 per cent), the Government has launched the following water supply programme:

- one borehole equipped with a pump for every locality with 300 to 500 inhabitants;
- a water supply system for communities with 2,500 to 5,000 inhabitants.

Moreover, hydraulic rehabilitation programmes are being carried out all over the country under the new policy of encouraging the participation of the beneficiary communities in all phases of rural hydraulic engineering projects.

Thus, women are performing the daily chore of supplying the family with drinking water. In some areas, they are obliged to walk several miles in search of water.

As for rural hygiene and environmental sanitation, the latrine is the type of convenience most commonly employed (87.9 per cent of households in 1987) and waste water is allowed to drain away into the soil.

In 1987, the usual form of lighting in rural areas was the petrol lamp, to which 82.7 per cent of the population had access. Electricity is available only to a small privileged minority (4.24 per cent).

Wood is the fuel most commonly used for cooking in rural areas. In 1987, it was used by 96 per cent of households, with the remaining 4 per cent using either oil or gas or electricity.

CHAPTER XIII

EQUALITY OF MEN AND WOMEN BEFORE THE LAW

(Article 15)

XIII.1. EQUALITY OF MEN AND WOMEN BEFORE THE LAW

The Preamble to the Constitution enshrines the principle of the equality of men and women before the law in the following terms: "Human beings, without distinction as to race, religion, sex or belief, possess imprescriptible, inalienable and sacred rights ..."

"... All shall have equal rights and obligations ..."

"... the State shall guarantee all citizens of either sex the rights and freedoms set forth in the Preamble to the Constitution ..."

This last provision merits closer attention. As mentioned in the first part of the report, all international human rights conventions duly ratified by Cameroon form part of the Preamble to the Constitution. This applies to the Universal Declaration of Human Rights which is more incisive concerning the equality of all before the law; thus article 7 reads: "All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination." All other subordinate laws and regulations must conform to this principle of the equality of all before the law, on pain of annulment on grounds of unconstitutionality.

XIII.2. LEGAL CAPACITY OF WOMEN

Legal capacity is taken to mean the power granted to someone to exercise his rights. Cameroonian law recognizes the legal capacity of both men and women. Article 216 of the Civil Code stipulates that "Women shall have full capacity as of right. The exercise of that capacity shall be limited only by the marriage contract and by law."

- Women may take part in court proceedings without having to have themselves represented.

The only restrictions relate to:

- age (the applicant must have turned 21 at the time of the action);
- effective possession of rights (she must not have been deprived of her rights);
- mental capacity (the applicant must be in possession of all her faculties and capable of understanding).

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- They may conclude contracts, carry on a commercial activity on the same footing as a man and practise the profession of their choice.

There is, however, a restriction on the contractual capacity of a married woman. Thus, article 223 of the Civil Code authorizes the husband to object to the pursuit of a profession by his wife if he considers that it could be prejudicial to the interests of the family.

Moreover, article 7 of the Commercial Code empowers the husband to put an end to his wife's economic activity simply by notifying his objection to the Registrar of the Commercial Court.

However, the wife may go to court to seek the withdrawal of the objection on the grounds that her pursuit of a profession is not prejudicial to the interests of the household.

The administration of the community property is entrusted to the husband who may sell, transfer or mortgage it without the consent of his wife (arts. 1421 and 1428 of the Civil Code). If the husband is unable to express his wishes, the wife may represent him only if so authorized by the court (art. 219 of the Civil Code). All these discriminatory provisions have been identified and will definitely not be perpetuated in the new Civil Code in preparation.

XIII.3. NULLITY OF CONTRACTS AND MEASURES DIRECTED AT RESTRICTING THE LEGAL CAPACITY OF WOMEN

When a woman considers that an administrative decision discriminates against her, she may ask the administrative court to set it aside. In the case of a discriminatory private contract, she may apply to the ordinary courts for it to be declared null and void.

XIII.4. THE RIGHT OF WOMEN TO FREEDOM OF MOVEMENT AND CHOICE OF RESIDENCE AND DOMICILE

According to the Preamble to the Constitution, "Every person shall have the right to settle in any place and to move about freely, subject to the statutory provisions concerning public order and safety and the keeping of the peace." Since the proclamation of freedoms in 1990, Cameroonian women have enjoyed the freedom to come and go, especially married women for whom the need for the husband's authorization to obtain a visa was a serious infringement of that right.

To conclude, the legislation does not discriminate against women, except in the above-mentioned cases relating to a woman's capacity to administer the community property, to choose and keep a job or economic activity and to choose a domicile. If women are not enjoying their personal rights, it is due more to ignorance and lack of education and to the weight of custom, which continues to bear heavily upon them.

CHAPTER XIV

WOMEN IN RELATION TO CERTAIN ASPECTS OF FAMILY LAW

(Article 16)

The provisions of article 16 concern questions relating to civil status. In Cameroon, these questions are governed by various pieces of legislation, in particular:

- the Civil Code;
- Law No. 69/LF-3 of 14 June 1969 regulating the use of names, first names and pseudonyms;
- Ordinance No. 81/02 of 29 June 1981 organizing the registry of births, marriages and deaths and various provisions relating to civil status.

The coexistence of written and customary law leads to a certain amount of friction. This legal dualism finds expression in the administration of justice. In fact, there are courts of written law and customary courts which have almost the same powers in matters of marriage, filiation, succession, etc.

More detailed information concerning the various aspects of article 16 of the Convention is provided below.

XIV.1. WOMEN AND THE RIGHT TO ENTER INTO MARRIAGE

Under the law, men and women have the same right to enter into marriage and freely choose a spouse. However, there is a difference with respect to the minimum age at which they can marry. Thus, article 52 of the Ordinance of 29 June 1981 establishes a minimum age of 18 for boys and 15 for girls.

The question of consent is dealt with in the Ordinance of 29 June 1981:

Article 64(1): "The future husband and wife shall personally signify their consent to the registrar at the time of solemnization of the marriage."

Article 64(2): "The consent of a minor future husband or wife shall not be valid unless supported by that of the father and mother. This consent must be free and without defect."

Article 65(1): "The marriage shall not be solemnized if consent has been obtained by duress."

At the same time, in Cameroon under the ordinary law the form of marriage is polygamy. Thus, a man may have several wives, sometimes in disregard of the initial matrimonial system in the case of a monogamic first marriage. Where there is a finding of bigamy, the second marriage is null and void.

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XIV.2. EXERCISE OF CONJUGAL RIGHTS AND RESPONSIBILITIES

According to articles 213 and 214 of the Civil Code:

- "The husband shall be the head of the family and the wife shall replace him in his capacity of family head if he is unable to express his wishes because of incapacity, absence or distance or for any other reason.
- The wife shall cooperate with the husband in giving the family moral and material guidance, providing for its upkeep, bringing up the children and preparing them to set up on their own.
- The obligation to assume these responsibilities shall fall principally on the husband. He must provide his wife with all the necessities of life according to his abilities and status.
- The wife shall contribute to the household expenses through her marriage settlement and community contributions and through the withdrawals she may make from the personal resources which she retains the right to administer."

For its part, article 215 of the Civil Code stipulates that "the choice of family residence shall belong to the husband, the wife shall be obliged to live with him and he must accept her. Exceptionally, if the residence chosen by the husband places the family at physical or moral risk, the wife may be authorized to have, for herself and her children, another residence to be determined by the judge."

These are the conjugal rights and responsibilities exercised by women. Their rights in the event of the marriage being dissolved are described below.

XIV.3. THE RIGHTS OF WOMEN IN THE EVENT OF THE MARRIAGE BEING DISSOLVED

1. Forms of dissolution

Under the terms of article 77 of the Ordinance of 1981 and article 227 of the Civil Code, marriage is dissolved by the death of a spouse or by divorce decreed by the courts.

(a) Dissolution as a result of the death of the husband

In this situation, the law protects the widow. Thus, the above-mentioned article 77 states that "in the event of the death of the husband, his heirs may not claim any right over the person, liberty or share of the estate of the widow who, upon the expiration of a period of 180 days from the death of her husband, may freely remarry, without anyone being able to claim compensation or material benefit by way of dowry or otherwise, whether upon engagement or at the time of the marriage or subsequently."

It should be pointed out that the period of 180 days during which the woman may not marry is intended to avoid any confusion with regard to paternity.

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Although this provision favours women, customary practices such as levirate (according to which when the husband dies the widow or widows must remain in the family as wives of the dead man's brothers) infringe the woman's right to inherit and her liberty.

Thus, these customary practices restrict the wife's management of the husband's estate. The situation becomes even more complicated when the husband's family has to issue the minutes of the family council, a document often required by the court as part of the file in inheritance cases.

(b) Dissolution of the marriage by divorce

In Cameroon, divorce is granted for a matrimonial offence.

There is no discrimination with respect to the grounds for divorce or the procedure to be followed. The only difficulty for the wife is in providing evidence of her husband's adultery since article 361 of the Criminal Code characterizes the offence of adultery differently for men and women. Thus, a wife may be punished for adultery as soon as she is found to have had sexual relations with a man other than her husband, no matter how often or in what place. The husband, on the other hand, is culpable only if he has had sexual relations with women other than his wife or wives in the matrimonial home or indulged in them habitually outside the matrimonial home.

2. Effects of the dissolution of a marriage

These effects concern the personal relationship between the spouses, their property rights and the children.

(a) Personal relationship

The effects are identical. There is no longer any obligation to cohabit, remain faithful, lead a conjugal life or aid and assist each other. However, the last-mentioned obligation may take the form of maintenance for one spouse or the other.

(b) Property rights

The dissolution of the marriage bond also entails the dissolution of the matrimonial property regime, though the assets are divided up in accordance with the regime chosen at the time of solemnization of the marriage. If no such choice was made, the legal regime applicable to the spouses when they come before the courts of written law will be that of community of movables and after-acquired property.

Where the property of the spouses is concerned, the effects of divorce extend back to the date of the application for divorce (art. 252 of the Civil Code). It is on that date that community will be deemed to have been dissolved. In this way, the law seeks to prevent the husband from exerting his paternal authority during the proceedings, to the detriment of his wife's interests.

Moreover, once the divorce becomes final, the right of the spouses to inherit from each other on intestacy is also extinguished.

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Before the customary courts, the wives are sometimes at a disadvantage since they must provide evidence of their contribution to the conjugal assets.

(c) The children

Article 302 of the Civil Code reads as follows: "The children shall be entrusted to the spouse who has obtained the divorce." However, their interests are amply taken into account and may require the judge to order, for the children's greater good, that all or some of them be placed in the care of a wife who lost the divorce case or even in that of a third party. To satisfy himself in this respect, the judge may order the social services to carry out an investigation as a basis for his decision.

The judge will also arrange for the other parent to have access to the children.

Custody is provisional and at the discretion of the court. That is to say it is controlled by the judge who may make changes if the interests of the children so require.

XIV.4. RIGHTS OF THE WIFE WITH RESPECT TO THE RELATIONSHIP BETWEEN PARENTS AND CHILDREN IN NORMAL CIRCUMSTANCES AND IN CRISIS SITUATIONS

Article 203 of the Civil Code places both parents under an obligation to give their child moral and material guidance.

1. Parental authority

(a) In a legitimate family, parental authority belongs to the father and the mother unless one of them has been deprived of it because of his or her behaviour or because of loss of physical or mental capacity. In the case of illegitimate children, parental authority is exercised by the parent with respect to whom filiation has been established. This is automatic in the case of the mother for whom childbirth is equivalent to recognition.

(b) In the event of divorce, parental authority belongs to the parent who has effective custody of the child. In the event of death, authority belongs to the surviving parent.

2. Guardianship

(a) For legitimate children, under the terms of article 389 of the Civil Code, "during the lifetime of the spouses, the father shall be the legal administrator of the property of their minor children not regarded as of full age and capacity, with the exception of any gift or bequest made on the express condition that it be administered by a third party.

When the father is deprived of the powers of administration, the mother shall become the administrator as of right in his place with the same powers as he had, without his marital authorization being required.

(b) In the event of divorce or judicial separation, the spouse to which the custody of the child is entrusted shall be the one responsible for administering its property, unless otherwise ordered".

The property of illegitimate children is administered by the parent with respect to whom filiation has been established.

Where adoption is concerned, the conditions for adoption apply to both spouses without distinction as to sex.

Upon the death of their parents, the children will be the principal heirs regardless of their sex. However, there is a difference in relation to the status of the child, since the legitimate child does not have the same rights as the acknowledged illegitimate child, the latter being entitled to half the share he would have received had he been legitimate.

Although the status of the married woman is regulated, this is not the case where the cohabitation of two unmarried partners is concerned.

XIV.5. COHABITATION

In Cameroon, the law does not recognize unmarried cohabitation. Consequently, it has no legal effect. The issue of such a union are illegitimate. If recognized, they have the right to claim maintenance and their share of their parents' estate.

The practice of promising a child in marriage has now almost died out.

XIV.6. THE DOWRY

The dowry is governed by the Civil Code which in arts. 1540 and 1541 defines it as follows: "The dowry is the property which the wife brings to the husband for bearing the costs of the marriage. Everything that the wife brings with her or that is given to her under the marriage contract ..., unless otherwise stipulated."

However, in tribal practice, the dowry may be defined as the goods which a future husband contributes to the family of his future wife.

Ordinance 81-02 of 29 June 1981 concerning the organization of civil status, which deals with the customary dowry, does not define it.

However, the dowry is not a condition of the validity of the marriage.

Thus, article 70(1) reads: "The total or partial payment or non-payment of the dowry and the total or partial performance or non-performance of any marriage contract shall have no effect on the validity of the marriage."

(2) "Any action challenging the validity of a marriage based on the total or partial non-performance of a dotal or marriage settlement shall be inadmissible as a matter of public policy."

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At the same time, according to article 72: "The total or partial payment of a dowry cannot in any circumstances form the basis for natural paternity which can only result from the existence of a blood relationship between the child and its father."

The law also envisages two situations in which the dowry must be returned. It follows from article 71(2) of the 1981 Ordinance that if the engagement is broken off, the depositary must return it immediately.

Similarly, according to article 73: "In the event of the dissolution of the marriage by divorce, the beneficiary of the dowry may be ordered to repay it, in whole or in part, if the court considers that he or she is totally or partially responsible for the disunion."

Furthermore, article 357 of the Criminal Code characterizes wrongfully demanding a dowry as an offence and punishes with 3 months to 5 years' imprisonment or a fine of 5,000 to 500,000 francs or both:

- anyone who by promising to marry a woman already married or still engaged receives from a third party all or part of a dowry;
- anyone who receives all or part of a dowry without having reimbursed any ousted suitor;
- anyone who, lacking capacity, receives all or part of a dowry with a view to marrying a woman;
- anyone who demands all or part of an excessive dowry on the occasion of the marriage of a daughter over the age of 21 or of a widow or divorcee;
- anyone who, while demanding an excessive dowry, bars for this reason alone the marriage of a daughter under the age of 21.

Other aspects linked with personal and property rights are implicit in article 16 of the Convention, for example, the right of women to have their say concerning family planning, to choose a family name and a profession and to enjoy household property.

XIV.7. THE EXERCISE BY WOMEN OF FAMILY PLANNING AND OTHER PERSONAL RIGHTS

1. The right of women freely to plan births

There is no law or regulation that prevents women from freely and responsibly deciding the number and spacing of their children. They have access, without the need to request authorization from anyone, to the information and services provided by the family planning centres scattered all over the country. However, it should be pointed out that their exercise of this right is impeded, among other things, by illiteracy, poverty, the inaccessibility of information and cultural restraints, especially where rural women are concerned.

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Although the right to reproductive health is recognized and respected in Cameroon, nevertheless, before taking any permanent step to control a married woman's procreative function (such as ligating the tubes), the doctors require the husband's prior written authorization which she is obliged to produce.

2. The right of women to choose a family name, a profession and an occupation

(a) Choice of a family name

Law 69/LF/3 of 14 June 1969 regulating the use of names, first names and pseudonyms does not contain any discriminatory provision giving the husband the exclusive right to choose the family name. However, the general practice is for married women to take their husband's name. Thus, a married woman can use two names: her maiden name and the name of her husband.

This right to use the name of the husband is optional. A married woman is not obliged nor is it her duty to take her husband's name. When she is required to identify herself, she is free to use her maiden name rather than that of her husband. However, the use of the husband's name by the wife should not be injurious to him or third parties.

In the event of divorce, the wife may continue to use the name of her husband, unless he forbids it.

(b) The right of women to choose a profession or an occupation

Article 74(1) of the 1981 Ordinance reads as follows: "A married woman may pursue a profession separate from that of her husband." The exercise of this right by the wife is restricted by reservations set out in the following articles:

- According to article 74(2): "The husband may object to the pursuit of such a profession in the interests of the marriage and the children."
- Article 223 of the Civil Code takes a similar line: "A married woman may pursue a profession separate from that of her husband, unless the latter objects."

Nevertheless, the law does make exceptions to the exercise of the husband's right to object.

- The same article continues: "If the husband's objection is not justified by the interests of the family, the wife may be authorized by decision of the court to ignore it, in which case any professional commitments she has entered into since the objection was raised shall be valid."

This latter provision enables women to avoid finding themselves at the mercy of a husband who may sometimes be acting in bad faith.

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3. The right of women to own, acquire, manage and dispose of property

Women's right of ownership, which according to the Constitution is the right to use, enjoy and dispose of one's property, is not fully recognized in view of certain provisions of the Civil Code and the Commercial Code relating, respectively, to the administration of statutory community property and bankruptcy.

(a) Provisions of the Civil Code

Article 1421: "The husband shall administer the community property on his own. He may sell, transfer or mortgage it without the consent of his wife."

Article 1428: "The husband shall administer all the personal property of his wife. He may independently exercise any right of action to recover movable property or to protect or recover possession vested in the wife. He may not dispose of his wife's personal real property without her consent. He shall be responsible for any physical depreciation of his wife's personal property due to failure to take protective action."

(b) Provisions of the Commercial Code

Articles 557 and 558: These articles protect a married woman whose trader husband goes bankrupt.

Article 559: This restricts the free enjoyment of her property by the wife of the bankrupt.

Thus, according to this article, "Whatever the regime under which the marriage contract was drawn up, apart from the case envisaged in art. 558 (acquisition of property by inheritance or gift), the legal presumption shall be that the property acquired by the wife of the bankrupt belongs to her husband, has been paid for with his money and must be pooled with the main body of his assets, unless the wife can show otherwise."

Over and above the written provisions which make the woman in some respects "a person lacking legal capacity" who must be protected by the husband, most of our usages and customs incorporate retrograde principles according to which a woman is incapable of owning property and especially land, all the more so as she herself is regarded as an inheritable good.

CONCLUSION

The women of Cameroon have always played several important roles in society: the role of wife, the role of mother and the role of participant in the development of the country. However, their contribution to development has not been adequately recognized and their potential has not been properly tapped.

Since the 1960s, through the United Nations, the international community, aware of women's role as partners in development, has mobilized to promote action on their behalf. Thus, it has worked to establish a theoretical framework and subsequently to provide the means to support national programmes aimed at improving the lives of women.

For its part, Cameroon has not let this international movement pass it by. Its interest in the advancement of women is reflected in the progressive introduction of appropriate national mechanisms and the implementation of multisectoral programmes.

Despite these notable efforts, it must be acknowledged that Cameroonian women are still the victims of discrimination of every kind. Although the legislation in general appears to be egalitarian and non-discriminatory, the reality is that women are daily subjected to de facto discriminatory practices associated with constraints of a socio-cultural nature (resistance to change due to a conservative mentality, ways and customs that recognize patriarchy as the model for society, stereotypes, clichés and social prejudice).

It is clear, moreover, that the steps taken to improve the social and legal status of women do not always have the expected effect due to the existence of numerous obstacles such as:

- the dual legal system which Cameroon has inherited from the colonial period and the conflict between the written law and local customs and religions;
- the lack of a clear and precise definition of discrimination and discriminatory practices that would enable women victims to set the legal and/or administrative machinery in motion in order to end them;
- illiteracy among women and their generally low level of education;
- inadequacy of the resources (financial, material and human) allocated to the mechanisms for the advancement of women;
- the difficult international economic climate characterized by the existence of structural adjustment programmes, external debt and globalization of the economy;
- women's diffidence about participating in the improvement of their status.

/...

Admittedly, the rate at which these problems are being solved is slow, but the existence of a series of favourable factors makes it possible to view the future with optimism. These include:

- the political will to succeed expressed, on the one hand, in the preparation of a National Action Plan for the Integration of Women in Development whose implementation should certainly enable the difficulties to be progressively overcome and, on the other hand, in the framing of a policy with three main goals:
 - the maintenance of growth;
 - the eradication of poverty;
 - the development of human resources;
- the growing awareness of the female population reflected in the quantitative and qualitative development of the women's association movement;
- the availability of sources of financing for projects to improve women's lives;
- the economic recovery which will enable the State to allocate more resources to the institutional mechanisms for the advancement of women;
- the involvement of the private sector and civil society in women's issues.

Finally, the preparation of periodic reports on the implementation of the Convention, which necessarily involves an evaluation of the action taken and the future prospects, will undoubtedly give new impetus to the movement to improve the status of women.

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RATIFICATION

Instrument registered with the Director-General of the International Labour Office on:

7 August 1973

CAMEROON

(Specifying under article 3 (2) of the Convention, three weeks as the minimum length of the holiday, and accepting, under article 15 (2), the obligations of the Convention in respect of the persons covered by both sub-paragraphs (a) and (b) of article 15 (1). To take effect on 7 August 1974.)

No. 12659. CONVENTION (No. 135) CONCERNING PROTECTION AND FACILITIES TO BE AFFORDED TO WORKERS' REPRESENTATIVES IN THE UNDERTAKING. ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS FIFTY-SIXTH SESSION, GENEVA, 23 JUNE 1971²

RATIFICATIONS

Instruments registered with the Director-General of the International Labour Office on:

6 August 1973

AUSTRIA

(To take effect on 6 August 1974.)

26 September 1973

FEDERAL REPUBLIC OF GERMANY

(To take effect on 26 September 1974.)

¹ United Nations, *Treaty Series*, vol. 883, No. I-12658.

² *Ibid.*, No. I-12659.



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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COMMITTEE AGAINST TORTURE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Third periodic reports of States parties due in 1996

Addendum

CAMEROON*

[19 December 2002]

* The information submitted by Cameroon in accordance with the consolidated guidelines for the initial part of the reports of States parties is contained in document HRI/CORE/1/Add.109.

For the initial report of Cameroon, see CAT/C/5/Add.16; for its consideration see CAT/C/SR.34 and 35 and *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 44 (A/45/44)*, paras. 251-279.

A supplementary report (CAT/C/5/Add.26) was submitted on 25 April 1991 and considered on 20 November 1991 (CAT/C/SR.101 and 102, and *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 44 (A/47/44)*, paras. 244-284).

For the second periodic report, see CAT/C/17/Add.22; for its consideration, see CAT/C/SR.448, 451 and 454 and *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 44 (A/56/44)*, paras. 60-66.

The annexes to the present report may be consulted in the files of the secretariat.

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Introduction

1. On 19 December 1986 Cameroon acceded, without any reservations, to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “the Convention”), adopted by the General Assembly of the United Nations on 10 December 1984. The Convention entered into force for Cameroon on 26 June 1987.
2. Under article 19, paragraph 1, of the Convention, States parties are required to submit to the Committee against Torture reports on the measures they have taken to give effect to their undertakings under the Convention, within one year after the entry into force of the Convention. Thereafter, States parties submit supplementary reports every four years on any new measures taken and such other reports as the Committee may request.
3. Cameroon’s initial report, submitted on 15 February 1989 (CAT/C/5/Add.16), was considered by the Committee on 20 November 1989 (CAT/C/SR.34 and 35). Following its consideration, the Committee requested the Cameroonian Government to submit a supplementary report, which was sent to the Committee on 25 April 1991 (CAT/C/5/Add.26) and considered on 20 November 1991 (CAT/C/SR.101 and 102).
4. The information due to be submitted to the Committee in 1992 and 1996, in accordance with Cameroon’s quadrennial treaty obligation, was provided in Cameroon’s consolidated second periodic report, covering the period from 1988 to 1996 (CAT/C/17/Add.22).
5. On 12 October 2000 Cameroon declared its recognition of the competence of the Committee against Torture under articles 21 and 22 of the Convention. On 24 October 2000 the Secretary-General of the United Nations, in his capacity as depositary, notified the States and organizations concerned of this declaration by Cameroon.
6. The Committee considered Cameroon’s second periodic report at its 448th, 451st and 454th meetings, held on 20, 21 and 23 November 2000 (CAT/C/SR.448, 451 and 454), and adopted its concluding observations on 6 December 2000 (A/56/44, paras. 60-66).
7. In accordance with the general guidelines adopted by the Committee at its sixth session on 30 April 1991, the present third periodic report, which covers the period from 1996 to 2000, is divided into three parts. Part one presents the general legal framework for the prohibition of torture in Cameroon. Part two contains information on new measures and new developments relating to implementation of the Convention. Part three contains additional information and replies to the Committee’s observations and to the questions raised during consideration of the supplementary report in November 2000.

PART ONE: LEGAL FRAMEWORK

8. Between 1990 and 2000, Cameroon’s socio-political and legal environment underwent a process of extensive liberalization. During the period 1996-2000, the implementation of the Convention was fostered by the Government’s determination to endow Cameroon with the most liberal and republican laws possible and to establish the sustainable rule of law and democratic pluralism, accompanied by institutional and other checks and balances and the emergence of civil society. On 19 December 1990 the President of the Republic promulgated a series of laws

that had just been adopted by the National Assembly during a parliamentary session known as the “session of freedoms”. Most of the laws that violated human rights and fundamental freedoms were either repealed or amended.

9. It was in this context of political liberalization that multiparty elections were held. Cameroon was a de facto one-party State from 1966 to 1990, when Act No. 90/56 of 19 December 1990 on political parties was promulgated, providing for the establishment of a genuine multiparty system. Five elections have been held since the change:

(a) In 1992, 5 political parties took part in the presidential election and 32 in the legislative elections;

(b) In 1996, 36 political parties took part in municipal elections: town councillors from 15 parties were elected and many town halls were taken over by opposition parties;

(c) In 1997, 9 political parties each fielded a candidate in the presidential election and 44 political parties took part in the legislative elections. The 1997-2002 legislature consisted of deputies from seven political groupings.

10. Among the institutional innovations engendered by the liberalization process was the creation, on 8 November 1990, of the National Committee on Human Rights and Freedoms. This body, which has legal personality and enjoys financial autonomy, has made the prohibition of torture and other ill-treatment a major focus of its endeavours. Its work is supplemented by several private charities and non-governmental organizations (NGOs) concerned with the defence of human rights. These NGOs are governed by Act No. 99/014 of 22 December 1999.

11. In 1996 a decisive turning point was reached in the consolidation of the rule of law. The Constitution adopted by referendum on 20 May 1972 was amended by Act No. 96/06 of 18 January 1996. The major elements of this constitutional amendment were the incorporation of human rights into constitutional law, the creation of a judicial system independent of the legislature and the executive, and administrative decentralization.

12. Under article 37 of the Constitution, justice is administered in the Republic in the name of the Cameroonian people. Judicial power is held by the Supreme Court, the courts of appeal and the ordinary courts.

13. Under article 38, the Supreme Court is the highest court in the State with competence for judicial, administrative and auditing matters. It comprises a judicial division, an administrative division and an audit division:

(a) The judicial division (art. 39) issues final rulings on appeals upheld by law against final judgements handed down by courts and tribunals of the judicial system;

(b) The administrative division (art. 40) examines all administrative disputes involving the State and other public authorities. It examines appeals arising from disputes over regional and municipal elections;

(c) The audit division (art. 41) is competent to audit and issue final rulings on public accounts and those of public and semi-public enterprises.

14. Each of the Supreme Court's three divisions issues final rulings on final judgements handed down by the competent lower courts and considers any other disputes or matters expressly devolving upon it by law. The newly restructured administrative court will include the new administrative division of the Supreme Court, as an appeals body, as well as the administrative tribunals due to be established throughout the country, in a reversal of the previous situation where there was only one administrative court, namely the Supreme Court at Yaoundé.

15. The amended Constitution of 1996 established the Constitutional Council, which has competence for constitutional matters. This is the regulatory body responsible for overseeing the running of institutions. The Council delivers final rulings on:

The constitutionality of laws, treaties and international agreements;

The constitutionality of rules of procedure of the National Assembly and the Senate prior to their implementation;

Conflict of authority between State institutions, the State and the regions, and between the regions themselves.

16. Prior to their enactment, laws, treaties and international agreements may be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one third of the members of the National Assembly, one third of the members of the Senate, or the presidents of the regional executives.

17. The Constitutional Council ensures the regularity of presidential elections, parliamentary elections and referendums. It also proclaims the results thereof.

18. The constitutional functions of the Supreme Court have thus been largely revamped and passed on to the Constitutional Council. For example, judicial monitoring (direct or collateral challenge) of the constitutionality of laws, which used to be very limited, has been opened up and completely overhauled.

19. However, pending the full functioning of this body, the Supreme Court continues to carry out its duties.

20. There is also the Parliamentary Court of Justice, which has been given broader personal jurisdiction. It is competent to adjudicate acts carried out in the course of their duties by:

The President of the Republic, in cases of high treason;

The Prime Minister, other members of the Government and other top government officials to whom power has been delegated, in cases involving conspiracy against State security.

21. With regard to the administrative system, the Constitution established 10 regions to replace the 10 provinces that had existed since 1984 and were nothing more than decentralized administrative districts. Unlike its 1972 predecessor, the Constitution devotes all of its part X to the decentralized authorities of the Republic, namely the regions and communes. These are

bodies corporate under public law, enjoy administrative and financial autonomy in the running of regional and local affairs and are independently managed by the regional councils. The councils have responsibility for promoting the development of these authorities in the economic, social, health, educational, cultural and sporting domains and are overseen by the State.

22. Cameroon is a decentralized, unitary, democratic State with a semi-presidential system characterized by the separation of the executive, legislature and judiciary. The Parliament, which, under the 1972 Constitution, consisted of a single chamber, the National Assembly, is now a bicameral institution including a second chamber, the Senate.

23. In the fight against torture, two laws of 10 January 1997 deserve particular mention:

(a) Act No. 97/009, which amended and supplemented certain provisions of the Criminal Code and introduced article 132 bis, entitled “Torture” into the chapter on offences committed by public officials in the discharge of their functions. This new article, which reproduces, *mutatis mutandis*, the definition of torture contained in the Convention, also prescribes the penalties to be imposed on persons who perpetrate acts of torture. It furthermore recalls the absolute nature of the right of every person to be protected against torture and excludes any derogation from the prohibition of torture;

(b) Act No. 97/010 amending certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964, satisfies the requirements of article 3 of the Convention prohibiting the expulsion, return (*refoulement*) or extradition of persons to receiving States where they would be in danger of being subjected to torture.

24. The dissemination of human rights with a view to their effective realization is being facilitated by the media in the context of the liberalization of the media environment in Cameroon. In order to reconcile the requirements of legal prosecutions with guarantees of freedom of expression, the crime of opinion has been abolished. Under Act No. 90/092 of 19 December 1990 on freedom of public information, the maximum penalty for any breach of its provisions is a fine.

25. On 3 April 2000 the Prime Minister, as the Head of Government, signed Decree No. 2000/158, which stipulates the conditions and procedures for the establishment and operation of private enterprises in the audio-visual communications sector.

26. The transformation of Cameroon’s socio-political and legal environment with a view to promoting human rights and strengthening the rule of law was a challenge that the Cameroonian authorities took up without any reservation. Indeed, since 1999, the Government has been engaged, in coordination with the competent international institutions, in a national programme of good governance, which puts the emphasis on the fight against corruption, on transparency and on greater participation by citizens in the management of public affairs. The basic philosophy of this programme is the promotion of human dignity.

27. The fight against torture and other ill-treatment is certainly one of the central focuses of these liberal reforms. This liberal environment brings into sharper focus both the development of the judicial and democratic culture of the people and the implementation of the Convention to which Cameroon committed itself 15 years ago.

28. The Cameroonian Constitution of 1972 ensured harmonization between international commitments and domestic legislation. The Constitution of 1996 clarifies that relationship still further. Article 45 of the Constitution stipulates: “International treaties or agreements which have been ratified take precedence, as soon as they have been published, over national law, provided that each such agreement or treaty is implemented by the other party.” Leaving aside the rule of reciprocity, the same can be said of treaties or agreements concerned with the protection of human rights, including, in particular, the Convention.

29. In this light, the Convention takes precedence over domestic law. Its provisions may be directly invoked before the national judicial and administrative authorities, which may directly apply them without needing to make provision for them through the adoption of a domestic law.

30. One of the major innovations brought about by the 1996 constitutional reform was the greater recognition given to human rights. The preamble to the Constitution, which was improved and developed, takes even fuller account of the democratic aspirations of the Cameroonian people and specifies some new rights.

31. Having declared that the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights, the people of Cameroon affirm their attachment to the fundamental freedoms enshrined not only in the Universal Declaration of Human Rights and the Charter of the United Nations, but also in the African Charter on Human and Peoples’ Rights and all duly ratified international conventions pertaining thereto.

32. Apart from addition of the reference to the African Charter on Human and Peoples’ Rights and duly ratified international human rights conventions, the preamble of the Constitution includes some new principles for the protection of rights. It states, inter alia, that everyone has the right to life and to physical and moral integrity; that everyone should be treated with humanity in all circumstances; and that under no circumstances should a person be subjected to torture or to cruel, inhuman or degrading treatment or punishment. It also states that everyone charged with an offence has the right to be presumed innocent until proved guilty according to law in a trial conducted in strict compliance with due process of law.

33. One of the new rights specified in article 1 of the Constitution refers to the virtues of tradition as follows: “The Republic of Cameroon is a secular, democratic and socially committed State. It recognizes and protects traditional values that are consistent with democratic principles, human rights and the law.”

34. This declaration of principle on the protection of human rights makes a positive contribution to the existing body of rules designed to protect physical and moral integrity, inspired by the principle that “no one may be subjected to prosecution, arrest or detention except in the cases and in accordance with the procedures determined by law”.

35. The 1996 Constitution also has the merit of having dispelled the uncertainty over the value attached to human rights in the preamble to the 1972 Constitution. Article 65 of the Constitution clearly states: “The preamble shall be an integral part of the Constitution”. This incorporation of the preamble into the body of the Constitution gives constitutional value and thus unquestionable binding force to the rights proclaimed therein.

36. The precise definition of the meaning of the right to physical and moral integrity, particularly the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, as formulated in the preamble to the revised Constitution, makes it possible for this right to be subjected to constitutional monitoring and for violations to be prosecuted by the judge of a constitutional, administrative or ordinary court.

37. Finally, by proclaiming certain rights with reference to relevant duly ratified conventions, the revised Constitution, article 45 of which gives legal precedence to such conventions, makes them an integral part of its preamble and thereby endows them with constitutional force which the constitutional courts are required to guarantee.

38. Hence, the Convention benefits from this interpretation in Cameroonian law, with regard to its position in the normative hierarchy.

39. In any event, the 1996 Constitution, in terms of both the content of the newly enunciated rights and the constitutional value of the preamble, represents a highly significant advance in terms of building a liberal State under the rule of law. These changes are all the more fundamental and inviolable as no procedure for amendment of the Constitution can be accepted if it affects the republican form and democratic principles which govern the Republic (art. 64).

40. A unique feature of the Cameroonian legal system is its legislative and judicial pluralism. Traditional or customary law coexists with two legal systems of English and French origin, common law and civil law. The French and English laws applicable to Cameroon during the colonial period are, in some respects, viewed as an integral part of Cameroonian legislation.

41. This is why, after the transition from the federal State instituted on 1 October 1961 to the unitary State provided for in the Constitution of 2 June 1972, the constitutional rule has been that legislative provisions arising from the laws and regulations applicable in the federal State of Cameroon and in the federated States on the date on which this Constitution came into force remain in effect where they do not contravene the terms of the Constitution provided that such provisions have not been amended by legislation or regulation.

42. The solutions employed in resolving incompatibility of norms rely on this juridical pluralism by giving precedence in general to the application of those rules that are most protective of human rights.

43. The decision of Bamenda regional court (High Court of Mezam Judicial Division), judgement No. HCB/19 CRM/921 of 23 December 1992 in *Nyo Wakai and 172 others v. the State of Cameroon*, may be cited by way of illustration. The administrative authorities responsible for maintaining order had proceeded to arrest individuals suspected of having instigated or participated in the destruction of property and other crimes during demonstrations as a result of the declaration of a state of emergency in Nord-Ouest province in October 1992.

44. The court, considering the application by a group of defence lawyers for the release on bail of the individuals on the ground that their arrest and detention were unlawful, rejected the argument advanced by the representative of the State that an ordinary court was not competent to determine the legality of action taken by the authorities, under Act No. 90/47 of 19 December 1990 on states of emergency, to maintain order at a time of exceptional

circumstances. It declared itself competent on the ground that the action by the Administration had led to such a blatant violation of fundamental human rights that it constituted an administrative act so fraught with irregularity that it was deprived of its administrative character, and thus came within the competence of the ordinary courts. As a result the court ordered the conditional release, without bail, of certain detainees, and the immediate and unconditional release of other detainees, without prejudice to possible proceedings for any offences they might have committed.

45. Contrary to what might be expected, the Bamenda High Court judge did not rely on English criminal law rules (rule of freedom from arrest), specifically a writ of habeas corpus, of legendary efficacy in protecting human rights in general and individual liberty in particular. Instead he applied the complex concept of administrative irregularity (*voie de fait*), based in French law, to assert the court's competence ipso jure by finding a situation of flagrant administrative irregularity and ordering appropriate measures to end it. Such measures include the freedom to award pecuniary compensation as damages, grant injunctions and order restitution by appropriate means, such as financial penalties.

46. Lastly, it should be noted that the Convention forms part of a significant network of international commitments undertaken by Cameroon for the protection of human rights. In addition to the Charter of the United Nations and the Universal Declaration of Human Rights, these include:

(a) The International Convention for the Suppression of the Traffic in Women of Full Age of 11 October 1933 (succession on 27 October 1961);

(b) The International Agreement for the Suppression of the White Slave Traffic, amended on 4 May 1949 (succession on 3 November 1961);

(c) The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 7 September 1956;

(d) The International Labour Organization (ILO) Convention (No. 29) concerning Forced or Compulsory Labour, 1930 (signed on 7 June 1960);

(e) The ILO Convention (No. 105) concerning the Abolition of Forced Labour, 1957 (signed on 13 September 1962);

(f) The ILO Convention (No. 87) concerning Freedom of Association and Protection of the Right to Organize, 1948 (signed on 7 June 1960);

(g) The ILO Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, 1951 (ratified on 15 May 1970);

(h) The ILO Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation, 1958 (ratified on 15 May 1988);

(i) The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (accession on 19 February 1982);

- (j) The Convention relating to the Status of Refugees (signed by State succession on 23 June 1961);
- (k) The Protocol relating to the Status of Refugees (accession on 19 September 1967);
- (l) The International Convention on the Elimination of All Forms of Racial Discrimination (ratified on 24 June 1971);
- (m) The International Covenant on Economic, Social and Cultural Rights (accession on 27 June 1984);
- (n) The Optional Protocol to the International Covenant on Civil and Political Rights (accession on 27 June 1984);
- (o) The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (accession on 6 October 1972);
- (p) The International Convention on the Suppression and Punishment of the Crime of Apartheid (accession on 1 November 1976);
- (q) The Convention on the Elimination of All Forms of Discrimination against Women (ratified on 23 August 1994);
- (r) The Convention on the Rights of the Child (signed on 27 September 1990 and ratified on 11 January 1993);
- (s) The Convention governing the Specific Aspects of Refugee Problems in Africa (ratified in 1985);
- (t) The African Charter on Human and Peoples' Rights of 27 June 1981 (ratified on 21 October 1986); and
- (u) The African Charter on the Rights and Welfare of the Child (ratified on 5 September 1997).

**PART TWO: INFORMATION ON NEW MEASURES AND
NEW DEVELOPMENTS RELATING TO THE
IMPLEMENTATION OF THE CONVENTION
(arts. 1-16)**

Article 1

47. Act No. 97/009 of 10 January 1997 amending and supplementing certain provisions of the Criminal Code incorporated in the Code an article 132 bis, entitled "Torture".

48. Under paragraphs 5 (a) and (b) of the article, the word "torture" means "any act by which severe pain or suffering, whether physical, mental or psychological, is intentionally inflicted on a person by or at the instigation of or with the consent or acquiescence of a public official or other

person acting in an official capacity, for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind. [...] The word ‘torture’ thus defined does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions”.

49. The origin of this text in the relevant provision of the Convention is clear and testifies to the wish of the State of Cameroon to comply with the Convention.

Article 2

Paragraph 1

50. Cameroon’s previous reports have included a collection of legislative, administrative and legal provisions and other measures taken up to 1996 to combat torture and other ill-treatment.

51. As indicated earlier, the Constitution of 2 June 1972, as amended by Act No. 96/06 of 18 January 1996, stipulates, *inter alia*, that:

- (a) No one may be compelled to do what the law does not prescribe;
- (b) No one may be subjected to prosecution, arrest or detention except in the cases and in accordance with the procedures determined by law;
- (c) The law shall ensure the right of every person to a fair hearing before the courts;
- (d) Every accused person is presumed innocent until proved guilty in a trial conducted in strict compliance with due process of law;
- (e) Everyone has the right to life and to physical and mental integrity and must be treated humanely in all circumstances. No one may on any account be subjected to torture or cruel, inhuman or degrading treatment or punishment.

52. This incorporation into the Constitution of the prohibition of torture and other ill-treatment portends a new era with the adoption of a series of legislative and regulatory instruments and other measures as part of a State criminal policy to protect the physical and psychological integrity of individuals in general and to eliminate torture in particular.

Legislative measures

53. As stated in the second periodic report (CAT/C/17/Add.22, para. 50), the political will of Cameroon to give effect to the Convention has now taken the form of classifying torture as an offence. Since 1997 a series of laws adopted by the National Assembly has been promulgated by the President of the Republic.

Act No. 97/009 of 10 January 1997 amending and supplementing certain provisions of the Criminal Code

54. As stated above, this Act inserts in the Criminal Code a new article 132 in the chapter on offences committed by public officials in the performance of their duties. Briefly, the article defines torture, sets forth penalties of varying degrees of severity punishing acts of torture, and excludes any justification for torture.

Act No. 97/010 of 10 January 1997 amending certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964

55. The Act incorporates in the Cameroonian regulations on extradition the essential provisions of articles 3 and 6 of the Convention, and represents a major innovation in the punishment of torture as an international crime.

Act No. 97/012 of 10 January 1997 establishing the conditions governing entry to, residence in and departure from Cameroon by aliens

56. The Act abrogates its predecessor, Act No. 90/043 of 19 December 1990, in particular its provisions relating to aliens. It contains no specific prohibition of torture or other ill-treatment. However, the Act incorporates, better than the earlier Act of December 1990, a number of liberal guarantees.

57. With regard to the regulations governing deportation of an alien who has contravened the regulations on residence, the provisions on refoulement, deportation, expulsion, etc., give no latitude at all to border police officers to inflict ill-treatment on the person concerned. Neither does it allow other authorities the right to do so, in contravention of article 3 of the Convention; moreover, the protection of aliens against administrative policing measures is ensured.

58. Thus, under article 35, an alien must be notified of any deportation measure. Upon notification, the alien in question may immediately alert counsel or another person of his choice or, where appropriate, the relevant diplomatic or consular authorities. Under article 36, an alien who is the subject of a deportation measure may, in the 48 hours following notification, request its cancellation before the competent administrative court, notwithstanding the rules governing prior administrative appeals. He may be assisted by counsel or request the judge presiding over the administrative court hearing the case to appoint counsel. Article 37 states that the administrative court must rule within eight days of the case being brought before it. Should the deportation measure be cancelled, the alien may, subject to regularization of his status, be authorized to remain in the country. The judgement thus delivered is subject to appeal in the forms prescribed by law. The appeal has no suspensory effect; costs are met by the State. Lastly, article 38 provides that deportation may not be executed before expiry of the period of 48 hours following notification or before the court seized of the matter has made a ruling.

59. Presidential Decree No. 2000/286 of 12 October 2000 clarifies the procedures for the application of Act No. 97/012 of 10 January 1997. The Decree consolidates the guarantees of the rights of aliens in the context of deportation from the country.

Regulation No. 97/01 of 4 April 1997 amending articles 3 and 4 of Act No. 92/008 of 14 August 1992 establishing certain provisions governing execution of judicial decisions

60. The regulation authorizes the court hearing the case, where a decision is rendered in adversarial proceedings or is considered as such, to order provisional execution, notwithstanding any appeal, in particular in matters of compensation for injury resulting from assault causing bodily harm for reasonable costs and expenses for emergency care, limited, where appropriate, to transport or transfer costs, and the costs of medication, medical care and hospitalization.

61. These provisions apply to civil judgements delivered by a criminal court, and thus apply to torture victims who are civil parties in criminal proceedings against perpetrators of acts of torture.

Act No. 97/002 of 10 January 1997 on protection of the “Red Cross” name and emblem

62. This Act regulates use and protection of the “Red Cross” name and emblem, without prejudice to the relevant provisions of the international humanitarian law conventions duly ratified by the Republic of Cameroon, including the Geneva Conventions of 12 August 1949 and Additional Protocols I and II of 8 June 1977. From this the Cameroonian Red Cross has the exclusive right to display the Red Cross emblem and use the name “Red Cross” throughout the country.

63. On 31 March 1999 Cameroon signed an agreement with the International Committee of the Red Cross (ICRC) on the ICRC regional headquarters office at Yaoundé. This headquarters agreement reflects the desire expressed by ICRC to establish a regional office at Yaoundé to discharge its functions under the mandates entrusted to it pursuant to the 1949 Geneva Conventions and 1977 Additional Protocols to which the State of Cameroon is party, and the statutes of the International Red Cross and Red Crescent Movement. Under the headquarters agreement the Cameroonian Government accords the ICRC regional office privileges and immunities similar to those accorded international organizations and grants it, in a number of areas, treatment as favourable as that granted such organizations (see below, developments relating to article 11 of the Convention).

64. In addition, on 18 June 1999 Cameroon signed a similar agreement with the International Federation of Red Cross and Red Crescent Societies on the status of the regional office for Central Africa in Cameroon. The agreement provides for a range of facilities relating to the Federation’s operations, with the general aim of promoting, encouraging, facilitating and advancing at all times and in all ways the humanitarian work of national societies with a view to preventing and alleviating human suffering and thereby contributing to the maintenance and promotion of peace in the world.

65. Further, it should be noted that after having played an active part in the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome from 15 June to 17 July 1998, Cameroon signed the text containing the statute of the Court on 17 July 1998, the day of its adoption. The Rome Statute of the International Criminal Court makes torture and other ill-treatment crimes against humanity (art. 7, paras. 1 (f), (g) and (k)) and war crimes (art. 8, paras. 2 (a) (ii) and (iii)).

66. To prepare for ratification, the President of the Republic of Cameroon created, by Decree No. 2000/343 of 4 December 2000, the Ad Hoc Technical Committee for Implementation of the Rome Statute of the International Criminal Court. The Committee was responsible, inter alia, for studying the implications for Cameroonian domestic law of ratification of the statute of the Court. The Committee comprised:

Members of the Cameroonian delegation to the Preparatory Commission for the International Criminal Court;

University professors and English- and French-speaking judges, representing the two modern branches of the Cameroonian legal system;

Diplomats.

67. The work of this technical committee, which took place outside the reporting period, will be dealt with subsequently.

Regulatory and administrative measures

68. Decree No. 97/205 of 7 December 1997 on organization of the Government distributes the various offices for the promotion and protection of human rights among a number of ministerial departments.

69. The Ministry of Territorial Administration is responsible, inter alia, for prison administration, civil protection, oversight of not-for-profit associations and religions. It contains a public liberties unit.

70. The Ministry of Social Affairs is responsible for the social protection of the individual and protection of the family, in particular prevention and treatment of juvenile delinquency or social maladjustment, and facilitation of social reintegration.

71. The Ministry on the Status of Women is responsible for education and for implementation of measures relating to the rights of Cameroonian women in society, the ending of all discrimination against women, and increased guarantees of equality in the political, economic, social and cultural fields.

72. The Ministry of Employment, Labour and Social Security is responsible for supervising implementation of the Labour Code and international conventions relating to employment ratified by Cameroon.

73. The Ministry of Justice is responsible for the preparation of regulations governing the professional status of judges and clerks of the court, organization of the judiciary, status of individuals and property, and general and special criminal law.

74. The Ministry of Defence, the Ministry of Education, the Ministry of Foreign Affairs, the Ministry of Public Health and other ministerial departments together with the Department of National Security have been given specific, complementary responsibilities in this regard.

(a) Territorial administration

75. The Deputy Prime Minister responsible for territorial administration, on 13 November 1997, issued circular No. 02306/CAB/VPM-80 specifying measures governing administrative detention. The intention was to protect the freedom of individual citizens against arbitrary acts by the administrative authorities, in order to make good certain omissions in Act No. 90/054 of 19 December 1990 on the maintenance of order. This act empowers administrative authorities, in particular the Minister for Territorial Administration, governors and prefects, to order detention for renewable periods of 15 days in the context of measures to combat highway robbery. The circular of 13 November 1997 seeks to avoid an inappropriate interpretation of administrative detention that would distort its purpose. In the terms of the circular:

Administrative detention can be ordered only in the context of efforts to counter highway robbery, with the aim of maintaining or restoring public order;

Provincial governors and prefects are the only administrative authorities competent to order such a measure, and, where necessary, to renew it one time only;

Those in administrative detention must be held in appropriate facilities under the authority of the national security services, the gendarmerie or the prison administration.

76. The lawfulness of form and content is monitored. Any order for administrative detention must comply with the general rules governing unilateral administrative actions. The Minister for Territorial Administration and provincial governors exercise administrative oversight in this matter. Supervision by the courts is also possible.

77. The circular brings the regulations on administrative detention closer to those governing judicial detention under article 9 of the Code of Criminal Investigation, which provides that only officers in the criminal investigation police and not constables may order detention.

78. It should be recalled that this measure to restrict individual freedom can give rise to an action for immediate release based on (new) article 16 of Regulation No. 72/4 of 26 August 1972 on the organization of the judiciary, which provides that the regional court is competent “to hear petitions for immediate release submitted by, or on behalf of, a prisoner or detainee when the said petitions are based on an alleged procedural flaw or the lack of a detention order”.

(b) Prison administration

79. Presidential Decree No. 97/205 of 7 December 1997 on organization of the Government created within the Ministry of Territorial Administration two posts of Secretary of State, for local authorities and prison administration, respectively.

80. Presidential Decree No. 97/207 of 7 December 1997 on formation of the Government filled the post of Secretary of State for Prison Administration.

81. These two acts by the Head of State form part of the implementation of Decree No. 95/232 of 6 November 1995 on the organization of the Ministry of Territorial Administration, which established a prison health-care office under the Department of Prison Administration.
82. A concern to humanize living conditions for inmates of Cameroonian prisons underlies prison administration policy, which has taken the form of a considerable number of initiatives to promote human resources, institutional and infrastructure development.
83. It should be recalled that order No. 89/003/MINSCOF of 2 April 1989 had already created posts for social workers at prisons, police stations, universities, high schools, hospitals and medical and social centres, and that ministerial instruction No. 93/000723/MINASCOF/SG of 1 April 1993 determined the functions attaching to the post of senior social worker in prisons.
84. To remedy overcrowding, under order No. 00028/MINAT of 9 May 2000 three new prisons have been constructed: the main prisons at Kumbo, department of Bui; Ndop, department of Ngoketunjia; and Nkambé, department of Donga Mantung. The bringing on-stream of these three prisons will reduce crowding at Bamenda central prison.
85. Also with a view to reducing overcrowding in existing prisons, studies are under way for the construction of new prisons in the towns of Yaoundé, Douala and Kaélé. Government notice No. 000987/C/MINAT/DAG of 21 November 2000 invites bids from companies for the project.
86. With regard to renewal of infrastructure, it should be noted that 28 prisons have been renovated in three years, involving expenditure in the amount of CFAF 449,770,761 (€685,761) over the financial years 1997/1998, 1998/1999 and 1999/2000 for, respectively, 5, 12 and 11 renovated prisons. In reality most Cameroonian prisons are dilapidated. Estimates for their renovation amount to CFAF 1.7 billion (€2,591,633). An annual provision of CFAF 500 million (€762,245) per prison to be built is needed to resolve the problem of prison overcrowding.
87. A number of measures have been taken to preserve the health of prisoners of which two should be highlighted:
- The creation, in the prison health-care office, of a petty cash fund for the purchase of medicines for prisoners;
- Recruitment and posting of eight chief prison medical officers, who cannot only assume responsibility for the central prison in each provincial administrative centre, but also inspect other prisons within the province.
88. Thus the efforts under way to modernize prison administration are continuing notwithstanding the lack of financial resources available to the State. At the same time increased vigilance is required to ensure compliance by prison administration officials with the disciplinary system, which is enforced by criminal sanctions.

89. Pursuant to Decree No. 92/052 of 27 March 1992 on regulation of the prison system, which was largely based on the Standard Minimum Rules for the Treatment of Prisoners, to Decree No. 92/054 of 27 March 1992 on the special status of prison administration officials, and in particular to order No. 080 of 16 May 1983 of the Ministry of Territorial Administration on the disciplinary system for prison administration officials, sanctions are routinely imposed on all prison personnel guilty of torture or any other ill-treatment of inmates. Such sanctions range from confinement to quarters to delayed promotion, without prejudice to any criminal prosecution. In the absence of any generally available statistics, a few cases may be cited by way of illustration:

Senior prison guard T..., at Bafoussam central prison: disciplinary sanction of 72 hours' confinement for ill-treatment of a prisoner (service note No. 27/NS/REG/PC/BFM of 5 September 1999 from the prison governor);

Prison guard F..., at Bafoussam central prison: disciplinary sanction of three days in a punishment cell for abuse of an inmate (service note No. 46/NS/REG/DCB of 7 June 1999 from the prison governor);

Prison guard Major M...O...L..., at Yaoundé central prison: disciplinary sanction of three days in a punishment cell for gratuitous violence against prisoner T...A... (service note No. 38/S/PCY/SAF/BP of 22 April 1997 from the prison governor);

Prison guard A...B..., at Yaoundé central prison: disciplinary sanction of 12 hours' confinement for abuse of authority and acts of violence against a prisoner (service note No. 17/S/PCY/SAF/BP of 10 February 1998 from the prison governor).

(c) Police

90. The attention of police personnel is constantly drawn to violations of human rights and freedoms.

91. In an address delivered on 4 August 2000 at the National Police College graduation ceremony, the Minister for National Security reminded police officers that "respect for the legal traditions of the Republic, individual freedoms and human rights must remain at all times at the centre of their concerns".

92. Further, in connection with the Convention, Decree No. 2002/003 of 4 January 2002 on the organization of the Department of National Security, in its article 103, creates within units of the security police the post of superintendent, one of whose principal functions is to ensure the safety of persons held in police custody.

93. Senior police officials constantly remind officers responsible for persons held in custody of the following regulations:

(a) Only superintendents and other senior police officers are empowered to decide on cases of police custody under the continuous oversight of the Attorney-General;

(b) Every morning, the officers in charge of police stations must check on persons held in police custody in order to identify, in time, any sick persons, who must be immediately taken to hospital for appropriate medical care;

(c) The police custody registers are to be inspected every day by the same officers-in-charge, who must verify the actual presence, in good health, of the detainees;

(d) Any inhuman or degrading treatment of citizens at police stations must be prohibited as a working method. This applies to:

(i) Use of a baton or a whip as a means to extract confessions;

(ii) Improper use of aerosols and service weapons.

94. In general, scrupulous respect for individual rights and freedoms while, at the same time, taking account of the need to safeguard public order, should be regarded as the cardinal rule of conduct for police officers.

95. Police units maintain a police custody register in which the following information is entered:

(a) The reason for the police custody;

(b) The date and time;

(c) The individual's overall appearance at the time when he is taken into custody;

(d) His condition at the time of his departure (transfer or release);

(e) Other details concerning property found in his possession.

96. Further, criminal investigation officers are constantly reminded to strictly observe the limits on the length of detention in police custody. In order to verify the effectiveness of these measures, senior officers regularly monitor police units.

97. In addition to this internal monitoring, the judicial authorities also have a responsibility to monitor the regulations, instructions, interrogation methods and practices and the provisions concerning the police custody and treatment of persons held for questioning and, to that end, the Attorney-General visits the cells of police stations, usually without prior notice, and systematically releases any person held in custody without legal justification.

98. It is useful to cite, at this stage, circular No. 00466/DBSN/CAB of 6 April 2001 addressed by the Minister for National Security to all national security officials at the central and regional levels on improvement of conditions of police custody. This circular, widely covered in the media, will be analysed in detail in the next periodic report. It again prohibits police officers

from all acts against the dignity of persons in custody, whatever the reasons for such custody. In particular, it recalls certain prohibitions in the Convention, and prohibits individuals held in custody and police cells from being stripped of their clothing.

99. When these measures fail to prevent the commission of the acts specified and condemned in the Convention, the police officers responsible are subject to disciplinary and/or penal sanctions. The following tables recapitulate some of the disciplinary and penal sanctions imposed on police personnel convicted of acts of torture or other ill-treatment over the reporting period.

Table 1

Status of disciplinary proceedings in connection with human rights violations

Rank Acts punished	Police constables	Police inspectors	Police officers	Police superintendents	Total
Custody/ Unlawful detention	1	0	1	0	2
Abuse and threats with service weapons	2	6	2	0	10
Violence and trespass to the person/manslaughter	8	2	2	0	12
Improper removal of documents	1	0	0	0	1
Rape of minor in custody	2	0	0	0	2
Improper withholding of property	4	0	0	0	4
Negligence leading to death of prisoners in custody	0	1	0	1	2
Total	18	9	5	1	33

Table 2

Status of proceedings and judicial sanctions

Rank Penalties	Police constables	Police inspectors	Police officers	Police superintendents	Total
Imprisonment	9	3	0	1	12
Suspended sentences	1	0	0	0	1
Life imprisonment	1	0	0	0	1
Cases pending	22	3	0	2	27
Total	33	5	0	3	41

100. In order to improve physical conditions for those held in custody throughout the country, the Government has constructed more suitable cells and renovated those not up to the required standards. Sanitation, electricity and ventilation systems have been renovated; the principle of separating men, women and children has been scrupulously applied.

101. Thus there is no doubt that current conditions of custody in police stations, while not perfect, have undergone considerable improvement. It should be noted that contributions from certain friendly countries and multilateral partners have supported this ongoing effort by the Government to improve conditions for persons held for questioning.

102. At the same time, with the economic recovery, police units have been provided with mobile equipment and offices allowing inquiries to be speeded up so as to avoid lengthy periods of custody.

(d) *Gendarmerie*

103. In the terms of its constituent texts, the national gendarmerie is an elite military corps responsible for public security, law enforcement and compliance with the country's laws and regulations.

104. The international human rights conventions to which Cameroon is party form an integral part of the instruments with which the gendarmerie ensures compliance both on the part of citizens and the gendarmes themselves through their exemplary behaviour.

105. As noted in the previous periodic report, the terms of a dispatch dated 18 April 1996 from the Permanent Secretary of the Office of the President of the Republic to the Secretary of State for Defence, who is responsible for the gendarmerie, concerning "reprehensible conduct by the forces responsible for law enforcement", are constantly brought to the attention of members of the gendarmerie. The Permanent Secretary of the Office of the President prescribed "diligent action, without laxity, to deter offenders and make the population feel safe and to restore the requisite confidence between the public and the security forces".

106. Reminders from the senior command of the gendarmerie are regularly addressed to gendarmerie units reiterating the obligation to respect and protect human rights, and above all to combat torture and other ill-treatment; other measures are also taken.

107. Thus, on the occasion of the annual meeting of corps commanders and senior officers of the central services of the gendarmerie on 12 December 2000, the Minister of Defence delivered an address intended to raise awareness in particular of the importance of defending rights and freedoms, in which he emphasized that: "Domestically, respect for human rights, individual and societal freedoms, in short the rule of law, that gendarmes must assimilate as a fundamental plank of government policy, and the aspirations of the Cameroonian people itself for peace and increased freedom, impose on us new obligations which require in our corps changes in behaviour on the part of individuals and the gendarmerie itself. The vision of a citizens' gendarmerie, accessible to the people, must be our guide."

108. On the same day the Secretary of State for Defence with responsibility for the gendarmerie stated: "We must seek to improve the effectiveness of the gendarmerie in this time of globalization and democracy so that it remains what it has always been, namely an institution deeply imbued, in terms of organization and culture, with the will to ensure security and respect for human rights in all aspects of its duties."

109. The following tables show sanctions imposed on members of the gendarmerie for violations of human rights and fundamental freedoms; the tables relate to 1997, 1998 and 1999. The gendarmerie command has identified the following offences as human rights violations: physical violence, assault and battery, murders, arbitrary arrests and detention, abuse, trespass, attacks, threats involving a deadly weapon, stops constituting harassment.

Table 3

**Status of disciplinary or criminal proceedings against members of
the gendarmerie for human rights violations, 1997**

Reason	No. of complaints		Total disciplinary sanctions		Court proceedings
	Non-commissioned officers	Gendarmes	Custodial arrest (days)	Imprisonment (days)	
Stops/harassment	5	11	100	260	
Improper use of weapons	-	-	-	-	
Extortion of money	40	47	800	940	
Arbitrary arrest and detention	9	3	210	60	
Physical violence	5	32	125	620	
Threats with a deadly weapon	1	5	30	150	
Murder	-	-	-	-	
Trespass	1		20		-
Total	61	87	1 285	2 030	4 criminal convictions 7 before the courts

Table 4

**Status of disciplinary and criminal proceedings against members of
the gendarmerie for human rights violations, 1998**

Reason	No. of complaints		Total disciplinary sanctions		Criminal proceedings
	Non-commissioned officers	Gendarmes	Custodial arrest (days)	Imprisonment (days)	
Stops/harassment	6	15	120	350	
Improper use of weapons	1	1	45	45	1
Extortion of money	5	5	125	125	-
Arbitrary arrest and detention	2	1	40	20	
Physical violence	3	2	60	20	
Threats with a deadly weapon	2	2	50	50	2
Murder	1	1	60	60	1
Trespass	-	2	-	20	-
Total	20	29	500	690	4

Table 5

Status of disciplinary and criminal proceedings against members of the gendarmerie for human rights violations, 1999

Reasons	No. of complaints		Total disciplinary sanctions		Criminal proceedings
	Non-commissioned officers	Gendarmes	Custodial arrest (days)	Imprisonment (days)	
Stops/harassment	1	7	20	220	7 before the courts
Improper use of weapons	6	4	170	110	1 conviction 6 before the courts
Extortion of money	15	5	370	120	-
Arbitrary arrest and detention	7		155		1 conviction 7 before the courts
Physical violence	13	4	315	110	1 conviction 6 before the courts
Threats with a deadly weapon	1		20		-
Murder	-	-	-	-	-
Trespass	4	2	90	20	5 before the courts
Total	47	21	1 140	580	

(e) System of justice

110. The Ministry of Justice has been reorganized by Decree No. 96/280 of 2 December 1996 and its work rationalized.

111. In order to strengthen the Inspectorate-General of the Judiciary and enhance its efficiency, certain provisions of Decree No. 96/280 were amended by Decree No. 2000/372 of 18 December 2000; this provides that the Inspectorate-General of the Judiciary, headed by an Inspector-General with the rank and privileges of ministerial permanent secretary, shall have responsibility for:

(a) Internal oversight and evaluation of the operation of the core services and courts, with the exception of court proceedings;

(b) Keeping the Minister and Permanent Secretary informed with regard to operational efficiency;

(c) Monitoring the implementation and periodic evaluation, in conjunction with the offices responsible for administrative reform, of organizational methods and administrative streamlining.

112. The operational capacity of the Inspectorate-General has been enhanced, partly by an increase in staffing and partly by the provision of material and financial resources enabling it to discharge regular duties and ad hoc tasks.

113. These structural changes reflect the Government's desire to restore the institution and independence of the judiciary, in line with the provisions of article 37, paragraph 2, of the Constitution, which stipulates that "judges shall, in the discharge of their duties, be governed only by the law and their conscience".

114. If the independence of the judiciary, as established by the Constitution, is not to be a mere façade in practice, then judges themselves, in the exercise of their judicial duties, have a certain responsibility to restore the full value of the concept. In a message to public prosecutors at a meeting of heads of court in 1996, the Minister of Justice called for a complete change of mentality on the part of judges:

"It has long been the custom for you to meet the Minister of Justice and senior Ministry officials for an annual discussion of problems that have particularly occupied our staff during the past 12 months. It was by no means easy to find a subject for my opening address as Minister of Justice, and in the end I looked to current affairs, notably the recently completed work of the National Assembly, including the consideration and adoption of a new Constitution.

"I felt it was important to discuss with you the new development represented by the elevation of judicial authority into judicial power and the benefits all sectors of society hope this will bring, through your efforts. All those involved in judicial affairs must adapt to the limits of this judicial power, now that it is finally in place.

"This change will only bring about an independent judiciary, however, if those responsible for the administration of justice wholeheartedly subscribe to the idea underlying this third branch of State power. Let there be an end to the stifling culture of procrastination that so often inhibits action even when it is blindingly obvious from the evidence that action is necessary. There is no place in the judiciary for those who refuse to shoulder responsibility, and to shoulder it with courage ... The judicial branch requires people of competence and integrity, people like 'The Untouchables', well known in the United States not so long ago ... Let there be no more pandering to people who have no business with you."

115. In his end-of-year broadcast to the nation on 31 December 1998, the President denounced the cankers that riddled the judiciary and told judges it was imperative they should clean up their act and restore confidence in justice.

116. An attempt had previously been made to shield judges from corruption, through Presidential Decree No. 97/6 of 22 January 1997, whereby they were accorded certain benefits guaranteeing material security.

117. Between 25 and 29 October 1999, the Ministry of Justice organized, for the first time, a series of "open days" for Cameroon's judiciary, which took the form of public conferences bringing together legal practitioners and theoreticians. The meetings were sponsored by the Minister of Justice and, in the provincial capitals, chaired by the presidents of the courts of

appeal. Their aim was to review the state of Cameroonian justice, and they also provided an opportunity to explain to the general public the basic workings of the justice service, to enhance the image of the judiciary by gaining citizens' confidence, and, with regard to the judicial apparatus, to reinforce the principle of transparency and thus of good governance.

118. With a view to bringing the justice system closer to those subject to it, new courts have been created and presidents appointed.

119. The impact of the creation and inauguration of these new courts on the much-criticized slowness of judicial procedures will be discussed later.

Judicial measures

120. With regard to military courts, it would appear that members of the military - both the gendarmerie and other army corps - are regularly brought before the courts for a range of abuses that may be considered equivalent to torture or other ill-treatment. Examples from 2000 alone include:

(a) Proceedings against T..., a gendarme, under investigation order No. 078 of 21 December 2000, for arbitrary arrest and detention;

(b) Proceedings against two gendarmes, A... A... and N... N..., under investigation order No. 183 of 2 May 2000, for arbitrary arrest and detention;

(c) Proceedings against two gendarmes, M... A... M... and L... P..., under investigation order No. 192 of 10 May 2000, for torture;

(d) Proceedings against W... under investigation order No. 271 of 12 July 2000, for arbitrary arrest and detention;

(e) Proceedings against B... B... and B... E... in the Bafoussam military court, for assault and battery.

121. Under article 33 of the Criminal Code, obeying an order from a legitimate authority constitutes grounds for absolute discharge. For such an excuse to be invoked, however, the order itself must be legal. Thus the carrying out of a manifestly illegal order is prohibited, as is the exercise of excessive zeal in enforcing the law; responsibility rests with the perpetrators, whether in normal times or in a state of emergency. The law in this regard applies to all and, in every case where it is reported that a manifestly illegal order has been carried out, the perpetrators have been prosecuted and convicted. Examples include:

(a) Proceedings against N... N... and A... F... M...: tried and convicted by the Bafoussam military court, for the homicide of N..., in Bamenda;

(b) Proceedings against K... F... D... and others: tried in the Bafoussam military court, for complicity in manslaughter, in an incident in Malentouen;

(c) Proceedings against Captain E... B...: tried for the murder of A... in Yaoundé and sentenced to 10 years' imprisonment;

(d) Proceedings against Captain H... and five subordinates: convicted of murder and sentenced to 10 to 15 years' imprisonment;

(e) Proceedings against Captain D... and six other officers: convicted of the manslaughter of N... in Garoua and sentenced to one to four years' imprisonment.

122. A number of homicide prosecutions are currently sub judice, including the following cases: Warrant Officer E... P..., for the murder of P... P... in Douala; Sergeant M... J... C..., for the murder of L... B... B...; and Sergeant A... J... C..., for the murder of N... in Douala. All the above were brought before the Douala military court, remanded in custody and detained in the central prison at Douala.

123. Military court proceedings are currently being taken against a number of soldiers serving at Poli, Z... M..., Y... J... P..., N... J... and A... N... M..., for complicity in torture.

124. The use of violence or torture to extract confessions in the course of investigations is strictly prohibited. Confessions obtained in this way are null and void, as are the subsequent proceedings. It is as a result of this concern that such emphasis is not placed on forensic police work in cases involving deaths.

125. The prosecution of torture and other ill-treatment in civil courts is illustrated by the following cases:

(a) Judgement No. 176/crim of 5 June 1998: three police officers, including a superintendent, sentenced by Mfoundi regional court to up to five years' imprisonment for torture;

(b) Judgement No. 608/crim of 11 November 1997: a criminal investigation officer convicted of torture for having refused to allow a person in custody to eat; and judgement No. 728/crim of 17 December 1997: the same court considered the refusal to allow a person in custody to communicate with family members to be an act of torture;

(c) Judgement No. 195/crim of 26 June 1998: two high-ranking police officers sentenced by Mfoundi regional court to 10 and 6 years' imprisonment respectively for torture. At an appeal hearing at the centre court of appeal on 9 February 1999, the conviction of one of the officers, B..., was upheld on the count of torture but his sentence was reduced from 10 to 8 years' imprisonment. In the case of the other officer, N... B..., the torture charge was reduced to failure to render assistance and his sentence reduced to one year's imprisonment and a fine of CFAF 25,000 (€38). The claimants were awarded a total of CFAF 20 million (€3,053) in damages. The State of Cameroon was declared liable under civil law;

(d) Police constable N... N...: sentenced on 10 June 1999 by Wouri regional court to 20 years' imprisonment and CFAF 80 million (€12,214) in damages, for murder. The Department of National Security, in which N... N... served, was declared liable under civil law;

(e) Police superintendent S... C...: prosecuted by the Guider public prosecutor's office for acts of violence and torture against M... B... on 14 September 1999;

(f) Police superintendent M... S...: brought before Haut-Nkam regional court in Bafang, together with police constable S... J..., for complicity in torture leading to the death of D... F... on 10 October 1999;¹

(g) Interlocutory decision No. 90/add of 5 February 1997: the Littoral provincial court of appeal in Douala ordered a defendant who appeared before the court chained hand and foot to be immediately unchained.

126. In a related area, that of summary executions, the State authorities have taken legal action against the perpetrators whenever allegations have been received. Generally speaking, prosecutions lead to heavy prison sentences. In judgement No. 297/97 of 26 August 1997, the Yaoundé military court sentenced H..., then a company commander in the Poli gendarmerie, to 15 years' imprisonment for executing by firing squad seven persons who had been arrested for highway robbery. The five members of his unit were also convicted of murder and sentenced to 12 years (S... F... and B... S...) and 10 years (F..., P..., W... B... and D... E...) respectively.

127. Likewise, in strictly judicial terms, it is fully accepted that, for public officials or civil servants, obeying the orders of a superior can never constitute a justification or an excuse. As the Cameroon Supreme Court, in its authoritative ruling No. 4 of 7 October 1969, ruled in a leading case: "It is neither justification nor excuse for civil servants or officials to claim that they were obeying the orders of their superiors. Likewise, an accused person cannot invoke the orders of his employers in an attempt to exonerate himself from responsibility for an offence. Such a situation, if it were to be established, would not absolve the accused from responsibility, since no defendant can escape the penal consequences of his own personal actions unless he was compelled to take them by a force which he was unable to withstand."

128. In respect of members of the military and other law-enforcement officials, it is important to modify the principle established in article 83, paragraph 1, of the Criminal Code, according to which, "criminal liability cannot be incurred for an act carried out on the orders of a competent authority to whom obedience is legitimately due". Such an excuse, which provides grounds for absolute discharge, may be invoked only if the order itself is not manifestly illegal.

129. The ever-increasing number of cases brought against law-enforcement officials who commit torture bears witness to the Cameroonian Government's determination to combat this illegal practice. In 1998, 1999 and 2000 alone, some 50 legal actions were brought in the military courts for acts of torture or related offences, such as abuse of authority, arbitrary arrest and detention, or assault and battery, as in the following cases:

¹ In its judgement No. 18/CRIM/2001/2002 of 27 February 2002, Haut-Nkam regional court found M... S... and S... J... guilty of the offence of complicity in torture leading to involuntary homicide; found also that the fact that this was a first offence was a mitigating circumstance; sentenced them to five years' imprisonment each; awarded the claimants (mother, brothers and sisters of the deceased) CFAF 6.5 million (€10,833) in damages; and declared the State of Cameroon (Department of National Security) liable under civil law for the actions of its officials.

(a) Under trial order No. 116 of 9 February 1998, three majors in the gendarmerie, N... N... A..., W... S... F... and N... L..., were tried for torture: in the course of a patrol on the night of 30 to 31 July 1995, they had stopped a suspicious van, one of whose occupants was found not to be in possession of his national identity card. Following a heated discussion with the gendarmes, this person had been taken to the gendarme post. Believing he had been subjected to torture, he successfully took legal action;

(b) Under trial order No. 484/MINDEF/0262 of 16 September 1998, B... G..., a major in the Obala gendarmerie, was tried for torture;

(c) Under trial order No. 567/MINDEF/0262 of 28 October 1998, B... E..., K... I... M..., Y... M... E... and T... J..., all gendarmes based in Tsinga and on assignment in Ngaoundéré, were tried for breach of the peace while on duty, and for torture following an altercation with M... E... M..., a Cameroon Railways official.

130. This list is not exhaustive and mention could be made of many other cases, as can be seen from the table of torture cases annexed to this report. The important point is that, in all cases of successful prosecution, those found guilty were punished. In one such case M... A... S... was found guilty of torture and sentenced to 33 months' imprisonment suspended for three years, a fine of CFAF 100,000 and costs, in Douala military court judgement No. 11/99 of 11 March 1999. Other cases are sub judice, including the proceedings against a police officer, A... D..., and others, and a case concerning three members of the Douala international airport special police.

131. In the first case, H... N... Bernard, an accountant with SITABIC, brought a complaint against a police officer, A... D..., Chief Inspector O... B... and Inspectors S... B... and K... N..., all members of the Douala mobile unit (GMI), for torture and inhuman treatment at GMI headquarters, inasmuch as they had stopped the complainant during the night of 18 to 19 July 1997 and taken him like a common thief to GMI headquarters, where they stripped him naked, handcuffed him, lashed him to the "see-saw" and subjected him to a savage beating as a result of which he was unable to work for 105 days.

132. In the second case, three members of the Douala international airport special police were accused of torture on 31 August 2000, following the opening of an investigation by the Douala prosecution service.

133. One thing emerges clearly from these few examples: in Cameroon, the fight against torture and other inhuman or degrading treatment is a reality. The alleged perpetrators of such offences are systematically prosecuted, and punished if found guilty.

134. The courts in Cameroon will also annul any proceedings initiated on the basis of forced confessions. In judgement No. 69/2000 of 21 September 2000, for example, the Bafoussam military court annulled the proceedings brought in the case of *Public Prosecutor and T... J... v. K... R...* under investigation order No. 073/MINDEF/0262 of 16 July 1999 and ordered the immediate release of the accused, K... R..., who had been stopped on the spurious pretext of

illegal possession of a defensive weapon and threatening behaviour, and then remanded in custody for some 20 days and subjected to ill-treatment. In its judgement, the court annulled the entire proceedings on the ground that the confessions obtained had been extracted in flagrant and manifest violation of human rights (see below, section on article 15 of the Convention).

135. In another case, two Army non-commissioned officers, Warrant Officer E... P... and Sergeant K..., were brought before the Douala military court under trial order No. 552/MINDEF/0262 of 21 October 1998, issued by the Minister of Defence, on charges of having made K... J... unfit for work for 25 days. In its judgement No. 31/00 of 27 April 2000, the court found that K... J... had been remanded in custody by two members of the military security forces for more than 24 hours in connection with a problem over land that did not fall within the jurisdiction of that service. The court found the accused guilty of torture and sentenced them to three years' imprisonment and a fine of CFAF 200,000 (€305) each. It also awarded the claimants CFAF 500,000 (€762) in damages and declared the State of Cameroon liable under civil law.

Other measures

136. The *Official Gazette* appeared regularly over the reporting period. The *Gazette* publishes bilingual versions of laws, regulations, decrees and statutory instruments, in accordance with Regulation No. 72/11 of 28 August 1972, which superseded Regulation No. 61-OF-1 of 1 October 1961 and which, in article 2, stipulates that legislative and administrative instruments shall be published in the *Official Gazette*, in English and French, by the Office of the President.

137. Bilingual publication fulfils a function that goes beyond the strictly legal, having a political dimension that serves to promote national integration. In some cases, it makes for better, more uniform, implementation of legislation, for legal standards need to be observed in the same way everywhere. It has become the key to disseminating a body of law that is genuinely Cameroonian, since it gives all those subject to the law, both French and English speakers, similar access to that law.

138. In addition to the *Official Gazette*, legislation is publicized through various Cameroonian scientific, legislative and legal journals such as *Juridis Périodique* and *Lex Lata*.

139. At quite another level, the establishment in 1998, by presidential decree, of a technical committee on the implementation of international human rights instruments, was a hopeful sign.

140. The same applies to the human rights cooperation agreement Cameroon has signed with France.

141. The fiftieth anniversary of the Universal Declaration of Human Rights, also in 1998, was celebrated with due ceremony in all 10 provinces of Cameroon. The celebrations culminated in the erection on 10 December 1998, with the Prime Minister and Head of Government presiding, of a stela in Yaoundé dedicated to human rights. Since then, various NGOs have taken up the task of promoting and defending human rights. Much remains to be done, however, in particular in the area of information and education for the public at large, from primary school to university and in all the *grandes écoles*.

Paragraphs 2 and 3

142. According to article 132 bis, paragraph 5 (c), of the Criminal Code, “no exceptional circumstances whatsoever, such as a state of war or a threat of war, internal political instability or any other exceptional situation, may be invoked as a justification for torture”.

143. According to paragraph 5 (d) of the same article, “orders from a superior officer or State authority may not be invoked as a justification for torture”.

144. These two provisions are based directly on paragraphs 2 and 3 of the Convention.

145. This provision in the legislation is also reinforced by case law, whether established by civil or military courts and even where it predates the criminalization of torture in Cameroon, as shown in the previous report (CAT/C/17/Add.22, para. 37).

Article 3

Paragraph 1

146. Act No. 97/010 of 10 January 1997 amending and supplementing the Extradition Act, No. 64/LF/133 of 23 June 1964, added the following provision to article 29 of the 1964 Act: “No one shall be extradited to a country where there are substantial grounds for believing that he would be in danger of being subjected to torture.”

147. This provision should be applicable, *mutatis mutandis*, in respect of other measures to deport foreigners, including refoulement and expulsion, both of which are explicitly covered by article 33 of the Convention relating to the Status of Refugees, to which Cameroon has been a party since 23 October 1961; this point was addressed in the previous report (*ibid.*, paras. 41-43).

148. Cameroonian courts have already had occasion to apply article 29 of the Extradition Act. In its decision No. 337/cor of 21 February 1997, in respect of extradition proceedings against eight Rwandan alleged genociders requested by the Government of Rwanda, the Yaoundé court of appeal stated: “Whereas ... new article 29 of the Act regulating extradition provides that no one shall be extradited to a country where there are substantial grounds for believing that he would be in danger of being subjected to torture; whereas, in the international media, the present Government in Kigali makes no secret of its determination, before any trial has taken place, to impose the death penalty on the suspects ... The court therefore finds the extradition request inadmissible under the law.”

Paragraph 2

149. In accordance with article 3, paragraph 2, of the Convention, the last part of article 29, paragraph 1, of the above-mentioned Act states that “for the purpose of determining whether there are such substantial grounds for believing that a risk of torture exists, all relevant considerations shall be taken into account, including, where applicable, the existence in the requesting State of a consistent pattern of gross, flagrant or mass violations of human rights”.

150. Applying this provision of the law, the Yaoundé court of appeal rejected extradition of the Rwandan alleged genociders on the basis of the situation at the time in Rwanda, where the system appeared to be more conducive to the settling of scores than to arranging for a fair trial for the individuals whose extradition had been requested.

Article 4

Paragraphs 1 and 2

151. Cameroon has criminalized acts of torture under the above-mentioned article 132 bis of the Criminal Code. Such acts constitute a crime and incur a sentence of life imprisonment if they involuntarily lead to the death of another person; or a sentence of 10 to 20 years' imprisonment if the torture permanently deprives the victim of the full or partial use of a limb, organ or sense. Acts of torture constitute an offence punishable by 5 to 10 years' imprisonment and a fine of between CFAF 100,000 (€153) and CFAF 1 million (€1,524) if they result in the victim being unable to work for more than 30 days by reason of sickness or incapacity; or 2 to 5 years' imprisonment and a fine of between CFAF 500,000 (€762) and CFAF 200,000 (€305) if they result in the victim either being unable to work for up to 30 days by reason of sickness or incapacity, or experiencing mental or moral pain or suffering.

152. Acts of torture are thus punished in accordance with their gravity. The penalties are graded in accordance with the prejudicial consequences of the act of torture. They are at least commensurate with the seriousness of an offence abhorred throughout the world.

153. Attempted torture and complicity in torture are likewise punished under Cameroonian criminal law, and equally as severely as the main offence.

154. Article 94 of the Criminal Code defines an attempted offence as "any attempt realized by an act that would have led to the commission of a crime or offence and that unequivocally demonstrates the perpetrator's irrevocable decision to commit such an offence, had it not been interrupted or failed to achieve its effect only through circumstances beyond the perpetrator's control".

155. The final part of this provision states that such an attempt shall be "considered equivalent to the crime or offence itself".

156. Article 96 of the Criminal Code states that:

- “(a) Anyone who:
 - (i) Instigates an offence in any way whatsoever or gives instructions for an offence to be committed; or
 - (ii) Assists in or facilitates the preparation or commission of an offence, shall be considered an accomplice in such crime or offence;
- (b) Attempted complicity shall be deemed equivalent to actual complicity.”

157. According to article 98 of the Criminal Code, “joint perpetrators and accomplices are liable to the same penalty as the main perpetrator, except where the law provides otherwise”.

158. There is no legislation providing that joint perpetrators or accomplices to torture shall be liable to any penalties other than those applicable to the principal perpetrator of the offence. Here again, Cameroonian law is fully in line with the relevant provision of the Convention.

Article 5

Paragraph 1

159. Cameroon has given detailed descriptions of its rules of criminal jurisdiction in its previous reports. It may be recalled that Cameroon’s Criminal Code establishes:

- (a) Cameroon’s jurisdiction over all offences committed in its territory (art. 7);
- (b) Jurisdiction in rem for offences against State security or forgery of the seal of State or of the national currency, including offences committed abroad, provided that, in the case of an alien, he must have been arrested within or extradited to Cameroon (art. 8);
- (c) Personal jurisdiction in respect of its citizens or residents for offences committed abroad, following an official complaint or charge by the Government of the country where the offence was committed (art. 10).

160. Thus the jurisdictional rules defined in paragraphs 1 (a) and (b) of article 5 of the Convention are to be found in Cameroonian law. Only the rule governing passive personal jurisdiction, described in paragraph 1 (c), is not clearly established under Cameroon’s Criminal Code. It could be argued, however, that, by virtue of the mechanism of universal competence, described below, Cameroonian courts would be competent to try a person who has tortured a Cameroonian national and is in Cameroon, if Cameroon does not extradite him.

Paragraph 2

161. Paragraph 2 raises the issue of the universal jurisdiction of national courts.

162. Article 11 of the Criminal Code recognizes such competence only in respect of what the Code terms “international” offences - piracy, people trafficking, slave trading and drugs trafficking.

163. Article 28 bis of the aforementioned 1964 Extradition Act (read with Act No. 97/010 of 10 January 1997, mentioned above) adds torture to this list of “international” offences. Torture may thus be prosecuted in Cameroon even if the offences were committed abroad by a non-Cameroonian. According to this article:

“Where the circumstances so warrant, any foreigner present in Cameroon and suspected of having committed an act of torture in another State may, after an examination of the relevant information, become the subject of a preliminary inquiry into the facts.

“Any measures required to ensure his presence may be taken in accordance with applicable domestic law. Such measures shall apply only for *such time as is necessary for criminal proceedings* (emphasis added) or for the completion of extradition proceedings.”

164. Under this provision, in other words, if Cameroon does not, when so requested, extradite a person suspected of having committed an act of torture abroad, it is obliged to submit the case to its own competent criminal courts. This represents an application of the *aut dedere aut judicare* principle established in article 7 of the Convention.

Article 6

165. Article 28 bis of Act No. 64/LF/133 of 26 June 1964 (amended) reproduces the content of article 6 of the Convention almost word for word:

“Where the circumstances so warrant, any foreigner present in Cameroon and suspected of having committed an act of torture in another State may, after an examination of the relevant information, become the subject of a preliminary inquiry into the facts.

“Any measures required to ensure his presence may be taken in accordance with applicable domestic law. Such measures shall apply only for such time as is necessary for criminal proceedings or for completion of extradition proceedings.

“Any person in custody pursuant to the previous paragraph of this article may communicate immediately with the nearest appropriate representative of the State of which he is a national, or, if he is a stateless person, with the representative of the State where he usually resides.

“The State in whose territory the torture was committed shall be informed ... of the results of the inquiry, with, where appropriate, an indication as to whether jurisdiction will be exercised.”

Article 7

166. The information given at the end of the section on article 5 above, applies equally to article 7, paragraph 1.

167. The conditions governing proceedings are the same as those that apply to ordinary offences of a serious nature. They can be summarized as follows:

(a) Inquiries shall be carried out by the criminal police in accordance with the rules set forth in the *Code d’instruction criminelle* (Code of Criminal Investigation) or the Criminal Procedure Ordinance. Persons arrested and remanded in custody are brought before the prosecution service, which may, in the case of a lesser offence, proceed against them directly in the lower court, or, in the case of a crime, open an investigation. If, on completion of the investigation, the charges against them are sufficient, they may be brought before the regional court if the offence is still considered a crime, or before the lower court in the case of a lesser offence;

(b) The accused person is tried under a procedure that provides every guarantee of fair trial (public; adversarial proceedings, etc.), equality of arms between prosecution and defence, the right to the assistance of counsel of his choice or of a court-appointed counsel (in criminal cases) and the availability of legal remedies (appeal; request for review).

Article 8

Paragraph 1

168. Cameroon has links with a number of countries through judicial and legal cooperation agreements that cover extradition, including:

(a) A general convention on judicial cooperation between Cameroon and 11 other African countries and Madagascar (the “Antananarivo Convention” or Organisation Communale Africaine et Malgache (OCAM) Convention);

(b) Special judicial cooperation agreements between Cameroon and Mali (6 March 1965), France (21 February 1974) and the Democratic Republic of the Congo (formerly Zaire) (11 March 1977).

169. Where any of these countries are also parties to the Convention, acts of torture are considered to be fully covered by these agreements.

170. It should be noted that these agreements all retain the extradition threshold system, not the extradition list system, but torture, as penalized under Cameroonian law, is extraditable pursuant to the extradition threshold established in the agreements.

171. Consequently, if asked by one of the above-mentioned States to grant extradition under specific provisions of these conventions, Cameroon must do so, always providing that the requested torture suspect does not himself risk being subjected to torture in the requesting State.

Paragraphs 2 and 3

172. Cameroon does not make extradition conditional upon the existence of an extradition treaty. Although treaties remain the principal basis for extradition, their absence may be compensated for by domestic legislation (Extradition Act, No. 64/LF/13 of 26 June 1964, as amended by Act No. 97/010 of 10 January 1977). According to article 38 of the Act, “the present Act shall apply where normally applicable treaties are absent or silent”.

173. Cameroon may even grant extradition as a matter of comity or on the basis of a simple declaration of reciprocity such as that concluded with Switzerland.

174. As the requested State, therefore, Cameroon should never have the slightest difficulty in complying with the provisions of article 8, paragraphs 2 and 3, of the Convention.

Paragraph 4

175. The mechanisms deriving from the *aut dedere aut judicare* rule, such as the principle of universal jurisdiction of Cameroonian criminal courts in respect of torture, are of relevance to the country's obligations under paragraph 4.

Article 9

176. The comments contained in the previous reports remain valid.

177. Cameroon signed an agreement on criminal police cooperation with seven other States of the Central African subregion, in Yaoundé in April 1999. Although the prevention of torture is not formally mentioned, it is clear from the text that the States of Central Africa, wishing to provide better protection for the citizens of the countries of the subregion, and for their property, and to enhance police training, undertake to make good the institutional and legal gaps that have come to light in the area of police cooperation. It provides for Interpol National Central Bureaux to liaise between the various criminal police forces of the contracting parties. The parties undertake to admit criminal police inquiry missions from the other contracting parties into their respective territories. Thus the parties' police forces will exchange general police information relating to notifications of sudden death or missing persons, etc.

178. This agreement has been ratified by Cameroon. As a member of the International Criminal Police Organization (ICPO-Interpol), Cameroon may also make use of Interpol mechanisms and of the recent subregional agreement in order to implement the provisions of article 9 of the Convention.

Article 10

179. The prohibition of torture is dealt with in the courses on human rights and public freedoms that, like forensic medicine and criminal responsibility, have been introduced into the teaching syllabus in civilian, military, judicial, medical and police personnel training schools, including:

(a) The National Civil Service and Judiciary College (ENAM), where civil servants, junior magistrates (trainee magistrates), clerks of the court, and social services, employment and customs inspectors, among others, are trained;

(b) The National Prison Administration College (ENAP), where prison administrators, administrative officers, head guards and guards are trained, as well as - starting some years ago - prison directors;

(c) The Joint Defence College (EMIA), which trains officer cadets and provides advanced courses for officers;

(d) The Gendarmerie Schools and Training Centres Command, under which an advanced training centre for the criminal investigation police was recently established at Yaoundé, as was a law enforcement advanced training centre. These two new training centres cater for the whole region and course participants come from various African countries;

(e) The Faculty of Medicine and Biomedical Sciences, successor to the former University Health Sciences Centre, is part of a network of satellite establishments. In the current context of economic recovery, training of this kind, which takes account of the needs of human dignity, is once more gaining in importance owing, among other things, to:

- (i) The proliferation of vocational training schools. Numerous paramedical colleges and health training institutions, both State and private, have been established in Cameroon. They are obliged to offer an approved training programme leading to an official examination;
- (ii) The increase in numbers of trained or retrained staff;
- (iii) The improvements in technical content and methodology in the course on the prohibition of torture and the defence of human rights, thanks to support from foreign partners and the training of trainers.

180. By order No. 079/A/MINAT/DAPEN/SDPP/SRF of 19 March 1999, the Minister for Territorial Administration initiated the recruitment, on merit, of eight chief prison medical officers; applications were open to Cameroonians who were qualified medical doctors but not civil servants. On completion of the competitive procedure and following training at the National Prison Administration College, eight chief prison medical officers were appointed to eight central prisons in Yaoundé, Maroua, Douala, Bamenda, Buéa, Bafoussam, Ngaoundéré and Bertoua.

181. The prohibition of torture is also the central element in the training and awareness-raising work of the National Committee on Human Rights and Freedoms, which, as in the past, organizes regular seminars on the defence of human rights for the administrative and military authorities in all provinces of the country. Examples include:

A workshop for police officials on improving custody conditions, held in Yaoundé on 30 November and 1 December 1998;

A workshop for prison administration staff, held in Bamenda in 1999;

The Universal Declaration of Human Rights displayed nationwide on 76,000 posters.

182. Human rights associations and NGOs, of which there are around 100 in Cameroon, spread the culture of human rights through their work in society at large.

183. Other training and information initiatives include the International Round Table on the Eradication of Female Sexual Mutilation through the Use of Community Approaches, held from 11 to 13 May 1998 in Yaoundé. The Round Table was followed by a seminar on the adoption of a national plan of action to combat female sexual mutilation, held in Maroua in December 1998.

184. Prison administration staff have also attended further seminars organized by a range of partners:

(a) In June 1997, a Canadian organization, Pro-Démocratie, arranged a seminar that led to the establishment of a committee of prison experts and, in particular, the production of a basic training manual for prison staff, published in October 1997. The aim of the 481-page manual is to teach Cameroon's prison administration staff how to treat the persons in their charge in an equitable and humane manner, and how to fulfil their professional responsibilities with regard to prisoner rehabilitation while safeguarding prisoners' rights. The approach used in the staff training manual takes account of the international standards applied in Cameroon's code of conduct and of some 100 training programmes in operation on all six continents;

(b) Another seminar with the same aim was held in Yaoundé in February 1998, with Commonwealth assistance;

(c) International Prison Watch has also helped organize two seminars for core staff - i.e., staff working directly with prisoners - one in March 1998 in Yaoundé and one in June 1998 in Bertua.

185. Specialists in the field were also sent out into all the provinces to help raise citizens' awareness of their rights and freedoms, as part of the celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights, launched on 16 June 1998 by the Prime Minister and Head of Government.

186. Information specifically on the prohibition of torture and the defence of human rights is now structured into State communications, with slots in radio and national television (CRTV) programmes, in accordance with the Mass Media Act. Such programmes include:

(a) *Honneur et fidélité* ("Honour and loyalty"), a weekly broadcast introduced by senior officers in the armed forces;

(b) *Le verdict* ("The verdict"), in which fundamental rights are discussed, with comments on court rulings that have been handed down in the area of human rights;

(c) *Le droit au féminin* ("Women's rights and the law"), which aims to raise public awareness of the role and rights of women;

(d) *Le développement social* ("Social development");

(e) *Église et développement* ("The Church and development");

(f) *Le point du droit* and its English counterpart, *The Debate*, which aim to popularize the law.

187. Lastly, the qualification level set for the recruitment of future judges, known as "junior magistrates", has been raised from a first degree in private law to a master's degree in law. In addition, since the curriculum at both university level and ENAM does not cover all the subjects

relevant to the cases the future judges will be trying, an annual “young magistrates’ seminar” has been instituted in order to supplement participants’ university and professional training in the light of the problems encountered in practice.

Article 11

188. The information given in Cameroon’s preceding reports (CAT/C/5/Add.26, paras. 67-68 and CAT/C/17/Add.22, paras. 67-68) still applies, even though, due to the lack of financial resources, the prison supervisory commissions were unable to meet as regularly as they would have wished.

189. At another level, the State of Cameroon has authorized the International Committee of the Red Cross (ICRC) to visit all its detention centres. These visits are organized at the discretion of the ICRC Regional Delegation for Central Africa, in Yaoundé, which enjoys the privileges and immunities granted in the headquarters agreement signed with the Government in 1999.

Article 12

190. The comments on article 12 made in the previous report still apply (CAT/C/17/Add.22, paras. 69 and 9-40).

Article 13

191. Any person claiming to have been subjected to torture in Cameroon has the right to submit a complaint before the judicial authorities. The authorities competent to try such offences or receive complaints are:

(a) The Attorney-General, who has special responsibility for initiating and conducting action by the State and, thus, for custody in criminal investigation police detention centres;

(b) Appeals court prosecutors, who monitor the criminal investigation police within their sphere of competence.

192. In addition to public prosecutors, a complaint may also be filed with any criminal investigation police officer with territorial competence, in particular units of the gendarmerie or police. The victim of an act of torture may also, in the case of an offence, issue a summons, through a bailiff, for the perpetrator to appear before the competent court, or, in the case of a crime, file a complaint for the bringing of criminal indemnification proceedings.

193. The competent courts are:

(a) A court of first instance, where the facts in the case indicate unlawful acts. In principle a court of first instance exists in each administrative district, Cameroon having 269 administrative districts. The territorial competence of a court of first instance may, having regard to the exigencies of service, extend over several neighbouring districts;

(b) A regional court, where the facts constitute a crime. A regional court exists for each department. Although there are 58 departments in all, the competence of a regional court may, in accordance with the exigencies of service, extend over several neighbouring departments. The regional court also hears applications for immediate release submitted by, or on behalf of, a prisoner or detainee where the applications are based on a procedural flaw or the lack of a detention order (habeas corpus);

(c) A military court, where the crime or offence of torture is committed by military personnel, either on duty or in a military establishment or where the offence is purely military in nature.

194. Decisions rendered by courts of first instance, regional courts and military courts may be impugned before a court of appeal in each of the 10 provincial administrative centres in Cameroon.

195. The victim may file an appeal before an administrative court where his rights were violated by an administrative act which may be challenged on the ground of abuse of authority.

196. Similarly, should the infringement of freedom constitute a flagrant administrative irregularity, the victim may have this recorded by the Supreme Court in plenary session, following which he may apply to the judge for damages.

197. Legal aid, which in Cameroon is organized under Decree No. 76/0521 of 9 November 1976, is intended to ensure that legal assistance is afforded those without sufficient means to pay for it. The recipient is excused all legal costs (stamp duty, registration duty, registry fee and payments to court), other than the fee for appeals, which may be required. Act No. 76/16 of 8 November 1975, in its article 8, paragraph 3, provides that "other than in an appeal against a decision in a criminal case or where the appeal originates with the public prosecutor or State, the appellant is required, even if granted legal assistance, to pay a CFAF 5,000 (€8) application fee. Nevertheless, a person in receipt of assistance is counselled by a legal official free of charge.

198. The Bar, the national lawyers' association, has set up a legal aid centre, with offices in 3 of the 10 provinces of Cameroon.

199. Those claiming to be victims of acts of torture may also approach the National Committee on Human Rights and Freedoms, which can conduct the necessary inquiries and bring the matter before the authority having territorial competence with a view to redressing the situation. In this connection the Committee can visit, as required, any prison, police station or unit of the gendarmerie in the presence of the competent public prosecutor or his representative. The Committee receives an average of 500 applications a year relating to different cases of human rights violations.

200. Lastly, it should be noted that Parliament can exercise its authority in this regard. Under article 35 of the amended Constitution of 1996, Parliament oversees government action through oral or written questions and by setting up committees of inquiry with specific terms of reference.

201. The Government, subject to the imperatives of national defence, the security of the State or the secrecy of judicial investigation, must furnish the necessary information.

202. Parliamentary committees of inquiry, of demonstrated importance, had been provided for under article 28 of the 1972 Constitution and article 67 of Act No. 73/1 of 8 June 1973 on the rules of procedure of the National Assembly, and were reinstated by article 35 of the revised Constitution of 1996. Act No. 91/029 of 16 December 1991 regulates their procedures:

(a) Committees of inquiry are established on a decision taken by absolute majority of the members of the National Assembly, which must specifically identify the facts giving rise to the inquiry or the government departments whose administrative, financial or technical management is to be examined. The decision contains a list of members, who may not exceed 20 deputies;

(b) The appointed members must immediately take a judicial oath before the National Assembly;

(c) The committee of inquiry may, in the name of the Cameroonian people and in the discharge of its duties, require any person, official or public authority to assist it. Subsequent to consideration and adoption of a resolution by the committee of inquiry, the National Assembly may decide, as appropriate:

- (i) To transmit the records of the inquiry to the legal authorities for action;
- (ii) To request the committal for trial of an official, where the official is subject to the jurisdiction of the Parliamentary Court of Justice or the facts in the case are such as to render the matter so subject;
- (iii) To refer the matter to the Government, with a view to the taking of appropriate political, regulatory or administrative measures.

203. Non-governmental human rights associations and organizations also play an active role, not only in terms of raising awareness of rights, but also in reporting violations and filing appeals. To compensate for the inability of those before the courts to claim their rights, these associations and non-governmental organizations accompany victims or applicants with a view to rectifying infringements of human rights. Act No. 090/53 of 19 December 1990 on freedom of association and Act No. 99/014 of 22 December 1999 on non-governmental organizations provide the legal basis for their action.

204. With regard to protection of the complainant and witnesses against any ill-treatment or intimidation as a result of filing a complaint or giving evidence, the Criminal Code contains a wide range of offences with appropriate penalties, in particular under articles 164, 168, 173, 302 and 303, as already noted in the supplementary report (CAT/C/5/Add.26, paras. 74-82).

Article 14

205. The information contained in the supplementary report (CAT/C/5/Add.25, paras. 81 and 82) remains relevant.

206. The core document mentioned (HRI/CORE/1/Add.109, para. 33) that to obtain compensation for injury, any person who is a victim of an act of torture may initiate civil proceedings under article 2, paragraph 2, of the Code of Criminal Investigation, which provides that: “civil proceedings for compensation for injury may be taken against the accused and his representatives”. If the civil party dies, the action may be undertaken by his heirs.

207. Articles 443 to 447 of the Code of Criminal Investigation provide, in cases of judicial review, for compensation for the victims of judicial errors. Meanwhile, statutory rehabilitation is provided for in articles 69 to 72 of the Criminal Code and in articles 624 to 633 of the Code of Criminal Investigation.

208. The preliminary draft Code of Criminal Procedure envisages, in its article 219, compensation for a person who is wrongfully held in pre-trial detention.

209. The second periodic report (CAT/C/17/Add.22, para. 85) noted that within the context of offences equivalent to torture, victims who brought civil actions were normally compensated following the criminal conviction of the parties accused. The report cited (para. 37) decision No. 122/crim by the Mfoundi (Yaoundé) regional court, by which police officers and others were sentenced not only to terms of imprisonment from 10 to 15 years, but also to payment, jointly and severally, of CFAF 17,135,000 (€26,122) in damages to the civil claimant. The State of Cameroon was declared liable under civil law. On appeal the damages were increased to CFAF 25 million (€38,112).

210. Under Regulation No. 97/01 of 4 April 1997 amending certain provisions governing execution of judicial decisions, a court may order provisional execution, notwithstanding any appeal, in matters of compensation for injury resulting from assault causing bodily harm, of a decision concerning costs and expenses necessitated by emergency care. These provisions apply to civil judgements delivered by a criminal court, and thus apply to torture victims who are civil parties in criminal proceedings against perpetrators of acts of torture.

211. With regard to recent precedent, attention is drawn to judgement No. 31/00 of 27 April 2000 of the Douala military court, cited above, which awarded CFAF 500,000 (€762) in compensation for moral injury while, however, rejecting as unsubstantiated the claim for compensation for material damage.

212. So as to better guarantee compensation for victims of torture, the public authority in question is held responsible for injury caused by its officials. To circumvent the possible insolvency of the official, the victim has the choice of proceedings against the official before the judicial court and proceedings against the authority before the administrative court.

213. The authority which has had to meet the costs of compensation may initiate an action for indemnity against its offending official.

Article 15

214. The inadmissibility of any evidence obtained by torture is established in Cameroon, even though there is no specific legislative provision thereon. Judgement No. 69/2000 of 21 September 2000 rendered by the Bafoussam military court in the case of *Public Prosecutor and T... J... v. K... R...* illustrates case law in this matter.

215. Following a dispute over land between K... R... and T... J..., the latter had gone to make a complaint at the Dschang investigation brigade, where her brother-in-law, Sergeant D... J... was deputy brigade commander. She claimed that K... R... had threatened her and her children, and that he had fired a shot in the air to intimidate them. On the basis of the complaint, D... J... immediately went to the scene of the incident and placed K... R... under military arrest; K... R... was then placed in detention for 20 days without authorization, whereas the maximum period is 24 hours, renewable on three occasions on the authorization of the government commissioner. K... R... also claimed to have been beaten on several occasions by his torturer, who was attempting to extract a confession. The forensic report established that he had injuries to the soles of his feet, back and left forearm. As a result of the ill-treatment to which he was subjected, K... R..., at the limit of his endurance and under duress, confessed to the acts of which he was accused. The court concluded that:

“Whereas the circumstances under which the prisoner’s confessions were obtained represent, it hardly needs to be stated, a patent example of a flagrant and manifest violation of human rights; whereas no proceedings worthy of the name can be conducted on a basis thus perverted at the outset; whereas, as a result, the proceedings should quite simply be annulled, in accordance with investigation order No. 073/MINDEF/0262 of 16 July 1999 by the Minister of Defence.

“Ruling publicly inter partes on the prisoner in criminal proceedings in first instance, unanimously annuls the proceedings which are the subject of investigation order No. 073/MINDEF/0262 of 16 July 1999 and orders the immediate release of K... R... if the prisoner is not held for other reasons.”

216. In addition, Cameroon is party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights, instruments which contain procedural guarantees corresponding to those of articles 12 to 15 of the Convention.

217. In particular, as stated in the second periodic report (CAT/C/17/Add.22, paras. 71-73), article 14, paragraph 3 (g), of the International Covenant on Civil and Political Rights, under the terms of which in the determination of any criminal charges against him, everyone shall be entitled, in full equality, not to be compelled to testify against himself or confess guilt, may be directly invoked before the competent Cameroonian authorities.

218. Further, the conjunction or coexistence in Cameroon of civil law and common law rules also works in favour of the full implementation of article 15 of the Convention.

Article 16

Paragraph 1

219. That Cameroonian law contains no specific offences of cruel, inhuman or degrading treatment or punishment should not be misunderstood.

220. Just as before promulgation of Act No. 97/009 of 10 January 1997 torture was punished through related offences, cruel, inhuman or degrading treatment or punishment is prohibited and punished on the basis of equivalent offences.

221. In implementation of the provision prohibiting cruel, inhuman or degrading treatment or punishment, attention is drawn to interlocutory decision No. 90/add of 5 February 1997 of the Douala court of appeal (see paragraph 125 (g), above).

222. The second report (see CAT/C/17/Add.22, paragraphs 46-49) included a significant amount of information on offences resembling or equivalent to torture and other cruel, inhuman or degrading treatment or punishment.

223. Lastly, article 615 of the Code of Criminal Investigation provides that “the use of force in the process of arrest, detention or execution of a sentence is a crime except where authorized by law”.

Paragraph 2

224. Cameroon works for full implementation of the provisions of the Convention, and all the more so as it is party to a number of instruments for the protection of human rights and, on 12 October 2000, pursuant to articles 21 and 22 of the Convention, made a declaration recognizing the competence of the Committee against Torture.

225. Lastly, national legislation dealing with offences comparable to cruel, inhuman or degrading treatment or punishment is compatible with the Convention, as is legislation relating to extradition and expulsion.

PART THREE: INFORMATION ON THE CONCLUSIONS AND RECOMMENDATIONS FORMULATED BY THE COMMITTEE AT THE CONCLUSION OF ITS CONSIDERATION OF THE SECOND PERIODIC REPORT OF CAMEROON

226. In its concluding observations (A/56/44, paras. 60-66), adopted in November 2000 at the conclusion of its consideration of the report of Cameroon for the period 1988-1996 (CAT/80/C/17/Add.22), the Committee took note with satisfaction of the progress made by the Cameroonian State in combating torture and other ill-treatment. At the same time it identified various subjects of concern, in connection with which it formulated 11 recommendations (A/56/44, para. 66).

227. The Cameroonian authorities, in the spirit of frank and constructive dialogue to which they subscribe and which is essential between each State party to the Convention and the Committee, has accorded full attention to the observations. The Government has devoted renewed attention to the Committee's recommendations, which call for the clarifications provided below.

I. INTRODUCE A MECHANISM INTO ITS LEGISLATION FOR THE FULLEST POSSIBLE COMPENSATION AND REHABILITATION OF THE VICTIMS OF TORTURE

228. Developments in connection with article 14 necessitates clarification on this point, in particular with regard to Regulation No. 97/01 of 4 April 1997 amending certain provisions governing execution, of judicial decisions. Under the regulation a court may order provisional execution, notwithstanding any appeal, in matters of compensation for injury resulting from assault causing bodily harm, of a decision concerning costs and expenses incurred for emergency care. These provisions, which apply to civil judgements delivered by a criminal court, apply to torture victims who are civil parties in criminal proceedings against perpetrators of acts of torture.

229. As a general rule and in accordance with the long-standing position adopted by the courts, victims who are civil parties receive compensation following the criminal conviction of the defendants or accused.

230. The question of the rehabilitation or re-education of torture victims is under study. It is, however, relevant to note that the Ministry of Social Affairs and the Ministry of Public Health (Decree No. 97/205 of 7 December 1997) have a number of mechanisms for dealing with social maladjustment and social reintegration: in particular the Etoug-Ebé Centre for Re-education and Rehabilitation of the Disabled at Yaoundé.

II. INTRODUCE PROVISIONS INTO ITS LEGISLATION ON THE INADMISSIBILITY OF EVIDENCE OBTAINED THROUGH TORTURE, EXCEPT IN THE CASE OF ACTS CARRIED OUT AGAINST THE PERPETRATOR OF TORTURE IN ORDER TO PROVE THAT AN ACT OF TORTURE HAS BEEN COMMITTED

231. Pending adoption of legislation on this matter, attention is drawn to various administrative provisions and practices:

(a) Circular No. 00708/SESI/S of 21 June 1993 (see CAT/C/17/Add.22, para. 18) prohibiting use of a baton or whip to extract confessions;

(b) With regard to police and judicial practice, it is strictly prohibited to use violence or torture to extract confessions during inquiries. In accordance with judgement No. 69/2000 of 21 September 2000 of the Bafoussam military court, Cameroonian judges will annul proceedings based on coerced confessions;

(c) Emphasis is now placed, rather, on forensic police work to unearth the truth. This takes place at two levels:

- (i) The police (Department of National Security), with the establishment of a forensic police office;
- (ii) The gendarmerie, with the establishment in 2000, within the Gendarmerie Schools and Training Centres Command at Yaoundé, of the criminal investigation police advanced training centre. The centre, with a regional coverage, operates with the support of French cooperation. Thus far it has trained almost eight contingents of officers and non-commissioned officers, in particular in techniques relating to the conduct of inquiries.

232. Although article 14 (para. 3 (g)) of the International Covenant on Civil and Political Rights and article 15 of the Convention provide a basis for rejection by Cameroonian judges and other national authorities of any statement or evidence obtained by torture, it is clearly the case that the adoption of an appropriate legislative provision would provide national courts with a legal basis that was both more certain and more accessible, and that would permit them to go beyond the simple principle of reliability of the evidence, and to substantiate better in judicial decisions the reasoning on the inadmissibility of evidence obtained by torture. Such a legislative embodiment would also work towards the harmonization of judicial practice.

III. TAKE ADVANTAGE OF THE PROCESS OF CODIFICATION ALREADY UNDER WAY TO BRING CAMEROONIAN LEGISLATION INTO LINE WITH THE PROVISIONS OF ARTICLES 5, 6, 7 AND 8 OF THE CONVENTION

233. Act No. 97/010 of 10 January 1997 amending certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964, incorporates within the Cameroonian regulations governing extradition the key provisions of articles 5, 6, 7 and 8 of the Convention, inasmuch as it reflects the will to take effective measures against torture, wherever it is committed (inside and outside the country) and whoever the perpetrator is (a national, a resident or an alien). The ongoing work of legislative reform can only add to these achievements and, where appropriate, improve legislation, in particular with regard to article 5, paragraph 1 (c), of the Convention.

IV. ENSURE THE EFFECTIVE IMPLEMENTATION OF THE INSTRUCTIONS FROM THE MINISTER OF JUSTICE THAT PRE-TRIAL DETENTION MUST TAKE PLACE ONLY WHEN ABSOLUTELY NECESSARY AND THAT PROVISIONAL RELEASE SHOULD BE THE RULE, ESPECIALLY SINCE THIS COULD HELP TO DEAL WITH THE PROBLEM OF PRISON OVERCROWDING

234. The curtailment of pre-trial detention has given rise to much debate. The unanimity which has emerged on the exceptional nature of pre-trial detention and the determination of the Cameroonian authorities to discourage it so as to protect the rights reaffirmed in the amended Constitution of 1996 reflect the fundamental importance attached to the principles reflected in the renewed instructions of the Minister of Justice.

235. It is the case that the Constitution of 2 June 1972 already guaranteed individual freedom and security, and established that no one could be prosecuted, arrested or detained except in the cases and in accordance with the manner determined by law. The amended Constitution of 1996 adds that “every accused person is presumed innocent until proved guilty in a trial conducted in strict compliance with due process of law”. This provision makes a constitutional norm of the presumption of innocence which is impugned by pre-trial detention and which the Constitutional Council should be able to guarantee respect for.

236. Measures have been taken on several previous occasions to limit the use of pre-trial detention in judicial practice.

237. Although there is no legal prescription establishing the maximum length of pre-trial detention, article 113 (para. 2) of Act No. 58/203 of 26 December 1958 adapting and simplifying criminal procedure provides that “in criminal cases, there shall be a right to release five days after initial questioning in the case of defendants who are resident in Cameroon when the maximum sentence under the law is less than six months’ imprisonment”.

238. To rectify the shortcomings in the definition of the maximum length of pre-trial detention, the Minister of Justice has not merely relied on the circulars stating the rules. Every effort has been made to deal with the reality of the situation, with regular oversight to identify lapses and to punish those responsible.

239. The circulars dated 8 April 1965, 12 May 1965 and 16 April 1967 provided that a report should be made to the Minister of Justice regarding any case involving pre-trial detention which lasted or exceeded, according to the case, three or six months - three months in the case of proceedings in cases of flagrante delicto or relating to acts punishable by a sentence not exceeding two years, and six months in all other cases. The circulars were updated on 8 April and 12 May 1985 and 18 October 1989, with a reminder that pre-trial detention constituted an infringement of the presumption of innocence, and should be used only exceptionally.

240. In particular, the circular of 18 October 1989 provides for regular checks to be made periodically in prisons. On a related matter, circular No. 24848/CD/9276/DAJS of 23 May 1990 not only provides for weekly visits to police and gendarmerie cells, but also the systematic release of all persons whose detention has no legal justification.

241. The Cameroonian authorities have an unswerving commitment to put an end once and for all to unlawful pre-trial detention. In an address delivered on 30 May 1999 on the occasion of the confirmation of the heads of court at the Centre court of appeal, the Minister of Justice, speaking in particular to the Attorney-General, strongly urged him “to conduct and ensure the conduct of regular monitoring of pre-trial detention so as to ensure that no one awaiting trial has been overlooked”.

242. On 26 July 1999 pre-trial detention was a central issue at the meeting between the Minister of Justice and heads of court.

243. As Cameroonian law stands, article 53 of the Criminal Code mitigates the harmful effects of pre-trial detention. It provides that:

(a) The length of any period of pre-trial detention is deducted in full from the custodial sentence;

(b) In the event of pre-trial detention, where punishment is a fine, the court may exempt the convicted person from all or part of the payment.

244. In any event, the gradual increase in the number of judges and the corresponding reduction in their workload are such as to limit and eradicate pre-trial detention exceeding a reasonable length. In fact special recruitment exercises of judges and support staff (clerks of the court) have been organized with a view to reducing the backlog in the courts. Thus, for the financial years 1999/2000 and 2000/2001, 150 additional judges, 150 clerks, 200 assistant clerks and 100 secretaries/typists were recruited in all.

245. Similarly, judges who, through denial of justice, fraud, bribery or professional misconduct, unlawfully maintain a person in pre-trial detention may be reprimanded in accordance with articles 246 et seq. of the Code of Civil Procedure. An action for compensation may also be taken against offending judges with a view to imposing financial penalties.

246. With regard to release on bail, now to be given greater prominence, article 114 of the Code of Criminal Investigation provides that “pre-trial release may, in all cases where it is not automatic, be subject to bail. The bail guarantees:

(a) The appearance of the defendant in all proceedings and for execution of the judgement;

(b) Payment, in the following order, of:

(i) Costs incurred by the civil party;

(ii) Costs paid by the civil party;

(iii) Fines.

The release order establishes the amount of the bail apportioned to each of these two headings”.

247. Article 120 of the Code of Criminal Investigation allows for recognizance, in other words, a commitment by a third, solvent person to ensure that the accused appears in response to any court order. Although included in that part of the Code relating to judicial investigation, the provision, in common with all those relating to bail, has always been interpreted by the courts as being general in scope, that is, applicable at both the investigation and sentencing stages.

248. The report will not enter into greater detail concerning the procedure for immediate release or habeas corpus provided for under (new) article 16 of Regulation No. 72/4 of 26 August 1972 on organization of the judiciary, which was discussed at length in the second report (see CAT/C/17/Add.22, paras. 87-89).

249. Evidence suggests that the elimination of unlawful pre-trial detention, the confinement of pre-trial detention to a reasonable period, that is strictly necessary for the investigation, and the mechanisms for inspecting places of detention, monitoring respect for the regulations and imposing punishments are helping to end prison overcrowding.

250. The regular periodic checks in prisons pursuant to the circular of 18 October 1989 on pre-trial detention is gradually producing impressive results in terms of the strict limitation of pre-trial detention.

251. These are the measures taken by the Cameroonian authorities to give effect before and after pre-trial detention to the instructions of the Ministry of Justice.

V. CONSIDER TRANSFERRING RESPONSIBILITY FOR PRISON ADMINISTRATION FROM THE MINISTRY OF THE INTERIOR TO THE MINISTRY OF JUSTICE

252. The question of the institutional placement of the prison administration in the machinery of government falls under public policy in the sector concerned. There is an obvious link between the prison administration and the technical administrations responsible for the system of justice, health, education, social affairs, etc.

253. As the prison administration has particularly close links with the Department of Justice, the Cameroonian authorities have elected, not to subsume it within the system of justice as in some countries, but to accord it the status of a separate technical administration, with its own specificities.

254. The legal problem of ending pre-trial detention, the concern with managing the large numbers of persons held in pre-trial detention, and prison overcrowding are critical issues facing both administrations.

255. Placement of the prison administration under the Ministry of Justice is not a panacea, even though it would offer the advantage of close supervision of execution of sentences.

256. The institutional link with the Ministry of Territorial Administration should not be misunderstood, as there is no merging or assimilation of the prison administration and territorial administration and organization, and civil command. It dates back several decades, and forms part of the functional logic underlying the rational division of the work of government.

257. There thus exists a prison administration sectoral policy underpinned by its own goals which requires the necessary resources in terms of budget, human resources and physical and logistical infrastructure.

258. The underlying philosophy appears to be to comply with international norms for the protection of the dignity of the individual, in particular with regard to those who, subject to a custodial sentence, are imprisoned, and to contribute to the socialization of those targeted by the criminal justice system.

259. Thus, Decree No. 97/205 of 7 December 1997 on organization of the Government entrusts matters of general and special criminal law to the Ministry of Justice; prison administration is placed under the Ministry of Territorial Administration, as are certain activities for the protection of the individual, namely the protection of public liberties and civil protection. It should be noted that this Decree created within the Ministry of Territorial Administration two posts of Secretary of State, for local authorities and prison administration, respectively. They assist the Minister with his duties and may be given responsibility, under his authority, for management of specific sectors.

260. Decree No. 97/207 of 7 December 1997 on formation of the Government filled the post of Secretary of State for Prison Administration, who is a member of the Government. These two acts by the Head of State form part of the implementation of Decree No. 95/232 of 6 November 1995 on the organization of the Ministry of Territorial Administration, which established a prison health-care office under the Department of Prison Administration.

261. As indicated in the new regulatory measures in connection with article 2 of the Convention, the efforts under way to develop and modernize prison administration are continuing, notwithstanding the lack of financial resources available. A thorough reform of prison administration has been under way since 1990, the beginning of the decade of the transition to democracy.

262. By order No. 230/A/MINAT/DAPEN/SEP of 4 June 1992, the civic re-education centres at Tchollire, Mantoum and Yoko, housing persons in administrative detention under Regulation No. 62/DF/18 of 12 March 1962 on suppression of subversion, were closed and converted into ordinary prisons. And with a view to reducing overcrowding in existing prisons, new prisons are being opened in the various provinces of the country as time goes by.

263. The key date in prison reform is 27 March 1992, with the adoption of three major instruments which have transformed the prison landscape in terms of humanization of the way in which detainees are treated and improvement of working conditions for custodial staff. These are:

(a) Decree No. 92/052 on regulation of the prison system, which, as stated above, is based on the Standard Minimum Rules for the Treatment of Prisoners;

(b) Decree No. 92/054 on the special status of prison administration officials;

(c) Decree No. 92/056 instituting and establishing the rate for and conditions of payment of danger money for prison administration staff.

264. Also of note is the existence at Buéa of the National Prison Administration College, the specialized institution for the professional training of staff at all grades in the prison administration.

265. The Government is seeking to increase cooperation between the competent services of the two ministerial departments. Thus, the public prosecutors responsible for the investigation of criminal cases, oversight of pre-trial detention and execution of sentences (remission, amnesty) regularly monitor prisons and discharge their functions without any interference by the prison administration.

266. The judiciary monitors execution of the sentence to ensure that it is carried out.

267. The collection of information from across the country by the National Steering Committee on Good Governance indicates that placement of the prison administration under the Ministry of Territorial Administration does not pose any problems for the functioning of the system of justice. Rather, the general view is that prison administration should be managed under an autonomous structure.

268. Nevertheless, the transport of detainees to the law courts for various steps in the proceedings (investigations, hearings), which is the responsibility of the gendarmerie, although in practice conducted by the prison administration, often causes problems and disrupts the functioning of the courts when not properly performed.

269. In short, establishment of the post of Secretary of State for Prison Administration, followed by the appointment within the Government of an incumbent, is of fundamental importance in the formulation and implementation of a sectoral policy with its own objectives for the development and modernization of prison administration. There is every reason to believe in this sectoral policy, the only problem being to identify the resources needed to attain its objectives.

VI. CONSIDER ABOLISHING THE SPECIAL FORCES ESTABLISHED TO COMBAT HIGHWAY ROBBERY, WHILE AT THE SAME TIME LIFTING THE FREEZE ON THE RECRUITMENT OF LAW ENFORCEMENT OFFICIALS

Consider abolishing the special forces established to combat highway robbery

270. While the effective dissolution of the Douala operational command in 2001 accords with the Committee's wishes, it should be noted here that the multi-role unit of the national gendarmerie (GPIGM), established by Decree No. 99/15 of 1 February 1999 on the model of the French GGIM, and whose disbandment has also been called for, is in fact an element in gendarmerie units. GPIGM is tasked with maintaining and restoring order, combating highway robbery, and conducting anti-terrorist activities throughout the country. Its presence at one time in the provinces in the north of Cameroon may be explained by the fact that it had been given the mission of reinforcing gendarmerie units engaged in efforts to combat the widespread highway robbery in that part of the country. Following the improvements observed on the ground, GPIGM limited its activities to discharging its traditional functions from its Yaoundé headquarters.

271. In any event creation of the operational command was merely a measure linked to security imperatives in the context of the renewed outbreak of highway robbery. Notwithstanding that, it should not conflict with the social necessity to safeguard human rights.

272. As soon as that necessity became apparent, the Government, on its own initiative, terminated the activities of the operational command.

Lifting the freeze on the recruitment of law enforcement officials

273. To make good the staff shortages occurring as a result of constraints imposed by the structural adjustment programme which, at the end of the 1980s, had imposed severe cuts on the State budget and in particular a reduction in wage costs, the Government, with the economic recovery, has undertaken the recruitment of new personnel. Among other things that has allowed security coverage to be improved.

274. New police recruits over the reporting period are shown in the table.

Year	Total	Cadet superintendents	Cadet police officers	Cadet inspectors	Cadet police constables
1996	1 442	30	82	330	1 000
1999	2 267	58	179	574	1 446
2000	1 990	176	747	1 050	1 500

275. Within the gendarmerie, the average number of new recruits hired annually has progressed as shown in the following table.

1988		1999		2000	
Officers	Cadet gendarmes	Officers	Cadet gendarmes	Officers	Cadet gendarmes
11	653	11	323	14	200

276. It should be noted that in 2001, in a special recruitment exercise, 1,200 recruits were hired. The gendarmerie is now authorized to undertake an annual recruitment exercise.

277. This same desire to increase the numbers of recruits is also evidenced in the case of prison administration officials, the judiciary, the relevant areas of public administration and even in the general civil service, in accordance with the minimum human resources needs in the administrations concerned.

278. In the corps of prison administration officials, in the financial year 1999/2000, a special recruitment exercise was conducted for 117 prison guards and 8 prison medical officers.

279. There has been an increase not only in the numbers of staff but also in quality, owing in particular to the restructuring of training programmes and the initiation of human rights training.

280. In this connection the establishment of a criminal investigation police advanced training centre under the Gendarmerie Schools and Training Centres Command exemplifies the Government's determination in this regard. The centre trains gendarmerie units in the use of forensic methods in gathering evidence in investigations, rather than engaging in brutality or other prohibited means to extract confessions from suspects. The same is true with regard to the establishment at Awaé, near Yaoundé, of the law enforcement advanced training centre, which trains members of gendarmerie mobile units in the ethics of maintaining and restoring order.

VII. PURSUE ENERGETICALLY ANY INQUIRIES ALREADY UNDER WAY INTO ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS AND, IN CASES WHICH HAVE YET TO BE INVESTIGATED, GIVE THE ORDER FOR PROMPT AND IMPARTIAL INQUIRIES TO BE OPENED AND INFORM THE COMMITTEE OF THE RESULTS

281. Certain inquiries under way have led to convictions, others to reappraisal of the evidence or to acquittal of suspects. Decisions for acquittal and financial penalties have been ordered in other cases (see developments in connection with article 2 of the Convention).

VIII. ENSURE SCRUPULOUS RESPECT FOR THE HUMAN RIGHTS OF PERSONS ARRESTED IN THE CONTEXT OF EFFORTS TO COMBAT HIGHWAY ROBBERY

282. The protection of the rights and freedoms of persons arrested in the context of efforts to combat highway robbery is assured by the rigorous monitoring measures and sanctions applied to all those engaged in these efforts. The criminalization of torture (art. 132 bis of the Criminal Code) and reform of the jurisdiction of military courts are of great assistance in making members of the national gendarmerie multi-role unit aware of their obligation to respect human rights.

283. The tables in paragraphs 99 to 109 of the report indicate the sanctions taken against police and gendarmerie personnel for violation of the rights enunciated in the Convention.

IX. PURSUE THE TRAINING PROGRAMME FOR LAW ENFORCEMENT PERSONNEL IN HUMAN RIGHTS, WITH PARTICULAR REFERENCE TO THE PROHIBITION OF TORTURE

284. The information provided in connection with article 10 of the Convention indicates the training and information activities carried out, and emphasizes the importance of international cooperation in this regard.

X. CONSIDER ESTABLISHING A REGULAR SYSTEM TO ASSESS THE EFFECTIVENESS OF THE IMPLEMENTATION OF LEGISLATION ON THE PROHIBITION OF TORTURE, FOR INSTANCE BY MAKING THE BEST USE OF THE NATIONAL COMMITTEE ON HUMAN RIGHTS AND NON-GOVERNMENTAL HUMAN RIGHTS ORGANIZATIONS

285. The Government notes this recommendation with interest and undertakes to attain this objective. Two measures already taken are relevant:

(a) The establishment, in July 1998, of the Technical Committee on the Implementation of International Human Rights Instruments;

(b) The diplomatic negotiations having led to the establishment at Yaoundé of the United Nations subregional centre, whose operational activities began in March 2001.

XI. SCRUPULOUSLY MAINTAIN A REGISTRY OF DETAINED PERSONS AND MAKE IT PUBLICLY ACCESSIBLE

286. The second periodic report (see CAT/C/17/Add.22, para. 20) indicated that police units maintain a custody register in which the following information is entered: the reason for the police custody; its date and time; the individual's overall appearance at the time when he is taken into custody; his condition at the time of his departure (transfer or release); other details concerning property found in his possession. This practice now needs to be systematized throughout all detention centres, and the register made accessible to the public, as rightly recommended by the Committee.

List of annexes

Constitution and laws

Act No. 96/06 of 18 January 1996 amending the Constitution of 2 June 1972

Act No. 97/009 of 10 January 1997 amending and supplementing certain provisions of the Criminal Code

Act No. 97/010 of 10 January 1997 amending and supplementing certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964

Regulations

Regulation No. 97/01 of 4 April 1997 amending articles 3 and 4 of Act No. 92/008 of 14 August 1992 establishing certain provisions governing execution of judicial decisions (compensation for injury resulting from assault causing bodily harm)

International instruments

Declaration by Cameroon, dated 12 October 2000, recognizing the competence of the Committee against Torture pursuant to articles 21 and 22 of the Convention

Regulatory and administrative measures

Decree No. 98/109 of 8 June 1998 establishing a technical committee on the implementation of international human rights instruments

Decree No. 2000/343 of 4 December 2000 establishing an ad hoc technical committee for implementation of the Rome Statute of the International Criminal Court

Order No. 79/A/MINAT/DAPEN/SDPP/SRE of 19 March 1999 by the Minister of Territorial Administration for the recruitment of eight chief prison medical officers

Decision No. 00030/D/MINAT/CAB of 16 February 2001 on the assignment in eight central prisons of chief prison medical officers

Circular No. 02306/CAB/VPMAT of 13 November 1997 on administrative detention procedures

Circular No. 000466/DGSN/CAB of 6 April 2001 from the Minister for National Security to all central and regional senior officials on improvement of conditions of custody

Service note No. 38/S/PCY/SAF/BP of 22 April 1997 from the governor of the Yaoundé central prison concerning the disciplinary sanction applied to a prison guard for gratuitous violence against a prisoner

Service note No. 17/S/PCY/SAF/BP of 10 February 1998 from the governor of Yaoundé central prison regarding a disciplinary sanction of 12 hours' confinement applied to a prison guard for abuse of authority and acts of violence against a prisoner

Service note No. 46/NS/REG/DCB of 7 June 1999 from the governor of Bafoussam central prison regarding a disciplinary sanction applied to a senior prison guard for ill-treatment of a prisoner

Precedents

Judgement No. 176/crim by Mfoundi regional court imposing sentences on three police officers of up to five years' imprisonment for torture

Judgement No. 195/crim of 26 June 1998 by Mfoundi regional court sentencing two high-ranking police officers to 10 and 6 years' imprisonment respectively for torture

Judgement No. 69/2000 of 21 September 2000 by Bafoussam military court in *Public Prosecutor and T... J... v. K... R...* (on the inadmissibility of statements obtained by torture)

Judgement No. 31/00 of 27 April 2000 by Douala military court (conviction for torture of two non-commissioned officers in the army for causing K... J... 25 days' absence from work for incapacity and granting the victim compensation for moral injury)

Judgement No. 18/crim/2001/2002 of 27 February 2002 by Haut-Nkam regional court convicting two police officers, including a superintendent, to five years' imprisonment for torture, on the basis of events in September 1999

Interlocutory decision No. 90 of 5 February 1997 by the Littoral court of appeal ordering a defendant brought before the court chained hand and foot to be immediately unchained

Decision No. 337/cor of 21 February 1997 by the Centre court of appeal refusing extradition of eight Rwandans owing to the risk of torture in Rwanda



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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COMMITTEE AGAINST TORTURE

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Third periodic reports of States parties due in 1996

Addendum

CAMEROON*

[19 December 2002]

* The information submitted by Cameroon in accordance with the consolidated guidelines for the initial part of the reports of States parties is contained in document HRI/CORE/1/Add.109.

For the initial report of Cameroon, see CAT/C/5/Add.16; for its consideration see CAT/C/SR.34 and 35 and *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 44* (A/45/44), paras. 251-279.

A supplementary report (CAT/C/5/Add.26) was submitted on 25 April 1991 and considered on 20 November 1991 (CAT/C/SR.101 and 102, and *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 44* (A/47/44), paras. 244-284).

For the second periodic report, see CAT/C/17/Add.22; for its consideration, see CAT/C/SR.448, 451 and 454 and *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 44* (A/56/44), paras. 60-66.

The annexes to the present report may be consulted in the files of the secretariat.

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Introduction

1. On 19 December 1986 Cameroon acceded, without any reservations, to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “the Convention”), adopted by the General Assembly of the United Nations on 10 December 1984. The Convention entered into force for Cameroon on 26 June 1987.
2. Under article 19, paragraph 1, of the Convention, States parties are required to submit to the Committee against Torture reports on the measures they have taken to give effect to their undertakings under the Convention, within one year after the entry into force of the Convention. Thereafter, States parties submit supplementary reports every four years on any new measures taken and such other reports as the Committee may request.
3. Cameroon’s initial report, submitted on 15 February 1989 (CAT/C/5/Add.16), was considered by the Committee on 20 November 1989 (CAT/C/SR.34 and 35). Following its consideration, the Committee requested the Cameroonian Government to submit a supplementary report, which was sent to the Committee on 25 April 1991 (CAT/C/5/Add.26) and considered on 20 November 1991 (CAT/C/SR.101 and 102).
4. The information due to be submitted to the Committee in 1992 and 1996, in accordance with Cameroon’s quadrennial treaty obligation, was provided in Cameroon’s consolidated second periodic report, covering the period from 1988 to 1996 (CAT/C/17/Add.22).
5. On 12 October 2000 Cameroon declared its recognition of the competence of the Committee against Torture under articles 21 and 22 of the Convention. On 24 October 2000 the Secretary-General of the United Nations, in his capacity as depositary, notified the States and organizations concerned of this declaration by Cameroon.
6. The Committee considered Cameroon’s second periodic report at its 448th, 451st and 454th meetings, held on 20, 21 and 23 November 2000 (CAT/C/SR.448, 451 and 454), and adopted its concluding observations on 6 December 2000 (A/56/44, paras. 60-66).
7. In accordance with the general guidelines adopted by the Committee at its sixth session on 30 April 1991, the present third periodic report, which covers the period from 1996 to 2000, is divided into three parts. Part one presents the general legal framework for the prohibition of torture in Cameroon. Part two contains information on new measures and new developments relating to implementation of the Convention. Part three contains additional information and replies to the Committee’s observations and to the questions raised during consideration of the supplementary report in November 2000.

PART ONE: LEGAL FRAMEWORK

8. Between 1990 and 2000, Cameroon’s socio-political and legal environment underwent a process of extensive liberalization. During the period 1996-2000, the implementation of the Convention was fostered by the Government’s determination to endow Cameroon with the most liberal and republican laws possible and to establish the sustainable rule of law and democratic pluralism, accompanied by institutional and other checks and balances and the emergence of civil society. On 19 December 1990 the President of the Republic promulgated a series of laws

that had just been adopted by the National Assembly during a parliamentary session known as the “session of freedoms”. Most of the laws that violated human rights and fundamental freedoms were either repealed or amended.

9. It was in this context of political liberalization that multiparty elections were held. Cameroon was a de facto one-party State from 1966 to 1990, when Act No. 90/56 of 19 December 1990 on political parties was promulgated, providing for the establishment of a genuine multiparty system. Five elections have been held since the change:

(a) In 1992, 5 political parties took part in the presidential election and 32 in the legislative elections;

(b) In 1996, 36 political parties took part in municipal elections: town councillors from 15 parties were elected and many town halls were taken over by opposition parties;

(c) In 1997, 9 political parties each fielded a candidate in the presidential election and 44 political parties took part in the legislative elections. The 1997-2002 legislature consisted of deputies from seven political groupings.

10. Among the institutional innovations engendered by the liberalization process was the creation, on 8 November 1990, of the National Committee on Human Rights and Freedoms. This body, which has legal personality and enjoys financial autonomy, has made the prohibition of torture and other ill-treatment a major focus of its endeavours. Its work is supplemented by several private charities and non-governmental organizations (NGOs) concerned with the defence of human rights. These NGOs are governed by Act No. 99/014 of 22 December 1999.

11. In 1996 a decisive turning point was reached in the consolidation of the rule of law. The Constitution adopted by referendum on 20 May 1972 was amended by Act No. 96/06 of 18 January 1996. The major elements of this constitutional amendment were the incorporation of human rights into constitutional law, the creation of a judicial system independent of the legislature and the executive, and administrative decentralization.

12. Under article 37 of the Constitution, justice is administered in the Republic in the name of the Cameroonian people. Judicial power is held by the Supreme Court, the courts of appeal and the ordinary courts.

13. Under article 38, the Supreme Court is the highest court in the State with competence for judicial, administrative and auditing matters. It comprises a judicial division, an administrative division and an audit division:

(a) The judicial division (art. 39) issues final rulings on appeals upheld by law against final judgements handed down by courts and tribunals of the judicial system;

(b) The administrative division (art. 40) examines all administrative disputes involving the State and other public authorities. It examines appeals arising from disputes over regional and municipal elections;

(c) The audit division (art. 41) is competent to audit and issue final rulings on public accounts and those of public and semi-public enterprises.

14. Each of the Supreme Court's three divisions issues final rulings on final judgements handed down by the competent lower courts and considers any other disputes or matters expressly devolving upon it by law. The newly restructured administrative court will include the new administrative division of the Supreme Court, as an appeals body, as well as the administrative tribunals due to be established throughout the country, in a reversal of the previous situation where there was only one administrative court, namely the Supreme Court at Yaoundé.

15. The amended Constitution of 1996 established the Constitutional Council, which has competence for constitutional matters. This is the regulatory body responsible for overseeing the running of institutions. The Council delivers final rulings on:

The constitutionality of laws, treaties and international agreements;

The constitutionality of rules of procedure of the National Assembly and the Senate prior to their implementation;

Conflict of authority between State institutions, the State and the regions, and between the regions themselves.

16. Prior to their enactment, laws, treaties and international agreements may be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one third of the members of the National Assembly, one third of the members of the Senate, or the presidents of the regional executives.

17. The Constitutional Council ensures the regularity of presidential elections, parliamentary elections and referendums. It also proclaims the results thereof.

18. The constitutional functions of the Supreme Court have thus been largely revamped and passed on to the Constitutional Council. For example, judicial monitoring (direct or collateral challenge) of the constitutionality of laws, which used to be very limited, has been opened up and completely overhauled.

19. However, pending the full functioning of this body, the Supreme Court continues to carry out its duties.

20. There is also the Parliamentary Court of Justice, which has been given broader personal jurisdiction. It is competent to adjudicate acts carried out in the course of their duties by:

The President of the Republic, in cases of high treason;

The Prime Minister, other members of the Government and other top government officials to whom power has been delegated, in cases involving conspiracy against State security.

21. With regard to the administrative system, the Constitution established 10 regions to replace the 10 provinces that had existed since 1984 and were nothing more than decentralized administrative districts. Unlike its 1972 predecessor, the Constitution devotes all of its part X to the decentralized authorities of the Republic, namely the regions and communes. These are

bodies corporate under public law, enjoy administrative and financial autonomy in the running of regional and local affairs and are independently managed by the regional councils. The councils have responsibility for promoting the development of these authorities in the economic, social, health, educational, cultural and sporting domains and are overseen by the State.

22. Cameroon is a decentralized, unitary, democratic State with a semi-presidential system characterized by the separation of the executive, legislature and judiciary. The Parliament, which, under the 1972 Constitution, consisted of a single chamber, the National Assembly, is now a bicameral institution including a second chamber, the Senate.

23. In the fight against torture, two laws of 10 January 1997 deserve particular mention:

(a) Act No. 97/009, which amended and supplemented certain provisions of the Criminal Code and introduced article 132 bis, entitled “Torture” into the chapter on offences committed by public officials in the discharge of their functions. This new article, which reproduces, *mutatis mutandis*, the definition of torture contained in the Convention, also prescribes the penalties to be imposed on persons who perpetrate acts of torture. It furthermore recalls the absolute nature of the right of every person to be protected against torture and excludes any derogation from the prohibition of torture;

(b) Act No. 97/010 amending certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964, satisfies the requirements of article 3 of the Convention prohibiting the expulsion, return (*refoulement*) or extradition of persons to receiving States where they would be in danger of being subjected to torture.

24. The dissemination of human rights with a view to their effective realization is being facilitated by the media in the context of the liberalization of the media environment in Cameroon. In order to reconcile the requirements of legal prosecutions with guarantees of freedom of expression, the crime of opinion has been abolished. Under Act No. 90/092 of 19 December 1990 on freedom of public information, the maximum penalty for any breach of its provisions is a fine.

25. On 3 April 2000 the Prime Minister, as the Head of Government, signed Decree No. 2000/158, which stipulates the conditions and procedures for the establishment and operation of private enterprises in the audio-visual communications sector.

26. The transformation of Cameroon’s socio-political and legal environment with a view to promoting human rights and strengthening the rule of law was a challenge that the Cameroonian authorities took up without any reservation. Indeed, since 1999, the Government has been engaged, in coordination with the competent international institutions, in a national programme of good governance, which puts the emphasis on the fight against corruption, on transparency and on greater participation by citizens in the management of public affairs. The basic philosophy of this programme is the promotion of human dignity.

27. The fight against torture and other ill-treatment is certainly one of the central focuses of these liberal reforms. This liberal environment brings into sharper focus both the development of the judicial and democratic culture of the people and the implementation of the Convention to which Cameroon committed itself 15 years ago.

28. The Cameroonian Constitution of 1972 ensured harmonization between international commitments and domestic legislation. The Constitution of 1996 clarifies that relationship still further. Article 45 of the Constitution stipulates: “International treaties or agreements which have been ratified take precedence, as soon as they have been published, over national law, provided that each such agreement or treaty is implemented by the other party.” Leaving aside the rule of reciprocity, the same can be said of treaties or agreements concerned with the protection of human rights, including, in particular, the Convention.

29. In this light, the Convention takes precedence over domestic law. Its provisions may be directly invoked before the national judicial and administrative authorities, which may directly apply them without needing to make provision for them through the adoption of a domestic law.

30. One of the major innovations brought about by the 1996 constitutional reform was the greater recognition given to human rights. The preamble to the Constitution, which was improved and developed, takes even fuller account of the democratic aspirations of the Cameroonian people and specifies some new rights.

31. Having declared that the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights, the people of Cameroon affirm their attachment to the fundamental freedoms enshrined not only in the Universal Declaration of Human Rights and the Charter of the United Nations, but also in the African Charter on Human and Peoples’ Rights and all duly ratified international conventions pertaining thereto.

32. Apart from addition of the reference to the African Charter on Human and Peoples’ Rights and duly ratified international human rights conventions, the preamble of the Constitution includes some new principles for the protection of rights. It states, inter alia, that everyone has the right to life and to physical and moral integrity; that everyone should be treated with humanity in all circumstances; and that under no circumstances should a person be subjected to torture or to cruel, inhuman or degrading treatment or punishment. It also states that everyone charged with an offence has the right to be presumed innocent until proved guilty according to law in a trial conducted in strict compliance with due process of law.

33. One of the new rights specified in article 1 of the Constitution refers to the virtues of tradition as follows: “The Republic of Cameroon is a secular, democratic and socially committed State. It recognizes and protects traditional values that are consistent with democratic principles, human rights and the law.”

34. This declaration of principle on the protection of human rights makes a positive contribution to the existing body of rules designed to protect physical and moral integrity, inspired by the principle that “no one may be subjected to prosecution, arrest or detention except in the cases and in accordance with the procedures determined by law”.

35. The 1996 Constitution also has the merit of having dispelled the uncertainty over the value attached to human rights in the preamble to the 1972 Constitution. Article 65 of the Constitution clearly states: “The preamble shall be an integral part of the Constitution”. This incorporation of the preamble into the body of the Constitution gives constitutional value and thus unquestionable binding force to the rights proclaimed therein.

36. The precise definition of the meaning of the right to physical and moral integrity, particularly the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, as formulated in the preamble to the revised Constitution, makes it possible for this right to be subjected to constitutional monitoring and for violations to be prosecuted by the judge of a constitutional, administrative or ordinary court.

37. Finally, by proclaiming certain rights with reference to relevant duly ratified conventions, the revised Constitution, article 45 of which gives legal precedence to such conventions, makes them an integral part of its preamble and thereby endows them with constitutional force which the constitutional courts are required to guarantee.

38. Hence, the Convention benefits from this interpretation in Cameroonian law, with regard to its position in the normative hierarchy.

39. In any event, the 1996 Constitution, in terms of both the content of the newly enunciated rights and the constitutional value of the preamble, represents a highly significant advance in terms of building a liberal State under the rule of law. These changes are all the more fundamental and inviolable as no procedure for amendment of the Constitution can be accepted if it affects the republican form and democratic principles which govern the Republic (art. 64).

40. A unique feature of the Cameroonian legal system is its legislative and judicial pluralism. Traditional or customary law coexists with two legal systems of English and French origin, common law and civil law. The French and English laws applicable to Cameroon during the colonial period are, in some respects, viewed as an integral part of Cameroonian legislation.

41. This is why, after the transition from the federal State instituted on 1 October 1961 to the unitary State provided for in the Constitution of 2 June 1972, the constitutional rule has been that legislative provisions arising from the laws and regulations applicable in the federal State of Cameroon and in the federated States on the date on which this Constitution came into force remain in effect where they do not contravene the terms of the Constitution provided that such provisions have not been amended by legislation or regulation.

42. The solutions employed in resolving incompatibility of norms rely on this juridical pluralism by giving precedence in general to the application of those rules that are most protective of human rights.

43. The decision of Bamenda regional court (High Court of Mezam Judicial Division), judgement No. HCB/19 CRM/921 of 23 December 1992 in *Nyo Wakai and 172 others v. the State of Cameroon*, may be cited by way of illustration. The administrative authorities responsible for maintaining order had proceeded to arrest individuals suspected of having instigated or participated in the destruction of property and other crimes during demonstrations as a result of the declaration of a state of emergency in Nord-Ouest province in October 1992.

44. The court, considering the application by a group of defence lawyers for the release on bail of the individuals on the ground that their arrest and detention were unlawful, rejected the argument advanced by the representative of the State that an ordinary court was not competent to determine the legality of action taken by the authorities, under Act No. 90/47 of 19 December 1990 on states of emergency, to maintain order at a time of exceptional

circumstances. It declared itself competent on the ground that the action by the Administration had led to such a blatant violation of fundamental human rights that it constituted an administrative act so fraught with irregularity that it was deprived of its administrative character, and thus came within the competence of the ordinary courts. As a result the court ordered the conditional release, without bail, of certain detainees, and the immediate and unconditional release of other detainees, without prejudice to possible proceedings for any offences they might have committed.

45. Contrary to what might be expected, the Bamenda High Court judge did not rely on English criminal law rules (rule of freedom from arrest), specifically a writ of habeas corpus, of legendary efficacy in protecting human rights in general and individual liberty in particular. Instead he applied the complex concept of administrative irregularity (*voie de fait*), based in French law, to assert the court's competence ipso jure by finding a situation of flagrant administrative irregularity and ordering appropriate measures to end it. Such measures include the freedom to award pecuniary compensation as damages, grant injunctions and order restitution by appropriate means, such as financial penalties.

46. Lastly, it should be noted that the Convention forms part of a significant network of international commitments undertaken by Cameroon for the protection of human rights. In addition to the Charter of the United Nations and the Universal Declaration of Human Rights, these include:

(a) The International Convention for the Suppression of the Traffic in Women of Full Age of 11 October 1933 (succession on 27 October 1961);

(b) The International Agreement for the Suppression of the White Slave Traffic, amended on 4 May 1949 (succession on 3 November 1961);

(c) The Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery of 7 September 1956;

(d) The International Labour Organization (ILO) Convention (No. 29) concerning Forced or Compulsory Labour, 1930 (signed on 7 June 1960);

(e) The ILO Convention (No. 105) concerning the Abolition of Forced Labour, 1957 (signed on 13 September 1962);

(f) The ILO Convention (No. 87) concerning Freedom of Association and Protection of the Right to Organize, 1948 (signed on 7 June 1960);

(g) The ILO Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, 1951 (ratified on 15 May 1970);

(h) The ILO Convention (No. 111) concerning Discrimination in Respect of Employment and Occupation, 1958 (ratified on 15 May 1988);

(i) The Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (accession on 19 February 1982);

- (j) The Convention relating to the Status of Refugees (signed by State succession on 23 June 1961);
- (k) The Protocol relating to the Status of Refugees (accession on 19 September 1967);
- (l) The International Convention on the Elimination of All Forms of Racial Discrimination (ratified on 24 June 1971);
- (m) The International Covenant on Economic, Social and Cultural Rights (accession on 27 June 1984);
- (n) The Optional Protocol to the International Covenant on Civil and Political Rights (accession on 27 June 1984);
- (o) The Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity (accession on 6 October 1972);
- (p) The International Convention on the Suppression and Punishment of the Crime of Apartheid (accession on 1 November 1976);
- (q) The Convention on the Elimination of All Forms of Discrimination against Women (ratified on 23 August 1994);
- (r) The Convention on the Rights of the Child (signed on 27 September 1990 and ratified on 11 January 1993);
- (s) The Convention governing the Specific Aspects of Refugee Problems in Africa (ratified in 1985);
- (t) The African Charter on Human and Peoples' Rights of 27 June 1981 (ratified on 21 October 1986); and
- (u) The African Charter on the Rights and Welfare of the Child (ratified on 5 September 1997).

**PART TWO: INFORMATION ON NEW MEASURES AND
NEW DEVELOPMENTS RELATING TO THE
IMPLEMENTATION OF THE CONVENTION
(arts. 1-16)**

Article 1

47. Act No. 97/009 of 10 January 1997 amending and supplementing certain provisions of the Criminal Code incorporated in the Code an article 132 bis, entitled "Torture".

48. Under paragraphs 5 (a) and (b) of the article, the word "torture" means "any act by which severe pain or suffering, whether physical, mental or psychological, is intentionally inflicted on a person by or at the instigation of or with the consent or acquiescence of a public official or other

person acting in an official capacity, for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind. [...] The word 'torture' thus defined does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions".

49. The origin of this text in the relevant provision of the Convention is clear and testifies to the wish of the State of Cameroon to comply with the Convention.

Article 2

Paragraph 1

50. Cameroon's previous reports have included a collection of legislative, administrative and legal provisions and other measures taken up to 1996 to combat torture and other ill-treatment.

51. As indicated earlier, the Constitution of 2 June 1972, as amended by Act No. 96/06 of 18 January 1996, stipulates, *inter alia*, that:

- (a) No one may be compelled to do what the law does not prescribe;
- (b) No one may be subjected to prosecution, arrest or detention except in the cases and in accordance with the procedures determined by law;
- (c) The law shall ensure the right of every person to a fair hearing before the courts;
- (d) Every accused person is presumed innocent until proved guilty in a trial conducted in strict compliance with due process of law;
- (e) Everyone has the right to life and to physical and mental integrity and must be treated humanely in all circumstances. No one may on any account be subjected to torture or cruel, inhuman or degrading treatment or punishment.

52. This incorporation into the Constitution of the prohibition of torture and other ill-treatment portends a new era with the adoption of a series of legislative and regulatory instruments and other measures as part of a State criminal policy to protect the physical and psychological integrity of individuals in general and to eliminate torture in particular.

Legislative measures

53. As stated in the second periodic report (CAT/C/17/Add.22, para. 50), the political will of Cameroon to give effect to the Convention has now taken the form of classifying torture as an offence. Since 1997 a series of laws adopted by the National Assembly has been promulgated by the President of the Republic.

Act No. 97/009 of 10 January 1997 amending and supplementing certain provisions of the Criminal Code

54. As stated above, this Act inserts in the Criminal Code a new article 132 in the chapter on offences committed by public officials in the performance of their duties. Briefly, the article defines torture, sets forth penalties of varying degrees of severity punishing acts of torture, and excludes any justification for torture.

Act No. 97/010 of 10 January 1997 amending certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964

55. The Act incorporates in the Cameroonian regulations on extradition the essential provisions of articles 3 and 6 of the Convention, and represents a major innovation in the punishment of torture as an international crime.

Act No. 97/012 of 10 January 1997 establishing the conditions governing entry to, residence in and departure from Cameroon by aliens

56. The Act abrogates its predecessor, Act No. 90/043 of 19 December 1990, in particular its provisions relating to aliens. It contains no specific prohibition of torture or other ill-treatment. However, the Act incorporates, better than the earlier Act of December 1990, a number of liberal guarantees.

57. With regard to the regulations governing deportation of an alien who has contravened the regulations on residence, the provisions on refoulement, deportation, expulsion, etc., give no latitude at all to border police officers to inflict ill-treatment on the person concerned. Neither does it allow other authorities the right to do so, in contravention of article 3 of the Convention; moreover, the protection of aliens against administrative policing measures is ensured.

58. Thus, under article 35, an alien must be notified of any deportation measure. Upon notification, the alien in question may immediately alert counsel or another person of his choice or, where appropriate, the relevant diplomatic or consular authorities. Under article 36, an alien who is the subject of a deportation measure may, in the 48 hours following notification, request its cancellation before the competent administrative court, notwithstanding the rules governing prior administrative appeals. He may be assisted by counsel or request the judge presiding over the administrative court hearing the case to appoint counsel. Article 37 states that the administrative court must rule within eight days of the case being brought before it. Should the deportation measure be cancelled, the alien may, subject to regularization of his status, be authorized to remain in the country. The judgement thus delivered is subject to appeal in the forms prescribed by law. The appeal has no suspensory effect; costs are met by the State. Lastly, article 38 provides that deportation may not be executed before expiry of the period of 48 hours following notification or before the court seized of the matter has made a ruling.

59. Presidential Decree No. 2000/286 of 12 October 2000 clarifies the procedures for the application of Act No. 97/012 of 10 January 1997. The Decree consolidates the guarantees of the rights of aliens in the context of deportation from the country.

Regulation No. 97/01 of 4 April 1997 amending articles 3 and 4 of Act No. 92/008 of 14 August 1992 establishing certain provisions governing execution of judicial decisions

60. The regulation authorizes the court hearing the case, where a decision is rendered in adversarial proceedings or is considered as such, to order provisional execution, notwithstanding any appeal, in particular in matters of compensation for injury resulting from assault causing bodily harm for reasonable costs and expenses for emergency care, limited, where appropriate, to transport or transfer costs, and the costs of medication, medical care and hospitalization.

61. These provisions apply to civil judgements delivered by a criminal court, and thus apply to torture victims who are civil parties in criminal proceedings against perpetrators of acts of torture.

Act No. 97/002 of 10 January 1997 on protection of the “Red Cross” name and emblem

62. This Act regulates use and protection of the “Red Cross” name and emblem, without prejudice to the relevant provisions of the international humanitarian law conventions duly ratified by the Republic of Cameroon, including the Geneva Conventions of 12 August 1949 and Additional Protocols I and II of 8 June 1977. From this the Cameroonian Red Cross has the exclusive right to display the Red Cross emblem and use the name “Red Cross” throughout the country.

63. On 31 March 1999 Cameroon signed an agreement with the International Committee of the Red Cross (ICRC) on the ICRC regional headquarters office at Yaoundé. This headquarters agreement reflects the desire expressed by ICRC to establish a regional office at Yaoundé to discharge its functions under the mandates entrusted to it pursuant to the 1949 Geneva Conventions and 1977 Additional Protocols to which the State of Cameroon is party, and the statutes of the International Red Cross and Red Crescent Movement. Under the headquarters agreement the Cameroonian Government accords the ICRC regional office privileges and immunities similar to those accorded international organizations and grants it, in a number of areas, treatment as favourable as that granted such organizations (see below, developments relating to article 11 of the Convention).

64. In addition, on 18 June 1999 Cameroon signed a similar agreement with the International Federation of Red Cross and Red Crescent Societies on the status of the regional office for Central Africa in Cameroon. The agreement provides for a range of facilities relating to the Federation’s operations, with the general aim of promoting, encouraging, facilitating and advancing at all times and in all ways the humanitarian work of national societies with a view to preventing and alleviating human suffering and thereby contributing to the maintenance and promotion of peace in the world.

65. Further, it should be noted that after having played an active part in the United Nations Diplomatic Conference of Plenipotentiaries on the Establishment of an International Criminal Court, held in Rome from 15 June to 17 July 1998, Cameroon signed the text containing the statute of the Court on 17 July 1998, the day of its adoption. The Rome Statute of the International Criminal Court makes torture and other ill-treatment crimes against humanity (art. 7, paras. 1 (f), (g) and (k)) and war crimes (art. 8, paras. 2 (a) (ii) and (iii)).

66. To prepare for ratification, the President of the Republic of Cameroon created, by Decree No. 2000/343 of 4 December 2000, the Ad Hoc Technical Committee for Implementation of the Rome Statute of the International Criminal Court. The Committee was responsible, inter alia, for studying the implications for Cameroonian domestic law of ratification of the statute of the Court. The Committee comprised:

Members of the Cameroonian delegation to the Preparatory Commission for the International Criminal Court;

University professors and English- and French-speaking judges, representing the two modern branches of the Cameroonian legal system;

Diplomats.

67. The work of this technical committee, which took place outside the reporting period, will be dealt with subsequently.

Regulatory and administrative measures

68. Decree No. 97/205 of 7 December 1997 on organization of the Government distributes the various offices for the promotion and protection of human rights among a number of ministerial departments.

69. The Ministry of Territorial Administration is responsible, inter alia, for prison administration, civil protection, oversight of not-for-profit associations and religions. It contains a public liberties unit.

70. The Ministry of Social Affairs is responsible for the social protection of the individual and protection of the family, in particular prevention and treatment of juvenile delinquency or social maladjustment, and facilitation of social reintegration.

71. The Ministry on the Status of Women is responsible for education and for implementation of measures relating to the rights of Cameroonian women in society, the ending of all discrimination against women, and increased guarantees of equality in the political, economic, social and cultural fields.

72. The Ministry of Employment, Labour and Social Security is responsible for supervising implementation of the Labour Code and international conventions relating to employment ratified by Cameroon.

73. The Ministry of Justice is responsible for the preparation of regulations governing the professional status of judges and clerks of the court, organization of the judiciary, status of individuals and property, and general and special criminal law.

74. The Ministry of Defence, the Ministry of Education, the Ministry of Foreign Affairs, the Ministry of Public Health and other ministerial departments together with the Department of National Security have been given specific, complementary responsibilities in this regard.

(a) Territorial administration

75. The Deputy Prime Minister responsible for territorial administration, on 13 November 1997, issued circular No. 02306/CAB/VPM-80 specifying measures governing administrative detention. The intention was to protect the freedom of individual citizens against arbitrary acts by the administrative authorities, in order to make good certain omissions in Act No. 90/054 of 19 December 1990 on the maintenance of order. This act empowers administrative authorities, in particular the Minister for Territorial Administration, governors and prefects, to order detention for renewable periods of 15 days in the context of measures to combat highway robbery. The circular of 13 November 1997 seeks to avoid an inappropriate interpretation of administrative detention that would distort its purpose. In the terms of the circular:

Administrative detention can be ordered only in the context of efforts to counter highway robbery, with the aim of maintaining or restoring public order;

Provincial governors and prefects are the only administrative authorities competent to order such a measure, and, where necessary, to renew it one time only;

Those in administrative detention must be held in appropriate facilities under the authority of the national security services, the gendarmerie or the prison administration.

76. The lawfulness of form and content is monitored. Any order for administrative detention must comply with the general rules governing unilateral administrative actions. The Minister for Territorial Administration and provincial governors exercise administrative oversight in this matter. Supervision by the courts is also possible.

77. The circular brings the regulations on administrative detention closer to those governing judicial detention under article 9 of the Code of Criminal Investigation, which provides that only officers in the criminal investigation police and not constables may order detention.

78. It should be recalled that this measure to restrict individual freedom can give rise to an action for immediate release based on (new) article 16 of Regulation No. 72/4 of 26 August 1972 on the organization of the judiciary, which provides that the regional court is competent “to hear petitions for immediate release submitted by, or on behalf of, a prisoner or detainee when the said petitions are based on an alleged procedural flaw or the lack of a detention order”.

(b) Prison administration

79. Presidential Decree No. 97/205 of 7 December 1997 on organization of the Government created within the Ministry of Territorial Administration two posts of Secretary of State, for local authorities and prison administration, respectively.

80. Presidential Decree No. 97/207 of 7 December 1997 on formation of the Government filled the post of Secretary of State for Prison Administration.

81. These two acts by the Head of State form part of the implementation of Decree No. 95/232 of 6 November 1995 on the organization of the Ministry of Territorial Administration, which established a prison health-care office under the Department of Prison Administration.
82. A concern to humanize living conditions for inmates of Cameroonian prisons underlies prison administration policy, which has taken the form of a considerable number of initiatives to promote human resources, institutional and infrastructure development.
83. It should be recalled that order No. 89/003/MINSCOF of 2 April 1989 had already created posts for social workers at prisons, police stations, universities, high schools, hospitals and medical and social centres, and that ministerial instruction No. 93/000723/MINASCOF/SG of 1 April 1993 determined the functions attaching to the post of senior social worker in prisons.
84. To remedy overcrowding, under order No. 00028/MINAT of 9 May 2000 three new prisons have been constructed: the main prisons at Kumbo, department of Bui; Ndop, department of Ngoketunjia; and Nkambé, department of Donga Mantung. The bringing on-stream of these three prisons will reduce crowding at Bamenda central prison.
85. Also with a view to reducing overcrowding in existing prisons, studies are under way for the construction of new prisons in the towns of Yaoundé, Douala and Kaélé. Government notice No. 000987/C/MINAT/DAG of 21 November 2000 invites bids from companies for the project.
86. With regard to renewal of infrastructure, it should be noted that 28 prisons have been renovated in three years, involving expenditure in the amount of CFAF 449,770,761 (€685,761) over the financial years 1997/1998, 1998/1999 and 1999/2000 for, respectively, 5, 12 and 11 renovated prisons. In reality most Cameroonian prisons are dilapidated. Estimates for their renovation amount to CFAF 1.7 billion (€2,591,633). An annual provision of CFAF 500 million (€762,245) per prison to be built is needed to resolve the problem of prison overcrowding.
87. A number of measures have been taken to preserve the health of prisoners of which two should be highlighted:
- The creation, in the prison health-care office, of a petty cash fund for the purchase of medicines for prisoners;
- Recruitment and posting of eight chief prison medical officers, who cannot only assume responsibility for the central prison in each provincial administrative centre, but also inspect other prisons within the province.
88. Thus the efforts under way to modernize prison administration are continuing notwithstanding the lack of financial resources available to the State. At the same time increased vigilance is required to ensure compliance by prison administration officials with the disciplinary system, which is enforced by criminal sanctions.

89. Pursuant to Decree No. 92/052 of 27 March 1992 on regulation of the prison system, which was largely based on the Standard Minimum Rules for the Treatment of Prisoners, to Decree No. 92/054 of 27 March 1992 on the special status of prison administration officials, and in particular to order No. 080 of 16 May 1983 of the Ministry of Territorial Administration on the disciplinary system for prison administration officials, sanctions are routinely imposed on all prison personnel guilty of torture or any other ill-treatment of inmates. Such sanctions range from confinement to quarters to delayed promotion, without prejudice to any criminal prosecution. In the absence of any generally available statistics, a few cases may be cited by way of illustration:

Senior prison guard T..., at Bafoussam central prison: disciplinary sanction of 72 hours' confinement for ill-treatment of a prisoner (service note No. 27/NS/REG/PC/BFM of 5 September 1999 from the prison governor);

Prison guard F..., at Bafoussam central prison: disciplinary sanction of three days in a punishment cell for abuse of an inmate (service note No. 46/NS/REG/DCB of 7 June 1999 from the prison governor);

Prison guard Major M...O...L..., at Yaoundé central prison: disciplinary sanction of three days in a punishment cell for gratuitous violence against prisoner T...A... (service note No. 38/S/PCY/SAF/BP of 22 April 1997 from the prison governor);

Prison guard A...B..., at Yaoundé central prison: disciplinary sanction of 12 hours' confinement for abuse of authority and acts of violence against a prisoner (service note No. 17/S/PCY/SAF/BP of 10 February 1998 from the prison governor).

(c) Police

90. The attention of police personnel is constantly drawn to violations of human rights and freedoms.

91. In an address delivered on 4 August 2000 at the National Police College graduation ceremony, the Minister for National Security reminded police officers that "respect for the legal traditions of the Republic, individual freedoms and human rights must remain at all times at the centre of their concerns".

92. Further, in connection with the Convention, Decree No. 2002/003 of 4 January 2002 on the organization of the Department of National Security, in its article 103, creates within units of the security police the post of superintendent, one of whose principal functions is to ensure the safety of persons held in police custody.

93. Senior police officials constantly remind officers responsible for persons held in custody of the following regulations:

(a) Only superintendents and other senior police officers are empowered to decide on cases of police custody under the continuous oversight of the Attorney-General;

(b) Every morning, the officers in charge of police stations must check on persons held in police custody in order to identify, in time, any sick persons, who must be immediately taken to hospital for appropriate medical care;

(c) The police custody registers are to be inspected every day by the same officers-in-charge, who must verify the actual presence, in good health, of the detainees;

(d) Any inhuman or degrading treatment of citizens at police stations must be prohibited as a working method. This applies to:

(i) Use of a baton or a whip as a means to extract confessions;

(ii) Improper use of aerosols and service weapons.

94. In general, scrupulous respect for individual rights and freedoms while, at the same time, taking account of the need to safeguard public order, should be regarded as the cardinal rule of conduct for police officers.

95. Police units maintain a police custody register in which the following information is entered:

(a) The reason for the police custody;

(b) The date and time;

(c) The individual's overall appearance at the time when he is taken into custody;

(d) His condition at the time of his departure (transfer or release);

(e) Other details concerning property found in his possession.

96. Further, criminal investigation officers are constantly reminded to strictly observe the limits on the length of detention in police custody. In order to verify the effectiveness of these measures, senior officers regularly monitor police units.

97. In addition to this internal monitoring, the judicial authorities also have a responsibility to monitor the regulations, instructions, interrogation methods and practices and the provisions concerning the police custody and treatment of persons held for questioning and, to that end, the Attorney-General visits the cells of police stations, usually without prior notice, and systematically releases any person held in custody without legal justification.

98. It is useful to cite, at this stage, circular No. 00466/DBSN/CAB of 6 April 2001 addressed by the Minister for National Security to all national security officials at the central and regional levels on improvement of conditions of police custody. This circular, widely covered in the media, will be analysed in detail in the next periodic report. It again prohibits police officers

from all acts against the dignity of persons in custody, whatever the reasons for such custody. In particular, it recalls certain prohibitions in the Convention, and prohibits individuals held in custody and police cells from being stripped of their clothing.

99. When these measures fail to prevent the commission of the acts specified and condemned in the Convention, the police officers responsible are subject to disciplinary and/or penal sanctions. The following tables recapitulate some of the disciplinary and penal sanctions imposed on police personnel convicted of acts of torture or other ill-treatment over the reporting period.

Table 1

Status of disciplinary proceedings in connection with human rights violations

Rank Acts punished	Police constables	Police inspectors	Police officers	Police superintendents	Total
Custody/ Unlawful detention	1	0	1	0	2
Abuse and threats with service weapons	2	6	2	0	10
Violence and trespass to the person/manslaughter	8	2	2	0	12
Improper removal of documents	1	0	0	0	1
Rape of minor in custody	2	0	0	0	2
Improper withholding of property	4	0	0	0	4
Negligence leading to death of prisoners in custody	0	1	0	1	2
Total	18	9	5	1	33

Table 2

Status of proceedings and judicial sanctions

Rank Penalties	Police constables	Police inspectors	Police officers	Police superintendents	Total
Imprisonment	9	3	0	1	12
Suspended sentences	1	0	0	0	1
Life imprisonment	1	0	0	0	1
Cases pending	22	3	0	2	27
Total	33	5	0	3	41

100. In order to improve physical conditions for those held in custody throughout the country, the Government has constructed more suitable cells and renovated those not up to the required standards. Sanitation, electricity and ventilation systems have been renovated; the principle of separating men, women and children has been scrupulously applied.

101. Thus there is no doubt that current conditions of custody in police stations, while not perfect, have undergone considerable improvement. It should be noted that contributions from certain friendly countries and multilateral partners have supported this ongoing effort by the Government to improve conditions for persons held for questioning.

102. At the same time, with the economic recovery, police units have been provided with mobile equipment and offices allowing inquiries to be speeded up so as to avoid lengthy periods of custody.

(d) *Gendarmerie*

103. In the terms of its constituent texts, the national gendarmerie is an elite military corps responsible for public security, law enforcement and compliance with the country's laws and regulations.

104. The international human rights conventions to which Cameroon is party form an integral part of the instruments with which the gendarmerie ensures compliance both on the part of citizens and the gendarmes themselves through their exemplary behaviour.

105. As noted in the previous periodic report, the terms of a dispatch dated 18 April 1996 from the Permanent Secretary of the Office of the President of the Republic to the Secretary of State for Defence, who is responsible for the gendarmerie, concerning "reprehensible conduct by the forces responsible for law enforcement", are constantly brought to the attention of members of the gendarmerie. The Permanent Secretary of the Office of the President prescribed "diligent action, without laxity, to deter offenders and make the population feel safe and to restore the requisite confidence between the public and the security forces".

106. Reminders from the senior command of the gendarmerie are regularly addressed to gendarmerie units reiterating the obligation to respect and protect human rights, and above all to combat torture and other ill-treatment; other measures are also taken.

107. Thus, on the occasion of the annual meeting of corps commanders and senior officers of the central services of the gendarmerie on 12 December 2000, the Minister of Defence delivered an address intended to raise awareness in particular of the importance of defending rights and freedoms, in which he emphasized that: "Domestically, respect for human rights, individual and societal freedoms, in short the rule of law, that gendarmes must assimilate as a fundamental plank of government policy, and the aspirations of the Cameroonian people itself for peace and increased freedom, impose on us new obligations which require in our corps changes in behaviour on the part of individuals and the gendarmerie itself. The vision of a citizens' gendarmerie, accessible to the people, must be our guide."

108. On the same day the Secretary of State for Defence with responsibility for the gendarmerie stated: "We must seek to improve the effectiveness of the gendarmerie in this time of globalization and democracy so that it remains what it has always been, namely an institution deeply imbued, in terms of organization and culture, with the will to ensure security and respect for human rights in all aspects of its duties."

109. The following tables show sanctions imposed on members of the gendarmerie for violations of human rights and fundamental freedoms; the tables relate to 1997, 1998 and 1999. The gendarmerie command has identified the following offences as human rights violations: physical violence, assault and battery, murders, arbitrary arrests and detention, abuse, trespass, attacks, threats involving a deadly weapon, stops constituting harassment.

Table 3

**Status of disciplinary or criminal proceedings against members of
the gendarmerie for human rights violations, 1997**

Reason	No. of complaints		Total disciplinary sanctions		Court proceedings
	Non-commissioned officers	Gendarmes	Custodial arrest (days)	Imprisonment (days)	
Stops/harassment	5	11	100	260	
Improper use of weapons	-	-	-	-	
Extortion of money	40	47	800	940	
Arbitrary arrest and detention	9	3	210	60	
Physical violence	5	32	125	620	
Threats with a deadly weapon	1	5	30	150	
Murder	-	-	-	-	
Trespass	1		20		-
Total	61	87	1 285	2 030	4 criminal convictions 7 before the courts

Table 4

**Status of disciplinary and criminal proceedings against members of
the gendarmerie for human rights violations, 1998**

Reason	No. of complaints		Total disciplinary sanctions		Criminal proceedings
	Non-commissioned officers	Gendarmes	Custodial arrest (days)	Imprisonment (days)	
Stops/harassment	6	15	120	350	
Improper use of weapons	1	1	45	45	1
Extortion of money	5	5	125	125	-
Arbitrary arrest and detention	2	1	40	20	
Physical violence	3	2	60	20	
Threats with a deadly weapon	2	2	50	50	2
Murder	1	1	60	60	1
Trespass	-	2	-	20	-
Total	20	29	500	690	4

Table 5
**Status of disciplinary and criminal proceedings against members of
the gendarmerie for human rights violations, 1999**

Reasons	No. of complaints		Total disciplinary sanctions		Criminal proceedings
	Non-commissioned officers	Gendarmes	Custodial arrest (days)	Imprisonment (days)	
Stops/harassment	1	7	20	220	7 before the courts
Improper use of weapons	6	4	170	110	1 conviction 6 before the courts
Extortion of money	15	5	370	120	-
Arbitrary arrest and detention	7		155		1 conviction 7 before the courts
Physical violence	13	4	315	110	1 conviction 6 before the courts
Threats with a deadly weapon	1		20		-
Murder	-	-	-	-	-
Trespass	4	2	90	20	5 before the courts
Total	47	21	1 140	580	

(e) System of justice

110. The Ministry of Justice has been reorganized by Decree No. 96/280 of 2 December 1996 and its work rationalized.

111. In order to strengthen the Inspectorate-General of the Judiciary and enhance its efficiency, certain provisions of Decree No. 96/280 were amended by Decree No. 2000/372 of 18 December 2000; this provides that the Inspectorate-General of the Judiciary, headed by an Inspector-General with the rank and privileges of ministerial permanent secretary, shall have responsibility for:

(a) Internal oversight and evaluation of the operation of the core services and courts, with the exception of court proceedings;

(b) Keeping the Minister and Permanent Secretary informed with regard to operational efficiency;

(c) Monitoring the implementation and periodic evaluation, in conjunction with the offices responsible for administrative reform, of organizational methods and administrative streamlining.

112. The operational capacity of the Inspectorate-General has been enhanced, partly by an increase in staffing and partly by the provision of material and financial resources enabling it to discharge regular duties and ad hoc tasks.

113. These structural changes reflect the Government's desire to restore the institution and independence of the judiciary, in line with the provisions of article 37, paragraph 2, of the Constitution, which stipulates that "judges shall, in the discharge of their duties, be governed only by the law and their conscience".

114. If the independence of the judiciary, as established by the Constitution, is not to be a mere façade in practice, then judges themselves, in the exercise of their judicial duties, have a certain responsibility to restore the full value of the concept. In a message to public prosecutors at a meeting of heads of court in 1996, the Minister of Justice called for a complete change of mentality on the part of judges:

"It has long been the custom for you to meet the Minister of Justice and senior Ministry officials for an annual discussion of problems that have particularly occupied our staff during the past 12 months. It was by no means easy to find a subject for my opening address as Minister of Justice, and in the end I looked to current affairs, notably the recently completed work of the National Assembly, including the consideration and adoption of a new Constitution.

"I felt it was important to discuss with you the new development represented by the elevation of judicial authority into judicial power and the benefits all sectors of society hope this will bring, through your efforts. All those involved in judicial affairs must adapt to the limits of this judicial power, now that it is finally in place.

"This change will only bring about an independent judiciary, however, if those responsible for the administration of justice wholeheartedly subscribe to the idea underlying this third branch of State power. Let there be an end to the stifling culture of procrastination that so often inhibits action even when it is blindingly obvious from the evidence that action is necessary. There is no place in the judiciary for those who refuse to shoulder responsibility, and to shoulder it with courage ... The judicial branch requires people of competence and integrity, people like 'The Untouchables', well known in the United States not so long ago ... Let there be no more pandering to people who have no business with you."

115. In his end-of-year broadcast to the nation on 31 December 1998, the President denounced the cankers that riddled the judiciary and told judges it was imperative they should clean up their act and restore confidence in justice.

116. An attempt had previously been made to shield judges from corruption, through Presidential Decree No. 97/6 of 22 January 1997, whereby they were accorded certain benefits guaranteeing material security.

117. Between 25 and 29 October 1999, the Ministry of Justice organized, for the first time, a series of "open days" for Cameroon's judiciary, which took the form of public conferences bringing together legal practitioners and theoreticians. The meetings were sponsored by the Minister of Justice and, in the provincial capitals, chaired by the presidents of the courts of

appeal. Their aim was to review the state of Cameroonian justice, and they also provided an opportunity to explain to the general public the basic workings of the justice service, to enhance the image of the judiciary by gaining citizens' confidence, and, with regard to the judicial apparatus, to reinforce the principle of transparency and thus of good governance.

118. With a view to bringing the justice system closer to those subject to it, new courts have been created and presidents appointed.

119. The impact of the creation and inauguration of these new courts on the much-criticized slowness of judicial procedures will be discussed later.

Judicial measures

120. With regard to military courts, it would appear that members of the military - both the gendarmerie and other army corps - are regularly brought before the courts for a range of abuses that may be considered equivalent to torture or other ill-treatment. Examples from 2000 alone include:

(a) Proceedings against T..., a gendarme, under investigation order No. 078 of 21 December 2000, for arbitrary arrest and detention;

(b) Proceedings against two gendarmes, A... A... and N... N..., under investigation order No. 183 of 2 May 2000, for arbitrary arrest and detention;

(c) Proceedings against two gendarmes, M... A... M... and L... P..., under investigation order No. 192 of 10 May 2000, for torture;

(d) Proceedings against W... under investigation order No. 271 of 12 July 2000, for arbitrary arrest and detention;

(e) Proceedings against B... B... and B... E... in the Bafoussam military court, for assault and battery.

121. Under article 33 of the Criminal Code, obeying an order from a legitimate authority constitutes grounds for absolute discharge. For such an excuse to be invoked, however, the order itself must be legal. Thus the carrying out of a manifestly illegal order is prohibited, as is the exercise of excessive zeal in enforcing the law; responsibility rests with the perpetrators, whether in normal times or in a state of emergency. The law in this regard applies to all and, in every case where it is reported that a manifestly illegal order has been carried out, the perpetrators have been prosecuted and convicted. Examples include:

(a) Proceedings against N... N... and A... F... M...: tried and convicted by the Bafoussam military court, for the homicide of N..., in Bamenda;

(b) Proceedings against K... F... D... and others: tried in the Bafoussam military court, for complicity in manslaughter, in an incident in Malentouen;

(c) Proceedings against Captain E... B...: tried for the murder of A... in Yaoundé and sentenced to 10 years' imprisonment;

(d) Proceedings against Captain H... and five subordinates: convicted of murder and sentenced to 10 to 15 years' imprisonment;

(e) Proceedings against Captain D... and six other officers: convicted of the manslaughter of N... in Garoua and sentenced to one to four years' imprisonment.

122. A number of homicide prosecutions are currently sub judice, including the following cases: Warrant Officer E... P..., for the murder of P... P... in Douala; Sergeant M... J... C..., for the murder of L... B... B...; and Sergeant A... J... C..., for the murder of N... in Douala. All the above were brought before the Douala military court, remanded in custody and detained in the central prison at Douala.

123. Military court proceedings are currently being taken against a number of soldiers serving at Poli, Z... M..., Y... J... P..., N... J... and A... N... M..., for complicity in torture.

124. The use of violence or torture to extract confessions in the course of investigations is strictly prohibited. Confessions obtained in this way are null and void, as are the subsequent proceedings. It is as a result of this concern that such emphasis is not placed on forensic police work in cases involving deaths.

125. The prosecution of torture and other ill-treatment in civil courts is illustrated by the following cases:

(a) Judgement No. 176/crim of 5 June 1998: three police officers, including a superintendent, sentenced by Mfoundi regional court to up to five years' imprisonment for torture;

(b) Judgement No. 608/crim of 11 November 1997: a criminal investigation officer convicted of torture for having refused to allow a person in custody to eat; and judgement No. 728/crim of 17 December 1997: the same court considered the refusal to allow a person in custody to communicate with family members to be an act of torture;

(c) Judgement No. 195/crim of 26 June 1998: two high-ranking police officers sentenced by Mfoundi regional court to 10 and 6 years' imprisonment respectively for torture. At an appeal hearing at the centre court of appeal on 9 February 1999, the conviction of one of the officers, B..., was upheld on the count of torture but his sentence was reduced from 10 to 8 years' imprisonment. In the case of the other officer, N... B..., the torture charge was reduced to failure to render assistance and his sentence reduced to one year's imprisonment and a fine of CFAF 25,000 (€38). The claimants were awarded a total of CFAF 20 million (€3,053) in damages. The State of Cameroon was declared liable under civil law;

(d) Police constable N... N...: sentenced on 10 June 1999 by Wouri regional court to 20 years' imprisonment and CFAF 80 million (€12,214) in damages, for murder. The Department of National Security, in which N... N... served, was declared liable under civil law;

(e) Police superintendent S... C...: prosecuted by the Guider public prosecutor's office for acts of violence and torture against M... B... on 14 September 1999;

(f) Police superintendent M... S...: brought before Haut-Nkam regional court in Bafang, together with police constable S... J..., for complicity in torture leading to the death of D... F... on 10 October 1999;¹

(g) Interlocutory decision No. 90/add of 5 February 1997: the Littoral provincial court of appeal in Douala ordered a defendant who appeared before the court chained hand and foot to be immediately unchained.

126. In a related area, that of summary executions, the State authorities have taken legal action against the perpetrators whenever allegations have been received. Generally speaking, prosecutions lead to heavy prison sentences. In judgement No. 297/97 of 26 August 1997, the Yaoundé military court sentenced H..., then a company commander in the Poli gendarmerie, to 15 years' imprisonment for executing by firing squad seven persons who had been arrested for highway robbery. The five members of his unit were also convicted of murder and sentenced to 12 years (S... F... and B... S...) and 10 years (F..., P..., W... B... and D... E...) respectively.

127. Likewise, in strictly judicial terms, it is fully accepted that, for public officials or civil servants, obeying the orders of a superior can never constitute a justification or an excuse. As the Cameroon Supreme Court, in its authoritative ruling No. 4 of 7 October 1969, ruled in a leading case: "It is neither justification nor excuse for civil servants or officials to claim that they were obeying the orders of their superiors. Likewise, an accused person cannot invoke the orders of his employers in an attempt to exonerate himself from responsibility for an offence. Such a situation, if it were to be established, would not absolve the accused from responsibility, since no defendant can escape the penal consequences of his own personal actions unless he was compelled to take them by a force which he was unable to withstand."

128. In respect of members of the military and other law-enforcement officials, it is important to modify the principle established in article 83, paragraph 1, of the Criminal Code, according to which, "criminal liability cannot be incurred for an act carried out on the orders of a competent authority to whom obedience is legitimately due". Such an excuse, which provides grounds for absolute discharge, may be invoked only if the order itself is not manifestly illegal.

129. The ever-increasing number of cases brought against law-enforcement officials who commit torture bears witness to the Cameroonian Government's determination to combat this illegal practice. In 1998, 1999 and 2000 alone, some 50 legal actions were brought in the military courts for acts of torture or related offences, such as abuse of authority, arbitrary arrest and detention, or assault and battery, as in the following cases:

¹ In its judgement No. 18/CRIM/2001/2002 of 27 February 2002, Haut-Nkam regional court found M... S... and S... J... guilty of the offence of complicity in torture leading to involuntary homicide; found also that the fact that this was a first offence was a mitigating circumstance; sentenced them to five years' imprisonment each; awarded the claimants (mother, brothers and sisters of the deceased) CFAF 6.5 million (€10,833) in damages; and declared the State of Cameroon (Department of National Security) liable under civil law for the actions of its officials.

(a) Under trial order No. 116 of 9 February 1998, three majors in the gendarmerie, N... N... A..., W... S... F... and N... L..., were tried for torture: in the course of a patrol on the night of 30 to 31 July 1995, they had stopped a suspicious van, one of whose occupants was found not to be in possession of his national identity card. Following a heated discussion with the gendarmes, this person had been taken to the gendarme post. Believing he had been subjected to torture, he successfully took legal action;

(b) Under trial order No. 484/MINDEF/0262 of 16 September 1998, B... G..., a major in the Obala gendarmerie, was tried for torture;

(c) Under trial order No. 567/MINDEF/0262 of 28 October 1998, B... E..., K... I... M..., Y... M... E... and T... J..., all gendarmes based in Tsinga and on assignment in Ngaoundéré, were tried for breach of the peace while on duty, and for torture following an altercation with M... E... M..., a Cameroon Railways official.

130. This list is not exhaustive and mention could be made of many other cases, as can be seen from the table of torture cases annexed to this report. The important point is that, in all cases of successful prosecution, those found guilty were punished. In one such case M... A... S... was found guilty of torture and sentenced to 33 months' imprisonment suspended for three years, a fine of CFAF 100,000 and costs, in Douala military court judgement No. 11/99 of 11 March 1999. Other cases are sub judice, including the proceedings against a police officer, A... D..., and others, and a case concerning three members of the Douala international airport special police.

131. In the first case, H... N... Bernard, an accountant with SITABIC, brought a complaint against a police officer, A... D..., Chief Inspector O... B... and Inspectors S... B... and K... N..., all members of the Douala mobile unit (GMI), for torture and inhuman treatment at GMI headquarters, inasmuch as they had stopped the complainant during the night of 18 to 19 July 1997 and taken him like a common thief to GMI headquarters, where they stripped him naked, handcuffed him, lashed him to the "see-saw" and subjected him to a savage beating as a result of which he was unable to work for 105 days.

132. In the second case, three members of the Douala international airport special police were accused of torture on 31 August 2000, following the opening of an investigation by the Douala prosecution service.

133. One thing emerges clearly from these few examples: in Cameroon, the fight against torture and other inhuman or degrading treatment is a reality. The alleged perpetrators of such offences are systematically prosecuted, and punished if found guilty.

134. The courts in Cameroon will also annul any proceedings initiated on the basis of forced confessions. In judgement No. 69/2000 of 21 September 2000, for example, the Bafoussam military court annulled the proceedings brought in the case of *Public Prosecutor and T... J... v. K... R...* under investigation order No. 073/MINDEF/0262 of 16 July 1999 and ordered the immediate release of the accused, K... R..., who had been stopped on the spurious pretext of

illegal possession of a defensive weapon and threatening behaviour, and then remanded in custody for some 20 days and subjected to ill-treatment. In its judgement, the court annulled the entire proceedings on the ground that the confessions obtained had been extracted in flagrant and manifest violation of human rights (see below, section on article 15 of the Convention).

135. In another case, two Army non-commissioned officers, Warrant Officer E... P... and Sergeant K..., were brought before the Douala military court under trial order No. 552/MINDEF/0262 of 21 October 1998, issued by the Minister of Defence, on charges of having made K... J... unfit for work for 25 days. In its judgement No. 31/00 of 27 April 2000, the court found that K... J... had been remanded in custody by two members of the military security forces for more than 24 hours in connection with a problem over land that did not fall within the jurisdiction of that service. The court found the accused guilty of torture and sentenced them to three years' imprisonment and a fine of CFAF 200,000 (€305) each. It also awarded the claimants CFAF 500,000 (€762) in damages and declared the State of Cameroon liable under civil law.

Other measures

136. The *Official Gazette* appeared regularly over the reporting period. The *Gazette* publishes bilingual versions of laws, regulations, decrees and statutory instruments, in accordance with Regulation No. 72/11 of 28 August 1972, which superseded Regulation No. 61-OF-1 of 1 October 1961 and which, in article 2, stipulates that legislative and administrative instruments shall be published in the *Official Gazette*, in English and French, by the Office of the President.

137. Bilingual publication fulfils a function that goes beyond the strictly legal, having a political dimension that serves to promote national integration. In some cases, it makes for better, more uniform, implementation of legislation, for legal standards need to be observed in the same way everywhere. It has become the key to disseminating a body of law that is genuinely Cameroonian, since it gives all those subject to the law, both French and English speakers, similar access to that law.

138. In addition to the *Official Gazette*, legislation is publicized through various Cameroonian scientific, legislative and legal journals such as *Juridis Périodique* and *Lex Lata*.

139. At quite another level, the establishment in 1998, by presidential decree, of a technical committee on the implementation of international human rights instruments, was a hopeful sign.

140. The same applies to the human rights cooperation agreement Cameroon has signed with France.

141. The fiftieth anniversary of the Universal Declaration of Human Rights, also in 1998, was celebrated with due ceremony in all 10 provinces of Cameroon. The celebrations culminated in the erection on 10 December 1998, with the Prime Minister and Head of Government presiding, of a stela in Yaoundé dedicated to human rights. Since then, various NGOs have taken up the task of promoting and defending human rights. Much remains to be done, however, in particular in the area of information and education for the public at large, from primary school to university and in all the *grandes écoles*.

Paragraphs 2 and 3

142. According to article 132 bis, paragraph 5 (c), of the Criminal Code, “no exceptional circumstances whatsoever, such as a state of war or a threat of war, internal political instability or any other exceptional situation, may be invoked as a justification for torture”.

143. According to paragraph 5 (d) of the same article, “orders from a superior officer or State authority may not be invoked as a justification for torture”.

144. These two provisions are based directly on paragraphs 2 and 3 of the Convention.

145. This provision in the legislation is also reinforced by case law, whether established by civil or military courts and even where it predates the criminalization of torture in Cameroon, as shown in the previous report (CAT/C/17/Add.22, para. 37).

Article 3

Paragraph 1

146. Act No. 97/010 of 10 January 1997 amending and supplementing the Extradition Act, No. 64/LF/133 of 23 June 1964, added the following provision to article 29 of the 1964 Act: “No one shall be extradited to a country where there are substantial grounds for believing that he would be in danger of being subjected to torture.”

147. This provision should be applicable, *mutatis mutandis*, in respect of other measures to deport foreigners, including refoulement and expulsion, both of which are explicitly covered by article 33 of the Convention relating to the Status of Refugees, to which Cameroon has been a party since 23 October 1961; this point was addressed in the previous report (*ibid.*, paras. 41-43).

148. Cameroonian courts have already had occasion to apply article 29 of the Extradition Act. In its decision No. 337/cor of 21 February 1997, in respect of extradition proceedings against eight Rwandan alleged genociders requested by the Government of Rwanda, the Yaoundé court of appeal stated: “Whereas ... new article 29 of the Act regulating extradition provides that no one shall be extradited to a country where there are substantial grounds for believing that he would be in danger of being subjected to torture; whereas, in the international media, the present Government in Kigali makes no secret of its determination, before any trial has taken place, to impose the death penalty on the suspects ... The court therefore finds the extradition request inadmissible under the law.”

Paragraph 2

149. In accordance with article 3, paragraph 2, of the Convention, the last part of article 29, paragraph 1, of the above-mentioned Act states that “for the purpose of determining whether there are such substantial grounds for believing that a risk of torture exists, all relevant considerations shall be taken into account, including, where applicable, the existence in the requesting State of a consistent pattern of gross, flagrant or mass violations of human rights”.

150. Applying this provision of the law, the Yaoundé court of appeal rejected extradition of the Rwandan alleged genociders on the basis of the situation at the time in Rwanda, where the system appeared to be more conducive to the settling of scores than to arranging for a fair trial for the individuals whose extradition had been requested.

Article 4

Paragraphs 1 and 2

151. Cameroon has criminalized acts of torture under the above-mentioned article 132 bis of the Criminal Code. Such acts constitute a crime and incur a sentence of life imprisonment if they involuntarily lead to the death of another person; or a sentence of 10 to 20 years' imprisonment if the torture permanently deprives the victim of the full or partial use of a limb, organ or sense. Acts of torture constitute an offence punishable by 5 to 10 years' imprisonment and a fine of between CFAF 100,000 (€153) and CFAF 1 million (€1,524) if they result in the victim being unable to work for more than 30 days by reason of sickness or incapacity; or 2 to 5 years' imprisonment and a fine of between CFAF 500,000 (€762) and CFAF 200,000 (€305) if they result in the victim either being unable to work for up to 30 days by reason of sickness or incapacity, or experiencing mental or moral pain or suffering.

152. Acts of torture are thus punished in accordance with their gravity. The penalties are graded in accordance with the prejudicial consequences of the act of torture. They are at least commensurate with the seriousness of an offence abhorred throughout the world.

153. Attempted torture and complicity in torture are likewise punished under Cameroonian criminal law, and equally as severely as the main offence.

154. Article 94 of the Criminal Code defines an attempted offence as "any attempt realized by an act that would have led to the commission of a crime or offence and that unequivocally demonstrates the perpetrator's irrevocable decision to commit such an offence, had it not been interrupted or failed to achieve its effect only through circumstances beyond the perpetrator's control".

155. The final part of this provision states that such an attempt shall be "considered equivalent to the crime or offence itself".

156. Article 96 of the Criminal Code states that:

- “(a) Anyone who:
 - (i) Instigates an offence in any way whatsoever or gives instructions for an offence to be committed; or
 - (ii) Assists in or facilitates the preparation or commission of an offence, shall be considered an accomplice in such crime or offence;
- (b) Attempted complicity shall be deemed equivalent to actual complicity.”

157. According to article 98 of the Criminal Code, “joint perpetrators and accomplices are liable to the same penalty as the main perpetrator, except where the law provides otherwise”.

158. There is no legislation providing that joint perpetrators or accomplices to torture shall be liable to any penalties other than those applicable to the principal perpetrator of the offence. Here again, Cameroonian law is fully in line with the relevant provision of the Convention.

Article 5

Paragraph 1

159. Cameroon has given detailed descriptions of its rules of criminal jurisdiction in its previous reports. It may be recalled that Cameroon’s Criminal Code establishes:

- (a) Cameroon’s jurisdiction over all offences committed in its territory (art. 7);
- (b) Jurisdiction in rem for offences against State security or forgery of the seal of State or of the national currency, including offences committed abroad, provided that, in the case of an alien, he must have been arrested within or extradited to Cameroon (art. 8);
- (c) Personal jurisdiction in respect of its citizens or residents for offences committed abroad, following an official complaint or charge by the Government of the country where the offence was committed (art. 10).

160. Thus the jurisdictional rules defined in paragraphs 1 (a) and (b) of article 5 of the Convention are to be found in Cameroonian law. Only the rule governing passive personal jurisdiction, described in paragraph 1 (c), is not clearly established under Cameroon’s Criminal Code. It could be argued, however, that, by virtue of the mechanism of universal competence, described below, Cameroonian courts would be competent to try a person who has tortured a Cameroonian national and is in Cameroon, if Cameroon does not extradite him.

Paragraph 2

161. Paragraph 2 raises the issue of the universal jurisdiction of national courts.

162. Article 11 of the Criminal Code recognizes such competence only in respect of what the Code terms “international” offences - piracy, people trafficking, slave trading and drugs trafficking.

163. Article 28 bis of the aforementioned 1964 Extradition Act (read with Act No. 97/010 of 10 January 1997, mentioned above) adds torture to this list of “international” offences. Torture may thus be prosecuted in Cameroon even if the offences were committed abroad by a non-Cameroonian. According to this article:

“Where the circumstances so warrant, any foreigner present in Cameroon and suspected of having committed an act of torture in another State may, after an examination of the relevant information, become the subject of a preliminary inquiry into the facts.

“Any measures required to ensure his presence may be taken in accordance with applicable domestic law. Such measures shall apply only for *such time as is necessary for criminal proceedings* (emphasis added) or for the completion of extradition proceedings.”

164. Under this provision, in other words, if Cameroon does not, when so requested, extradite a person suspected of having committed an act of torture abroad, it is obliged to submit the case to its own competent criminal courts. This represents an application of the *aut dedere aut judicare* principle established in article 7 of the Convention.

Article 6

165. Article 28 bis of Act No. 64/LF/133 of 26 June 1964 (amended) reproduces the content of article 6 of the Convention almost word for word:

“Where the circumstances so warrant, any foreigner present in Cameroon and suspected of having committed an act of torture in another State may, after an examination of the relevant information, become the subject of a preliminary inquiry into the facts.

“Any measures required to ensure his presence may be taken in accordance with applicable domestic law. Such measures shall apply only for such time as is necessary for criminal proceedings or for completion of extradition proceedings.

“Any person in custody pursuant to the previous paragraph of this article may communicate immediately with the nearest appropriate representative of the State of which he is a national, or, if he is a stateless person, with the representative of the State where he usually resides.

“The State in whose territory the torture was committed shall be informed ... of the results of the inquiry, with, where appropriate, an indication as to whether jurisdiction will be exercised.”

Article 7

166. The information given at the end of the section on article 5 above, applies equally to article 7, paragraph 1.

167. The conditions governing proceedings are the same as those that apply to ordinary offences of a serious nature. They can be summarized as follows:

(a) Inquiries shall be carried out by the criminal police in accordance with the rules set forth in the *Code d’instruction criminelle* (Code of Criminal Investigation) or the Criminal Procedure Ordinance. Persons arrested and remanded in custody are brought before the prosecution service, which may, in the case of a lesser offence, proceed against them directly in the lower court, or, in the case of a crime, open an investigation. If, on completion of the investigation, the charges against them are sufficient, they may be brought before the regional court if the offence is still considered a crime, or before the lower court in the case of a lesser offence;

(b) The accused person is tried under a procedure that provides every guarantee of fair trial (public; adversarial proceedings, etc.), equality of arms between prosecution and defence, the right to the assistance of counsel of his choice or of a court-appointed counsel (in criminal cases) and the availability of legal remedies (appeal; request for review).

Article 8

Paragraph 1

168. Cameroon has links with a number of countries through judicial and legal cooperation agreements that cover extradition, including:

(a) A general convention on judicial cooperation between Cameroon and 11 other African countries and Madagascar (the “Antananarivo Convention” or Organisation Communale Africaine et Malgache (OCAM) Convention);

(b) Special judicial cooperation agreements between Cameroon and Mali (6 March 1965), France (21 February 1974) and the Democratic Republic of the Congo (formerly Zaire) (11 March 1977).

169. Where any of these countries are also parties to the Convention, acts of torture are considered to be fully covered by these agreements.

170. It should be noted that these agreements all retain the extradition threshold system, not the extradition list system, but torture, as penalized under Cameroonian law, is extraditable pursuant to the extradition threshold established in the agreements.

171. Consequently, if asked by one of the above-mentioned States to grant extradition under specific provisions of these conventions, Cameroon must do so, always providing that the requested torture suspect does not himself risk being subjected to torture in the requesting State.

Paragraphs 2 and 3

172. Cameroon does not make extradition conditional upon the existence of an extradition treaty. Although treaties remain the principal basis for extradition, their absence may be compensated for by domestic legislation (Extradition Act, No. 64/LF/13 of 26 June 1964, as amended by Act No. 97/010 of 10 January 1977). According to article 38 of the Act, “the present Act shall apply where normally applicable treaties are absent or silent”.

173. Cameroon may even grant extradition as a matter of comity or on the basis of a simple declaration of reciprocity such as that concluded with Switzerland.

174. As the requested State, therefore, Cameroon should never have the slightest difficulty in complying with the provisions of article 8, paragraphs 2 and 3, of the Convention.

Paragraph 4

175. The mechanisms deriving from the *aut dedere aut judicare* rule, such as the principle of universal jurisdiction of Cameroonian criminal courts in respect of torture, are of relevance to the country's obligations under paragraph 4.

Article 9

176. The comments contained in the previous reports remain valid.

177. Cameroon signed an agreement on criminal police cooperation with seven other States of the Central African subregion, in Yaoundé in April 1999. Although the prevention of torture is not formally mentioned, it is clear from the text that the States of Central Africa, wishing to provide better protection for the citizens of the countries of the subregion, and for their property, and to enhance police training, undertake to make good the institutional and legal gaps that have come to light in the area of police cooperation. It provides for Interpol National Central Bureaux to liaise between the various criminal police forces of the contracting parties. The parties undertake to admit criminal police inquiry missions from the other contracting parties into their respective territories. Thus the parties' police forces will exchange general police information relating to notifications of sudden death or missing persons, etc.

178. This agreement has been ratified by Cameroon. As a member of the International Criminal Police Organization (ICPO-Interpol), Cameroon may also make use of Interpol mechanisms and of the recent subregional agreement in order to implement the provisions of article 9 of the Convention.

Article 10

179. The prohibition of torture is dealt with in the courses on human rights and public freedoms that, like forensic medicine and criminal responsibility, have been introduced into the teaching syllabus in civilian, military, judicial, medical and police personnel training schools, including:

(a) The National Civil Service and Judiciary College (ENAM), where civil servants, junior magistrates (trainee magistrates), clerks of the court, and social services, employment and customs inspectors, among others, are trained;

(b) The National Prison Administration College (ENAP), where prison administrators, administrative officers, head guards and guards are trained, as well as - starting some years ago - prison directors;

(c) The Joint Defence College (EMIA), which trains officer cadets and provides advanced courses for officers;

(d) The Gendarmerie Schools and Training Centres Command, under which an advanced training centre for the criminal investigation police was recently established at Yaoundé, as was a law enforcement advanced training centre. These two new training centres cater for the whole region and course participants come from various African countries;

(e) The Faculty of Medicine and Biomedical Sciences, successor to the former University Health Sciences Centre, is part of a network of satellite establishments. In the current context of economic recovery, training of this kind, which takes account of the needs of human dignity, is once more gaining in importance owing, among other things, to:

- (i) The proliferation of vocational training schools. Numerous paramedical colleges and health training institutions, both State and private, have been established in Cameroon. They are obliged to offer an approved training programme leading to an official examination;
- (ii) The increase in numbers of trained or retrained staff;
- (iii) The improvements in technical content and methodology in the course on the prohibition of torture and the defence of human rights, thanks to support from foreign partners and the training of trainers.

180. By order No. 079/A/MINAT/DAPEN/SDPP/SRF of 19 March 1999, the Minister for Territorial Administration initiated the recruitment, on merit, of eight chief prison medical officers; applications were open to Cameroonians who were qualified medical doctors but not civil servants. On completion of the competitive procedure and following training at the National Prison Administration College, eight chief prison medical officers were appointed to eight central prisons in Yaoundé, Maroua, Douala, Bamenda, Buéa, Bafoussam, Ngaoundéré and Bertoua.

181. The prohibition of torture is also the central element in the training and awareness-raising work of the National Committee on Human Rights and Freedoms, which, as in the past, organizes regular seminars on the defence of human rights for the administrative and military authorities in all provinces of the country. Examples include:

A workshop for police officials on improving custody conditions, held in Yaoundé on 30 November and 1 December 1998;

A workshop for prison administration staff, held in Bamenda in 1999;

The Universal Declaration of Human Rights displayed nationwide on 76,000 posters.

182. Human rights associations and NGOs, of which there are around 100 in Cameroon, spread the culture of human rights through their work in society at large.

183. Other training and information initiatives include the International Round Table on the Eradication of Female Sexual Mutilation through the Use of Community Approaches, held from 11 to 13 May 1998 in Yaoundé. The Round Table was followed by a seminar on the adoption of a national plan of action to combat female sexual mutilation, held in Maroua in December 1998.

184. Prison administration staff have also attended further seminars organized by a range of partners:

(a) In June 1997, a Canadian organization, Pro-Démocratie, arranged a seminar that led to the establishment of a committee of prison experts and, in particular, the production of a basic training manual for prison staff, published in October 1997. The aim of the 481-page manual is to teach Cameroon's prison administration staff how to treat the persons in their charge in an equitable and humane manner, and how to fulfil their professional responsibilities with regard to prisoner rehabilitation while safeguarding prisoners' rights. The approach used in the staff training manual takes account of the international standards applied in Cameroon's code of conduct and of some 100 training programmes in operation on all six continents;

(b) Another seminar with the same aim was held in Yaoundé in February 1998, with Commonwealth assistance;

(c) International Prison Watch has also helped organize two seminars for core staff - i.e., staff working directly with prisoners - one in March 1998 in Yaoundé and one in June 1998 in Bertua.

185. Specialists in the field were also sent out into all the provinces to help raise citizens' awareness of their rights and freedoms, as part of the celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights, launched on 16 June 1998 by the Prime Minister and Head of Government.

186. Information specifically on the prohibition of torture and the defence of human rights is now structured into State communications, with slots in radio and national television (CRTV) programmes, in accordance with the Mass Media Act. Such programmes include:

(a) *Honneur et fidélité* ("Honour and loyalty"), a weekly broadcast introduced by senior officers in the armed forces;

(b) *Le verdict* ("The verdict"), in which fundamental rights are discussed, with comments on court rulings that have been handed down in the area of human rights;

(c) *Le droit au féminin* ("Women's rights and the law"), which aims to raise public awareness of the role and rights of women;

(d) *Le développement social* ("Social development");

(e) *Église et développement* ("The Church and development");

(f) *Le point du droit* and its English counterpart, *The Debate*, which aim to popularize the law.

187. Lastly, the qualification level set for the recruitment of future judges, known as "junior magistrates", has been raised from a first degree in private law to a master's degree in law. In addition, since the curriculum at both university level and ENAM does not cover all the subjects

relevant to the cases the future judges will be trying, an annual “young magistrates’ seminar” has been instituted in order to supplement participants’ university and professional training in the light of the problems encountered in practice.

Article 11

188. The information given in Cameroon’s preceding reports (CAT/C/5/Add.26, paras. 67-68 and CAT/C/17/Add.22, paras. 67-68) still applies, even though, due to the lack of financial resources, the prison supervisory commissions were unable to meet as regularly as they would have wished.

189. At another level, the State of Cameroon has authorized the International Committee of the Red Cross (ICRC) to visit all its detention centres. These visits are organized at the discretion of the ICRC Regional Delegation for Central Africa, in Yaoundé, which enjoys the privileges and immunities granted in the headquarters agreement signed with the Government in 1999.

Article 12

190. The comments on article 12 made in the previous report still apply (CAT/C/17/Add.22, paras. 69 and 9-40).

Article 13

191. Any person claiming to have been subjected to torture in Cameroon has the right to submit a complaint before the judicial authorities. The authorities competent to try such offences or receive complaints are:

(a) The Attorney-General, who has special responsibility for initiating and conducting action by the State and, thus, for custody in criminal investigation police detention centres;

(b) Appeals court prosecutors, who monitor the criminal investigation police within their sphere of competence.

192. In addition to public prosecutors, a complaint may also be filed with any criminal investigation police officer with territorial competence, in particular units of the gendarmerie or police. The victim of an act of torture may also, in the case of an offence, issue a summons, through a bailiff, for the perpetrator to appear before the competent court, or, in the case of a crime, file a complaint for the bringing of criminal indemnification proceedings.

193. The competent courts are:

(a) A court of first instance, where the facts in the case indicate unlawful acts. In principle a court of first instance exists in each administrative district, Cameroon having 269 administrative districts. The territorial competence of a court of first instance may, having regard to the exigencies of service, extend over several neighbouring districts;

(b) A regional court, where the facts constitute a crime. A regional court exists for each department. Although there are 58 departments in all, the competence of a regional court may, in accordance with the exigencies of service, extend over several neighbouring departments. The regional court also hears applications for immediate release submitted by, or on behalf of, a prisoner or detainee where the applications are based on a procedural flaw or the lack of a detention order (habeas corpus);

(c) A military court, where the crime or offence of torture is committed by military personnel, either on duty or in a military establishment or where the offence is purely military in nature.

194. Decisions rendered by courts of first instance, regional courts and military courts may be impugned before a court of appeal in each of the 10 provincial administrative centres in Cameroon.

195. The victim may file an appeal before an administrative court where his rights were violated by an administrative act which may be challenged on the ground of abuse of authority.

196. Similarly, should the infringement of freedom constitute a flagrant administrative irregularity, the victim may have this recorded by the Supreme Court in plenary session, following which he may apply to the judge for damages.

197. Legal aid, which in Cameroon is organized under Decree No. 76/0521 of 9 November 1976, is intended to ensure that legal assistance is afforded those without sufficient means to pay for it. The recipient is excused all legal costs (stamp duty, registration duty, registry fee and payments to court), other than the fee for appeals, which may be required. Act No. 76/16 of 8 November 1975, in its article 8, paragraph 3, provides that "other than in an appeal against a decision in a criminal case or where the appeal originates with the public prosecutor or State, the appellant is required, even if granted legal assistance, to pay a CFAF 5,000 (€8) application fee. Nevertheless, a person in receipt of assistance is counselled by a legal official free of charge.

198. The Bar, the national lawyers' association, has set up a legal aid centre, with offices in 3 of the 10 provinces of Cameroon.

199. Those claiming to be victims of acts of torture may also approach the National Committee on Human Rights and Freedoms, which can conduct the necessary inquiries and bring the matter before the authority having territorial competence with a view to redressing the situation. In this connection the Committee can visit, as required, any prison, police station or unit of the gendarmerie in the presence of the competent public prosecutor or his representative. The Committee receives an average of 500 applications a year relating to different cases of human rights violations.

200. Lastly, it should be noted that Parliament can exercise its authority in this regard. Under article 35 of the amended Constitution of 1996, Parliament oversees government action through oral or written questions and by setting up committees of inquiry with specific terms of reference.

201. The Government, subject to the imperatives of national defence, the security of the State or the secrecy of judicial investigation, must furnish the necessary information.

202. Parliamentary committees of inquiry, of demonstrated importance, had been provided for under article 28 of the 1972 Constitution and article 67 of Act No. 73/1 of 8 June 1973 on the rules of procedure of the National Assembly, and were reinstated by article 35 of the revised Constitution of 1996. Act No. 91/029 of 16 December 1991 regulates their procedures:

(a) Committees of inquiry are established on a decision taken by absolute majority of the members of the National Assembly, which must specifically identify the facts giving rise to the inquiry or the government departments whose administrative, financial or technical management is to be examined. The decision contains a list of members, who may not exceed 20 deputies;

(b) The appointed members must immediately take a judicial oath before the National Assembly;

(c) The committee of inquiry may, in the name of the Cameroonian people and in the discharge of its duties, require any person, official or public authority to assist it. Subsequent to consideration and adoption of a resolution by the committee of inquiry, the National Assembly may decide, as appropriate:

- (i) To transmit the records of the inquiry to the legal authorities for action;
- (ii) To request the committal for trial of an official, where the official is subject to the jurisdiction of the Parliamentary Court of Justice or the facts in the case are such as to render the matter so subject;
- (iii) To refer the matter to the Government, with a view to the taking of appropriate political, regulatory or administrative measures.

203. Non-governmental human rights associations and organizations also play an active role, not only in terms of raising awareness of rights, but also in reporting violations and filing appeals. To compensate for the inability of those before the courts to claim their rights, these associations and non-governmental organizations accompany victims or applicants with a view to rectifying infringements of human rights. Act No. 090/53 of 19 December 1990 on freedom of association and Act No. 99/014 of 22 December 1999 on non-governmental organizations provide the legal basis for their action.

204. With regard to protection of the complainant and witnesses against any ill-treatment or intimidation as a result of filing a complaint or giving evidence, the Criminal Code contains a wide range of offences with appropriate penalties, in particular under articles 164, 168, 173, 302 and 303, as already noted in the supplementary report (CAT/C/5/Add.26, paras. 74-82).

Article 14

205. The information contained in the supplementary report (CAT/C/5/Add.25, paras. 81 and 82) remains relevant.

206. The core document mentioned (HRI/CORE/1/Add.109, para. 33) that to obtain compensation for injury, any person who is a victim of an act of torture may initiate civil proceedings under article 2, paragraph 2, of the Code of Criminal Investigation, which provides that: “civil proceedings for compensation for injury may be taken against the accused and his representatives”. If the civil party dies, the action may be undertaken by his heirs.

207. Articles 443 to 447 of the Code of Criminal Investigation provide, in cases of judicial review, for compensation for the victims of judicial errors. Meanwhile, statutory rehabilitation is provided for in articles 69 to 72 of the Criminal Code and in articles 624 to 633 of the Code of Criminal Investigation.

208. The preliminary draft Code of Criminal Procedure envisages, in its article 219, compensation for a person who is wrongfully held in pre-trial detention.

209. The second periodic report (CAT/C/17/Add.22, para. 85) noted that within the context of offences equivalent to torture, victims who brought civil actions were normally compensated following the criminal conviction of the parties accused. The report cited (para. 37) decision No. 122/crim by the Mfoundi (Yaoundé) regional court, by which police officers and others were sentenced not only to terms of imprisonment from 10 to 15 years, but also to payment, jointly and severally, of CFAF 17,135,000 (€26,122) in damages to the civil claimant. The State of Cameroon was declared liable under civil law. On appeal the damages were increased to CFAF 25 million (€38,112).

210. Under Regulation No. 97/01 of 4 April 1997 amending certain provisions governing execution of judicial decisions, a court may order provisional execution, notwithstanding any appeal, in matters of compensation for injury resulting from assault causing bodily harm, of a decision concerning costs and expenses necessitated by emergency care. These provisions apply to civil judgements delivered by a criminal court, and thus apply to torture victims who are civil parties in criminal proceedings against perpetrators of acts of torture.

211. With regard to recent precedent, attention is drawn to judgement No. 31/00 of 27 April 2000 of the Douala military court, cited above, which awarded CFAF 500,000 (€762) in compensation for moral injury while, however, rejecting as unsubstantiated the claim for compensation for material damage.

212. So as to better guarantee compensation for victims of torture, the public authority in question is held responsible for injury caused by its officials. To circumvent the possible insolvency of the official, the victim has the choice of proceedings against the official before the judicial court and proceedings against the authority before the administrative court.

213. The authority which has had to meet the costs of compensation may initiate an action for indemnity against its offending official.

Article 15

214. The inadmissibility of any evidence obtained by torture is established in Cameroon, even though there is no specific legislative provision thereon. Judgement No. 69/2000 of 21 September 2000 rendered by the Bafoussam military court in the case of *Public Prosecutor and T... J... v. K... R...* illustrates case law in this matter.

215. Following a dispute over land between K... R... and T... J..., the latter had gone to make a complaint at the Dschang investigation brigade, where her brother-in-law, Sergeant D... J... was deputy brigade commander. She claimed that K... R... had threatened her and her children, and that he had fired a shot in the air to intimidate them. On the basis of the complaint, D... J... immediately went to the scene of the incident and placed K... R... under military arrest; K... R... was then placed in detention for 20 days without authorization, whereas the maximum period is 24 hours, renewable on three occasions on the authorization of the government commissioner. K... R... also claimed to have been beaten on several occasions by his torturer, who was attempting to extract a confession. The forensic report established that he had injuries to the soles of his feet, back and left forearm. As a result of the ill-treatment to which he was subjected, K... R..., at the limit of his endurance and under duress, confessed to the acts of which he was accused. The court concluded that:

“Whereas the circumstances under which the prisoner’s confessions were obtained represent, it hardly needs to be stated, a patent example of a flagrant and manifest violation of human rights; whereas no proceedings worthy of the name can be conducted on a basis thus perverted at the outset; whereas, as a result, the proceedings should quite simply be annulled, in accordance with investigation order No. 073/MINDEF/0262 of 16 July 1999 by the Minister of Defence.

“Ruling publicly inter partes on the prisoner in criminal proceedings in first instance, unanimously annuls the proceedings which are the subject of investigation order No. 073/MINDEF/0262 of 16 July 1999 and orders the immediate release of K... R... if the prisoner is not held for other reasons.”

216. In addition, Cameroon is party to the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women and the International Covenant on Civil and Political Rights, instruments which contain procedural guarantees corresponding to those of articles 12 to 15 of the Convention.

217. In particular, as stated in the second periodic report (CAT/C/17/Add.22, paras. 71-73), article 14, paragraph 3 (g), of the International Covenant on Civil and Political Rights, under the terms of which in the determination of any criminal charges against him, everyone shall be entitled, in full equality, not to be compelled to testify against himself or confess guilt, may be directly invoked before the competent Cameroonian authorities.

218. Further, the conjunction or coexistence in Cameroon of civil law and common law rules also works in favour of the full implementation of article 15 of the Convention.

Article 16

Paragraph 1

219. That Cameroonian law contains no specific offences of cruel, inhuman or degrading treatment or punishment should not be misunderstood.

220. Just as before promulgation of Act No. 97/009 of 10 January 1997 torture was punished through related offences, cruel, inhuman or degrading treatment or punishment is prohibited and punished on the basis of equivalent offences.

221. In implementation of the provision prohibiting cruel, inhuman or degrading treatment or punishment, attention is drawn to interlocutory decision No. 90/add of 5 February 1997 of the Douala court of appeal (see paragraph 125 (g), above).

222. The second report (see CAT/C/17/Add.22, paragraphs 46-49) included a significant amount of information on offences resembling or equivalent to torture and other cruel, inhuman or degrading treatment or punishment.

223. Lastly, article 615 of the Code of Criminal Investigation provides that “the use of force in the process of arrest, detention or execution of a sentence is a crime except where authorized by law”.

Paragraph 2

224. Cameroon works for full implementation of the provisions of the Convention, and all the more so as it is party to a number of instruments for the protection of human rights and, on 12 October 2000, pursuant to articles 21 and 22 of the Convention, made a declaration recognizing the competence of the Committee against Torture.

225. Lastly, national legislation dealing with offences comparable to cruel, inhuman or degrading treatment or punishment is compatible with the Convention, as is legislation relating to extradition and expulsion.

PART THREE: INFORMATION ON THE CONCLUSIONS AND RECOMMENDATIONS FORMULATED BY THE COMMITTEE AT THE CONCLUSION OF ITS CONSIDERATION OF THE SECOND PERIODIC REPORT OF CAMEROON

226. In its concluding observations (A/56/44, paras. 60-66), adopted in November 2000 at the conclusion of its consideration of the report of Cameroon for the period 1988-1996 (CAT/80/C/17/Add.22), the Committee took note with satisfaction of the progress made by the Cameroonian State in combating torture and other ill-treatment. At the same time it identified various subjects of concern, in connection with which it formulated 11 recommendations (A/56/44, para. 66).

227. The Cameroonian authorities, in the spirit of frank and constructive dialogue to which they subscribe and which is essential between each State party to the Convention and the Committee, has accorded full attention to the observations. The Government has devoted renewed attention to the Committee's recommendations, which call for the clarifications provided below.

I. INTRODUCE A MECHANISM INTO ITS LEGISLATION FOR THE FULLEST POSSIBLE COMPENSATION AND REHABILITATION OF THE VICTIMS OF TORTURE

228. Developments in connection with article 14 necessitates clarification on this point, in particular with regard to Regulation No. 97/01 of 4 April 1997 amending certain provisions governing execution, of judicial decisions. Under the regulation a court may order provisional execution, notwithstanding any appeal, in matters of compensation for injury resulting from assault causing bodily harm, of a decision concerning costs and expenses incurred for emergency care. These provisions, which apply to civil judgements delivered by a criminal court, apply to torture victims who are civil parties in criminal proceedings against perpetrators of acts of torture.

229. As a general rule and in accordance with the long-standing position adopted by the courts, victims who are civil parties receive compensation following the criminal conviction of the defendants or accused.

230. The question of the rehabilitation or re-education of torture victims is under study. It is, however, relevant to note that the Ministry of Social Affairs and the Ministry of Public Health (Decree No. 97/205 of 7 December 1997) have a number of mechanisms for dealing with social maladjustment and social reintegration: in particular the Etoug-Ebé Centre for Re-education and Rehabilitation of the Disabled at Yaoundé.

II. INTRODUCE PROVISIONS INTO ITS LEGISLATION ON THE INADMISSIBILITY OF EVIDENCE OBTAINED THROUGH TORTURE, EXCEPT IN THE CASE OF ACTS CARRIED OUT AGAINST THE PERPETRATOR OF TORTURE IN ORDER TO PROVE THAT AN ACT OF TORTURE HAS BEEN COMMITTED

231. Pending adoption of legislation on this matter, attention is drawn to various administrative provisions and practices:

(a) Circular No. 00708/SESI/S of 21 June 1993 (see CAT/C/17/Add.22, para. 18) prohibiting use of a baton or whip to extract confessions;

(b) With regard to police and judicial practice, it is strictly prohibited to use violence or torture to extract confessions during inquiries. In accordance with judgement No. 69/2000 of 21 September 2000 of the Bafoussam military court, Cameroonian judges will annul proceedings based on coerced confessions;

(c) Emphasis is now placed, rather, on forensic police work to unearth the truth. This takes place at two levels:

- (i) The police (Department of National Security), with the establishment of a forensic police office;
- (ii) The gendarmerie, with the establishment in 2000, within the Gendarmerie Schools and Training Centres Command at Yaoundé, of the criminal investigation police advanced training centre. The centre, with a regional coverage, operates with the support of French cooperation. Thus far it has trained almost eight contingents of officers and non-commissioned officers, in particular in techniques relating to the conduct of inquiries.

232. Although article 14 (para. 3 (g)) of the International Covenant on Civil and Political Rights and article 15 of the Convention provide a basis for rejection by Cameroonian judges and other national authorities of any statement or evidence obtained by torture, it is clearly the case that the adoption of an appropriate legislative provision would provide national courts with a legal basis that was both more certain and more accessible, and that would permit them to go beyond the simple principle of reliability of the evidence, and to substantiate better in judicial decisions the reasoning on the inadmissibility of evidence obtained by torture. Such a legislative embodiment would also work towards the harmonization of judicial practice.

III. TAKE ADVANTAGE OF THE PROCESS OF CODIFICATION ALREADY UNDER WAY TO BRING CAMEROONIAN LEGISLATION INTO LINE WITH THE PROVISIONS OF ARTICLES 5, 6, 7 AND 8 OF THE CONVENTION

233. Act No. 97/010 of 10 January 1997 amending certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964, incorporates within the Cameroonian regulations governing extradition the key provisions of articles 5, 6, 7 and 8 of the Convention, inasmuch as it reflects the will to take effective measures against torture, wherever it is committed (inside and outside the country) and whoever the perpetrator is (a national, a resident or an alien). The ongoing work of legislative reform can only add to these achievements and, where appropriate, improve legislation, in particular with regard to article 5, paragraph 1 (c), of the Convention.

IV. ENSURE THE EFFECTIVE IMPLEMENTATION OF THE INSTRUCTIONS FROM THE MINISTER OF JUSTICE THAT PRE-TRIAL DETENTION MUST TAKE PLACE ONLY WHEN ABSOLUTELY NECESSARY AND THAT PROVISIONAL RELEASE SHOULD BE THE RULE, ESPECIALLY SINCE THIS COULD HELP TO DEAL WITH THE PROBLEM OF PRISON OVERCROWDING

234. The curtailment of pre-trial detention has given rise to much debate. The unanimity which has emerged on the exceptional nature of pre-trial detention and the determination of the Cameroonian authorities to discourage it so as to protect the rights reaffirmed in the amended Constitution of 1996 reflect the fundamental importance attached to the principles reflected in the renewed instructions of the Minister of Justice.

235. It is the case that the Constitution of 2 June 1972 already guaranteed individual freedom and security, and established that no one could be prosecuted, arrested or detained except in the cases and in accordance with the manner determined by law. The amended Constitution of 1996 adds that “every accused person is presumed innocent until proved guilty in a trial conducted in strict compliance with due process of law”. This provision makes a constitutional norm of the presumption of innocence which is impugned by pre-trial detention and which the Constitutional Council should be able to guarantee respect for.

236. Measures have been taken on several previous occasions to limit the use of pre-trial detention in judicial practice.

237. Although there is no legal prescription establishing the maximum length of pre-trial detention, article 113 (para. 2) of Act No. 58/203 of 26 December 1958 adapting and simplifying criminal procedure provides that “in criminal cases, there shall be a right to release five days after initial questioning in the case of defendants who are resident in Cameroon when the maximum sentence under the law is less than six months’ imprisonment”.

238. To rectify the shortcomings in the definition of the maximum length of pre-trial detention, the Minister of Justice has not merely relied on the circulars stating the rules. Every effort has been made to deal with the reality of the situation, with regular oversight to identify lapses and to punish those responsible.

239. The circulars dated 8 April 1965, 12 May 1965 and 16 April 1967 provided that a report should be made to the Minister of Justice regarding any case involving pre-trial detention which lasted or exceeded, according to the case, three or six months - three months in the case of proceedings in cases of flagrante delicto or relating to acts punishable by a sentence not exceeding two years, and six months in all other cases. The circulars were updated on 8 April and 12 May 1985 and 18 October 1989, with a reminder that pre-trial detention constituted an infringement of the presumption of innocence, and should be used only exceptionally.

240. In particular, the circular of 18 October 1989 provides for regular checks to be made periodically in prisons. On a related matter, circular No. 24848/CD/9276/DAJS of 23 May 1990 not only provides for weekly visits to police and gendarmerie cells, but also the systematic release of all persons whose detention has no legal justification.

241. The Cameroonian authorities have an unswerving commitment to put an end once and for all to unlawful pre-trial detention. In an address delivered on 30 May 1999 on the occasion of the confirmation of the heads of court at the Centre court of appeal, the Minister of Justice, speaking in particular to the Attorney-General, strongly urged him “to conduct and ensure the conduct of regular monitoring of pre-trial detention so as to ensure that no one awaiting trial has been overlooked”.

242. On 26 July 1999 pre-trial detention was a central issue at the meeting between the Minister of Justice and heads of court.

243. As Cameroonian law stands, article 53 of the Criminal Code mitigates the harmful effects of pre-trial detention. It provides that:

(a) The length of any period of pre-trial detention is deducted in full from the custodial sentence;

(b) In the event of pre-trial detention, where punishment is a fine, the court may exempt the convicted person from all or part of the payment.

244. In any event, the gradual increase in the number of judges and the corresponding reduction in their workload are such as to limit and eradicate pre-trial detention exceeding a reasonable length. In fact special recruitment exercises of judges and support staff (clerks of the court) have been organized with a view to reducing the backlog in the courts. Thus, for the financial years 1999/2000 and 2000/2001, 150 additional judges, 150 clerks, 200 assistant clerks and 100 secretaries/typists were recruited in all.

245. Similarly, judges who, through denial of justice, fraud, bribery or professional misconduct, unlawfully maintain a person in pre-trial detention may be reprimanded in accordance with articles 246 et seq. of the Code of Civil Procedure. An action for compensation may also be taken against offending judges with a view to imposing financial penalties.

246. With regard to release on bail, now to be given greater prominence, article 114 of the Code of Criminal Investigation provides that “pre-trial release may, in all cases where it is not automatic, be subject to bail. The bail guarantees:

(a) The appearance of the defendant in all proceedings and for execution of the judgement;

(b) Payment, in the following order, of:

(i) Costs incurred by the civil party;

(ii) Costs paid by the civil party;

(iii) Fines.

The release order establishes the amount of the bail apportioned to each of these two headings”.

247. Article 120 of the Code of Criminal Investigation allows for recognizance, in other words, a commitment by a third, solvent person to ensure that the accused appears in response to any court order. Although included in that part of the Code relating to judicial investigation, the provision, in common with all those relating to bail, has always been interpreted by the courts as being general in scope, that is, applicable at both the investigation and sentencing stages.

248. The report will not enter into greater detail concerning the procedure for immediate release or habeas corpus provided for under (new) article 16 of Regulation No. 72/4 of 26 August 1972 on organization of the judiciary, which was discussed at length in the second report (see CAT/C/17/Add.22, paras. 87-89).

249. Evidence suggests that the elimination of unlawful pre-trial detention, the confinement of pre-trial detention to a reasonable period, that is strictly necessary for the investigation, and the mechanisms for inspecting places of detention, monitoring respect for the regulations and imposing punishments are helping to end prison overcrowding.

250. The regular periodic checks in prisons pursuant to the circular of 18 October 1989 on pre-trial detention is gradually producing impressive results in terms of the strict limitation of pre-trial detention.

251. These are the measures taken by the Cameroonian authorities to give effect before and after pre-trial detention to the instructions of the Ministry of Justice.

V. CONSIDER TRANSFERRING RESPONSIBILITY FOR PRISON ADMINISTRATION FROM THE MINISTRY OF THE INTERIOR TO THE MINISTRY OF JUSTICE

252. The question of the institutional placement of the prison administration in the machinery of government falls under public policy in the sector concerned. There is an obvious link between the prison administration and the technical administrations responsible for the system of justice, health, education, social affairs, etc.

253. As the prison administration has particularly close links with the Department of Justice, the Cameroonian authorities have elected, not to subsume it within the system of justice as in some countries, but to accord it the status of a separate technical administration, with its own specificities.

254. The legal problem of ending pre-trial detention, the concern with managing the large numbers of persons held in pre-trial detention, and prison overcrowding are critical issues facing both administrations.

255. Placement of the prison administration under the Ministry of Justice is not a panacea, even though it would offer the advantage of close supervision of execution of sentences.

256. The institutional link with the Ministry of Territorial Administration should not be misunderstood, as there is no merging or assimilation of the prison administration and territorial administration and organization, and civil command. It dates back several decades, and forms part of the functional logic underlying the rational division of the work of government.

257. There thus exists a prison administration sectoral policy underpinned by its own goals which requires the necessary resources in terms of budget, human resources and physical and logistical infrastructure.

258. The underlying philosophy appears to be to comply with international norms for the protection of the dignity of the individual, in particular with regard to those who, subject to a custodial sentence, are imprisoned, and to contribute to the socialization of those targeted by the criminal justice system.

259. Thus, Decree No. 97/205 of 7 December 1997 on organization of the Government entrusts matters of general and special criminal law to the Ministry of Justice; prison administration is placed under the Ministry of Territorial Administration, as are certain activities for the protection of the individual, namely the protection of public liberties and civil protection. It should be noted that this Decree created within the Ministry of Territorial Administration two posts of Secretary of State, for local authorities and prison administration, respectively. They assist the Minister with his duties and may be given responsibility, under his authority, for management of specific sectors.

260. Decree No. 97/207 of 7 December 1997 on formation of the Government filled the post of Secretary of State for Prison Administration, who is a member of the Government. These two acts by the Head of State form part of the implementation of Decree No. 95/232 of 6 November 1995 on the organization of the Ministry of Territorial Administration, which established a prison health-care office under the Department of Prison Administration.

261. As indicated in the new regulatory measures in connection with article 2 of the Convention, the efforts under way to develop and modernize prison administration are continuing, notwithstanding the lack of financial resources available. A thorough reform of prison administration has been under way since 1990, the beginning of the decade of the transition to democracy.

262. By order No. 230/A/MINAT/DAPEN/SEP of 4 June 1992, the civic re-education centres at Tchollire, Mantoum and Yoko, housing persons in administrative detention under Regulation No. 62/DF/18 of 12 March 1962 on suppression of subversion, were closed and converted into ordinary prisons. And with a view to reducing overcrowding in existing prisons, new prisons are being opened in the various provinces of the country as time goes by.

263. The key date in prison reform is 27 March 1992, with the adoption of three major instruments which have transformed the prison landscape in terms of humanization of the way in which detainees are treated and improvement of working conditions for custodial staff. These are:

(a) Decree No. 92/052 on regulation of the prison system, which, as stated above, is based on the Standard Minimum Rules for the Treatment of Prisoners;

(b) Decree No. 92/054 on the special status of prison administration officials;

(c) Decree No. 92/056 instituting and establishing the rate for and conditions of payment of danger money for prison administration staff.

264. Also of note is the existence at Buéa of the National Prison Administration College, the specialized institution for the professional training of staff at all grades in the prison administration.

265. The Government is seeking to increase cooperation between the competent services of the two ministerial departments. Thus, the public prosecutors responsible for the investigation of criminal cases, oversight of pre-trial detention and execution of sentences (remission, amnesty) regularly monitor prisons and discharge their functions without any interference by the prison administration.

266. The judiciary monitors execution of the sentence to ensure that it is carried out.

267. The collection of information from across the country by the National Steering Committee on Good Governance indicates that placement of the prison administration under the Ministry of Territorial Administration does not pose any problems for the functioning of the system of justice. Rather, the general view is that prison administration should be managed under an autonomous structure.

268. Nevertheless, the transport of detainees to the law courts for various steps in the proceedings (investigations, hearings), which is the responsibility of the gendarmerie, although in practice conducted by the prison administration, often causes problems and disrupts the functioning of the courts when not properly performed.

269. In short, establishment of the post of Secretary of State for Prison Administration, followed by the appointment within the Government of an incumbent, is of fundamental importance in the formulation and implementation of a sectoral policy with its own objectives for the development and modernization of prison administration. There is every reason to believe in this sectoral policy, the only problem being to identify the resources needed to attain its objectives.

VI. CONSIDER ABOLISHING THE SPECIAL FORCES ESTABLISHED TO COMBAT HIGHWAY ROBBERY, WHILE AT THE SAME TIME LIFTING THE FREEZE ON THE RECRUITMENT OF LAW ENFORCEMENT OFFICIALS

Consider abolishing the special forces established to combat highway robbery

270. While the effective dissolution of the Douala operational command in 2001 accords with the Committee's wishes, it should be noted here that the multi-role unit of the national gendarmerie (GPIGM), established by Decree No. 99/15 of 1 February 1999 on the model of the French GGIM, and whose disbandment has also been called for, is in fact an element in gendarmerie units. GPIGM is tasked with maintaining and restoring order, combating highway robbery, and conducting anti-terrorist activities throughout the country. Its presence at one time in the provinces in the north of Cameroon may be explained by the fact that it had been given the mission of reinforcing gendarmerie units engaged in efforts to combat the widespread highway robbery in that part of the country. Following the improvements observed on the ground, GPIGM limited its activities to discharging its traditional functions from its Yaoundé headquarters.

271. In any event creation of the operational command was merely a measure linked to security imperatives in the context of the renewed outbreak of highway robbery. Notwithstanding that, it should not conflict with the social necessity to safeguard human rights.

272. As soon as that necessity became apparent, the Government, on its own initiative, terminated the activities of the operational command.

Lifting the freeze on the recruitment of law enforcement officials

273. To make good the staff shortages occurring as a result of constraints imposed by the structural adjustment programme which, at the end of the 1980s, had imposed severe cuts on the State budget and in particular a reduction in wage costs, the Government, with the economic recovery, has undertaken the recruitment of new personnel. Among other things that has allowed security coverage to be improved.

274. New police recruits over the reporting period are shown in the table.

Year	Total	Cadet superintendents	Cadet police officers	Cadet inspectors	Cadet police constables
1996	1 442	30	82	330	1 000
1999	2 267	58	179	574	1 446
2000	1 990	176	747	1 050	1 500

275. Within the gendarmerie, the average number of new recruits hired annually has progressed as shown in the following table.

1988		1999		2000	
Officers	Cadet gendarmes	Officers	Cadet gendarmes	Officers	Cadet gendarmes
11	653	11	323	14	200

276. It should be noted that in 2001, in a special recruitment exercise, 1,200 recruits were hired. The gendarmerie is now authorized to undertake an annual recruitment exercise.

277. This same desire to increase the numbers of recruits is also evidenced in the case of prison administration officials, the judiciary, the relevant areas of public administration and even in the general civil service, in accordance with the minimum human resources needs in the administrations concerned.

278. In the corps of prison administration officials, in the financial year 1999/2000, a special recruitment exercise was conducted for 117 prison guards and 8 prison medical officers.

279. There has been an increase not only in the numbers of staff but also in quality, owing in particular to the restructuring of training programmes and the initiation of human rights training.

280. In this connection the establishment of a criminal investigation police advanced training centre under the Gendarmerie Schools and Training Centres Command exemplifies the Government's determination in this regard. The centre trains gendarmerie units in the use of forensic methods in gathering evidence in investigations, rather than engaging in brutality or other prohibited means to extract confessions from suspects. The same is true with regard to the establishment at Awaé, near Yaoundé, of the law enforcement advanced training centre, which trains members of gendarmerie mobile units in the ethics of maintaining and restoring order.

VII. PURSUE ENERGETICALLY ANY INQUIRIES ALREADY UNDER WAY INTO ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS AND, IN CASES WHICH HAVE YET TO BE INVESTIGATED, GIVE THE ORDER FOR PROMPT AND IMPARTIAL INQUIRIES TO BE OPENED AND INFORM THE COMMITTEE OF THE RESULTS

281. Certain inquiries under way have led to convictions, others to reappraisal of the evidence or to acquittal of suspects. Decisions for acquittal and financial penalties have been ordered in other cases (see developments in connection with article 2 of the Convention).

VIII. ENSURE SCRUPULOUS RESPECT FOR THE HUMAN RIGHTS OF PERSONS ARRESTED IN THE CONTEXT OF EFFORTS TO COMBAT HIGHWAY ROBBERY

282. The protection of the rights and freedoms of persons arrested in the context of efforts to combat highway robbery is assured by the rigorous monitoring measures and sanctions applied to all those engaged in these efforts. The criminalization of torture (art. 132 bis of the Criminal Code) and reform of the jurisdiction of military courts are of great assistance in making members of the national gendarmerie multi-role unit aware of their obligation to respect human rights.

283. The tables in paragraphs 99 to 109 of the report indicate the sanctions taken against police and gendarmerie personnel for violation of the rights enunciated in the Convention.

IX. PURSUE THE TRAINING PROGRAMME FOR LAW ENFORCEMENT PERSONNEL IN HUMAN RIGHTS, WITH PARTICULAR REFERENCE TO THE PROHIBITION OF TORTURE

284. The information provided in connection with article 10 of the Convention indicates the training and information activities carried out, and emphasizes the importance of international cooperation in this regard.

X. CONSIDER ESTABLISHING A REGULAR SYSTEM TO ASSESS THE EFFECTIVENESS OF THE IMPLEMENTATION OF LEGISLATION ON THE PROHIBITION OF TORTURE, FOR INSTANCE BY MAKING THE BEST USE OF THE NATIONAL COMMITTEE ON HUMAN RIGHTS AND NON-GOVERNMENTAL HUMAN RIGHTS ORGANIZATIONS

285. The Government notes this recommendation with interest and undertakes to attain this objective. Two measures already taken are relevant:

(a) The establishment, in July 1998, of the Technical Committee on the Implementation of International Human Rights Instruments;

(b) The diplomatic negotiations having led to the establishment at Yaoundé of the United Nations subregional centre, whose operational activities began in March 2001.

XI. SCRUPULOUSLY MAINTAIN A REGISTRY OF DETAINED PERSONS AND MAKE IT PUBLICLY ACCESSIBLE

286. The second periodic report (see CAT/C/17/Add.22, para. 20) indicated that police units maintain a custody register in which the following information is entered: the reason for the police custody; its date and time; the individual's overall appearance at the time when he is taken into custody; his condition at the time of his departure (transfer or release); other details concerning property found in his possession. This practice now needs to be systematized throughout all detention centres, and the register made accessible to the public, as rightly recommended by the Committee.

List of annexes

Constitution and laws

Act No. 96/06 of 18 January 1996 amending the Constitution of 2 June 1972

Act No. 97/009 of 10 January 1997 amending and supplementing certain provisions of the Criminal Code

Act No. 97/010 of 10 January 1997 amending and supplementing certain provisions of the Extradition Act, No. 64/LF/13 of 26 June 1964

Regulations

Regulation No. 97/01 of 4 April 1997 amending articles 3 and 4 of Act No. 92/008 of 14 August 1992 establishing certain provisions governing execution of judicial decisions (compensation for injury resulting from assault causing bodily harm)

International instruments

Declaration by Cameroon, dated 12 October 2000, recognizing the competence of the Committee against Torture pursuant to articles 21 and 22 of the Convention

Regulatory and administrative measures

Decree No. 98/109 of 8 June 1998 establishing a technical committee on the implementation of international human rights instruments

Decree No. 2000/343 of 4 December 2000 establishing an ad hoc technical committee for implementation of the Rome Statute of the International Criminal Court

Order No. 79/A/MINAT/DAPEN/SDPP/SRE of 19 March 1999 by the Minister of Territorial Administration for the recruitment of eight chief prison medical officers

Decision No. 00030/D/MINAT/CAB of 16 February 2001 on the assignment in eight central prisons of chief prison medical officers

Circular No. 02306/CAB/VPMAT of 13 November 1997 on administrative detention procedures

Circular No. 000466/DGSN/CAB of 6 April 2001 from the Minister for National Security to all central and regional senior officials on improvement of conditions of custody

Service note No. 38/S/PCY/SAF/BP of 22 April 1997 from the governor of the Yaoundé central prison concerning the disciplinary sanction applied to a prison guard for gratuitous violence against a prisoner

Service note No. 17/S/PCY/SAF/BP of 10 February 1998 from the governor of Yaoundé central prison regarding a disciplinary sanction of 12 hours' confinement applied to a prison guard for abuse of authority and acts of violence against a prisoner

Service note No. 46/NS/REG/DCB of 7 June 1999 from the governor of Bafoussam central prison regarding a disciplinary sanction applied to a senior prison guard for ill-treatment of a prisoner

Precedents

Judgement No. 176/crim by Mfoundi regional court imposing sentences on three police officers of up to five years' imprisonment for torture

Judgement No. 195/crim of 26 June 1998 by Mfoundi regional court sentencing two high-ranking police officers to 10 and 6 years' imprisonment respectively for torture

Judgement No. 69/2000 of 21 September 2000 by Bafoussam military court in *Public Prosecutor and T... J... v. K... R...* (on the inadmissibility of statements obtained by torture)

Judgement No. 31/00 of 27 April 2000 by Douala military court (conviction for torture of two non-commissioned officers in the army for causing K... J... 25 days' absence from work for incapacity and granting the victim compensation for moral injury)

Judgement No. 18/crim/2001/2002 of 27 February 2002 by Haut-Nkam regional court convicting two police officers, including a superintendent, to five years' imprisonment for torture, on the basis of events in September 1999

Interlocutory decision No. 90 of 5 February 1997 by the Littoral court of appeal ordering a defendant brought before the court chained hand and foot to be immediately unchained

Decision No. 337/cor of 21 February 1997 by the Centre court of appeal refusing extradition of eight Rwandans owing to the risk of torture in Rwanda

No. 12658. CONVENTION (No. 132) CONCERNING ANNUAL HOLIDAYS WITH PAY (REVISED 1970). ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS FIFTY-FOURTH SESSION, GENEVA, 24 JUNE 1970¹

RATIFICATION

Instrument registered with the Director-General of the International Labour Office on:

7 August 1973

CAMEROON

(Specifying under article 3 (2) of the Convention, three weeks as the minimum length of the holiday, and accepting, under article 15 (2), the obligations of the Convention in respect of the persons covered by both sub-paragraphs (a) and (b) of article 15 (1). To take effect on 7 August 1974.)

No. 12659. CONVENTION (No. 135) CONCERNING PROTECTION AND FACILITIES TO BE AFFORDED TO WORKERS' REPRESENTATIVES IN THE UNDERTAKING. ADOPTED BY THE GENERAL CONFERENCE OF THE INTERNATIONAL LABOUR ORGANISATION AT ITS FIFTY-SIXTH SESSION, GENEVA, 23 JUNE 1971²

RATIFICATIONS

Instruments registered with the Director-General of the International Labour Office on:

6 August 1973

AUSTRIA

(To take effect on 6 August 1974.)

26 September 1973

FEDERAL REPUBLIC OF GERMANY

(To take effect on 26 September 1974.)

¹ United Nations, *Treaty Series*, vol. 883, No. I-12658.

² *Ibid.*, No. I-12659.



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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COMMITTEE ON THE ELIMINATION OF
DISCRIMINATION AGAINST WOMEN
(CEDAW)

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL
FORMS OF DISCRIMINATION AGAINST WOMEN

Initial reports of States parties

CAMEROON

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INTRODUCTION

Women have always made a considerable contribution to the development of the society in which they live. However, their contribution has gone unappreciated and, what is worse, they have been held back by a variety of constraints linked with the socio-cultural, economic and political realities.

Accordingly, some time ago, the international community, through the United Nations, opted to establish an egalitarian framework within which women can flourish and play a full part in the life of society.

The Convention on the Elimination of All Forms of Discrimination against Women, adopted by the United Nations on 18 December 1979, is one of the instruments prepared within this framework.

Cameroon, as a member of this world institution, effectively ratified the Convention on 23 August 1994 and fully supports all international instruments in general and those which promote human rights in particular.

This document is intended to meet the demands of article 18 of the above-mentioned Convention which requires States Parties to submit a report on the various legislative, judicial, administrative or other measures adopted to give effect to the Convention and on the progress made in this respect.

Despite the fact that the Convention calls for an initial report within one year of ratification and periodic reports every four years or at the express request of the Committee on the Elimination of Discrimination against Women, this is Cameroon's first report.

The report is in two parts:

- the first part describes the general background to the implementation of the Convention in Cameroon;
- the second part provides specific information concerning each provision of the Convention.

PART ONE

GENERAL BACKGROUND TO THE IMPLEMENTATION OF THE CONVENTION

CHAPTER I

OVERVIEW OF CAMEROON

I.1. LAND, PEOPLE AND ECONOMY

1. The land

Situated in Central Africa, at the eastern end of the Gulf of Guinea, above the Equator, between 2 and 13 degrees North and 9 and 16 degrees East, the territory of Cameroon, triangular in shape, covers a total area of 475,000 km². It is bounded on the North by Chad, on the South by the Republics of Equatorial Guinea, Gabon and the Congo, on the East by the Central African Republic and on the West by Nigeria. In addition, it has an Atlantic coast 400 km long.

Cameroon is notable for the diversity of its natural environments:

- the southern 42 per cent of the country is covered by a luxuriant forest, nearly 20 million hectares in extent;
- the northern part of Cameroon, which has a dry tropical climate, is savannah country consisting of vast prairies on the high plateaux of Adamaoua and steppes in the Far North;
- the West and North-West, which have a wet tropical climate, are regions of mountain ranges which stretch from the South-West coast to the Mandara mountains in the Far North of the country. This mountain chain culminates in Mount Cameroon, an approximately 4,100 m high peak.

2. The people

The first inhabitants of Cameroon were the pygmies.

After them came the Sudanese and Bantu settlers. These migrations were halted by the European invasion (German, French and British) in the nineteenth century.

The population of Cameroon is now made up of more than 230 ethnic groups defined on the basis of dialect and belonging to three broad cultural communities:

- the Bantus of the South, Littoral, South-West, Centre and East provinces;
- the semi-Bantus of the West and North-West provinces;

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- the Sudanese of the province of Adamaoua and the North and Far North provinces.

The pygmies, who are not included in this broad classification, live in the Centre, South and East provinces.

Far from being a source of conflict and divisiveness, this ethnic diversity is regarded by government and people as mutually enriching.

The population of Cameroon is estimated to number 13,650,000 (projections based on the general census of 1987) which corresponds to a density of 29.1 per km².

It can be broken down as follows:

- 51.1 per cent women and 48.9 per cent men;
- 40 per cent under 15, 50 per cent between 16 and 64, and 10 per cent over 65;
- 1/3 in the towns and 2/3 in the rural areas.

Average life expectancy is 59 for women and 54.5 for men.

The illiteracy rate is 30 per cent for men and 50 per cent for women.

The crude birth rate is 38.2 per 1,000; the crude death rate is 10.1 per 1,000; the population growth rate is 2.81 per 1,000.

The general fertility rate is 166.5 births per 1,000 women of child-bearing age.

There are about 4 million foreigners, nationals of various countries around the world, who live peaceably alongside the native population.

The HCR report for 1998 estimates the number of refugees living in Cameroon at 47,057. Of these 6,007 are being assisted by the HCR, namely:

- 3,053 Chadians;
- 1,227 Rwandans;
- 332 Burundians;
- 182 Congolese (Kinshasa);
- 230 Congolese (Brazzaville);
- 180 Sudanese;
- 167 Liberians;
- 636 other nationalities.

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3. The economy

The Cameroonian economy is mainly based on the primary sector. Almost 75 per cent of the economically active population is employed in agriculture, in the broad sense of the term. Agriculture more or less enables the country to feed itself, generates about one third of hard-currency earnings and 15 per cent of government revenue, and contributes 24 per cent to GDP.

The tertiary sector employs 20 per cent of the active population, while the industrial sector is still in the embryonic stage.

Many women find employment in the informal sector.

Cameroon has experienced a decade of economic crisis aggravated by the implementation of structural adjustment plans since 1987 and by the devaluation of the CFA franc in 1994. Now, however, it has returned to the path of growth: about 5 per cent in terms of GDP in 1996/1997. Nevertheless, the effects of the recovery were still not very apparent in 1997/1998, as evidenced by the following main indicators:

- per capita income (about US\$ 600);
- gross domestic product (CFAF 4,948 billion);
- inflation rate (about 2 per cent);
- external debt (CFAF 3,756 billion);
- unemployment rate (about 25 per cent of the active population).

Some 40 per cent of Cameroonians live below the poverty threshold (US\$ 345 per person per year). Moreover, the rural population is particularly exposed and it is now possible to observe a certain feminization of the poverty effect.

I.2. LEGAL, POLITICAL AND ECONOMIC SYSTEM

1. The legal system

Cameroon's dual legal system (Napoleonic code plus common law) is part of its colonial legacy from the British and French mandates and trusteeships. This dualism is further complicated by the coexistence of customary and written law.

2. The political system

Cameroon acquired international sovereignty in 1960. On 1 October 1961, East (French) and West (British) Cameroon were united. Following the referendum held on 20 May 1972 Cameroon became a unitary State.

Under the Constitution of 18 January 1996, Cameroon is a democratic decentralized unitary State with a semi-presidential form of government.

There is separation of the executive, legislative and judicial powers.

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A de facto single party system prevailed in Cameroon from 1966 to 1990, the year in which the Political Parties Act (Law No. 90/56 of 19 December 1990) was promulgated.

Since that change was made, five elections have been held:

- in 1992, 5 political parties participated in the presidential elections and 32 in the legislative elections;
- in January 1996, 36 political parties participated in the municipal elections. Of these 15 won seats on municipal councils and many mayors are members of opposition parties;
- in the months of May and August 1997, 44 political parties participated in the legislative elections. The present legislature includes deputies from 7 political groupings;
- in October 1997, 9 parties put forward candidates to run in the presidential elections.

The various organs of State as defined in the Constitution are as follows:

(a) Executive power

The President of the Republic is the Head of State. Elected by the whole of the nation, he is the symbol of national unity, he defines the policy of the nation, ensures respect for the Constitution and, through his arbitration, ensures the proper functioning of the public authorities. Moreover, he is the guarantor of the independence of the nation and of its territorial integrity, of the permanency and continuity of the State and of respect for international treaties and agreements (art. 5).

The President of the Republic is elected by a majority of the votes cast through direct, equal and secret universal suffrage for a term of office of 7 (seven) years and is eligible for re-election once.

The Government: the Prime Minister is the Head of Government and directs its action.

The Government implements the policy of the nation as defined by the President of the Republic (art. 11). It is appointed by the President of the Republic.

(b) Legislative power

Legislative power is exercised by the Parliament which comprises 2 (two) Houses: the National Assembly and the Senate. The Parliament legislates and monitors government action (art. 14).

The National Assembly has 180 deputies elected by direct and secret universal suffrage for a five-year term of office.

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The Senate, which is not yet effectively in place, represents the regional and local authorities. It is composed of 100 members, 70 of whom are elected by indirect universal suffrage on a regional basis while the other 30 are appointed by the President of the Republic.

(c) Judicial power

Under article 37 of the Constitution, justice is administered in the territory of the Republic in the name of the people of Cameroon.

Judicial power is exercised by the Supreme Court, courts of appeal and courts. It is independent of the executive and legislative powers.

(d) The Constitutional Council

The Constitutional Council has jurisdiction in matters pertaining to the Constitution. It rules on the constitutionality of laws. It is the organ regulating the functioning of the institutions (art. 47). Pending the establishment of this body, its functions are being exercised by the Supreme Court.

(e) The Court of Impeachment

The Court of Impeachment has jurisdiction, in respect of acts committed in the exercise of their functions, to try:

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

(f) The Economic and Social Council

There is an Economic and Social Council whose composition, duties and organization are laid down by law (art. 54).

3. The administrative system

Within this system the three main forms of administrative organization: centralization, devolution and decentralization exist side by side.

Central government consists of the various ministerial departments established and organized by presidential decree. Their number varies according to need. Under the terms of the latest decree on government organization (No. 97/205 of 7 December 1997) there are 30 ministerial departments.

Devolved government consists of the local ministerial departments in the provinces, of which there are now 10. The provinces themselves are subdivided into divisions (départements) (58) which, in their turn, are broken down into areas (arrondissements) (268) and districts (districts) (53). These administrative units are headed, respectively, by governors, prefects, sub-

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prefects and district heads, each of whom exercises the same powers within his jurisdiction in all areas of activity.

As for decentralized government, article 55 of the Constitution specifies that the regional and local authorities of the Republic shall consist of "regions" and "councils". The 10 existing provinces are to become "regions", but these are not yet operational.

The regional and local authorities are legal persons of public law. They have administrative and financial autonomy in the management of regional and local interests. They are freely administered by councils elected under conditions laid down by law.

In Cameroon, technical decentralization is also practised through innumerable public institutions of an administrative, industrial or commercial nature, as well as through a whole range of quasi-public enterprises which play a part in the various sectors of the country's economic and social life.

I.3. LEGAL MACHINERY FOR THE PROTECTION OF HUMAN RIGHTS

The Constitution of Cameroon guarantees the protection of human rights since it enshrines the basic principles which underlie the Universal Declaration of Human Rights, namely, the equality of men and women, offences and punishments to be strictly defined by law, non-retrospective effect of the law, etc. Moreover, it accords to the people of Cameroon the various fundamental freedoms (of the press, of expression, of worship, etc.).

Moreover, it is explicitly stated in the Preamble to the Constitution that the law shall ensure the right of everyone to a fair hearing in strict compliance with the rights of defence (presumption of innocence).

The criminal law applies to all. Everyone has the right of recourse to the competent national courts to seek an effective remedy against acts that violate the fundamental rights accorded to him or her by the laws in force. Thus, any victim of an act that violates his or her rights has a triple right of action:

- proceedings in the criminal courts for application of the penalties laid down for any offence;
- proceedings for damages in the civil courts;
- proceedings in the administrative courts to have an administrative act that violates a right declared invalid or set aside.

In addition to this triple right of action, which is available to everyone, there is a constitutional remedy which makes it possible to challenge the constitutionality of a law, but this is available only to the President of the Republic, the President of the National Assembly, the President of the Senate or one third of the deputies.

This range of remedies is supported by other mechanisms, in particular:

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- the principle of two-tier proceedings whereby any citizen of Cameroon may bring the same case before the competent court of first instance (trial court) and then, if he or she fails to obtain satisfaction, before the court of second instance (appeal court);
- the Supreme Court, which does not decide on the facts but satisfies itself that the law has been strictly observed.

Within the legal and institutional arsenal which Cameroon has accumulated for the purpose of defending human rights, the Convention on the Elimination of All Forms of Discrimination against Women takes pride of place in view of its importance for the female population.

The legal, political and administrative measures adopted to give effect to this Convention form the subject of the next chapter, which is devoted to the procedure for the incorporation of the Convention in the domestic legal system and its place in the national institutions responsible for promoting the cause of women.

CHAPTER II

LEGAL, POLITICAL AND ADMINISTRATIVE MEASURES ADOPTED TO GIVE EFFECT TO THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

II.1. INCORPORATION OF THE CONVENTION IN THE DOMESTIC LEGAL SYSTEM

The procedure for the incorporation of international conventions in the Cameroonian legal system requires their ratification by the President of the Republic with the express authorization of the legislative power. The President ratified the Convention on the Elimination of All Forms of Discrimination against Women under Decree No. 88/993 of 15 July 1988 pursuant to Law No. 88/010 of 15 July 1988 authorizing him to do so.

1. The place of the Convention in the domestic legal system

The revised Constitution of 18 January 1996 put an end to all controversy concerning the legal force of the Preamble to the Constitution. Thus, article 65 states: "The Preamble shall be part and parcel of this Constitution. It shall have legal force." This stipulation is of primary importance insofar as the Preamble refers to the international human rights conventions in the following terms: "We, the people of Cameroon ... affirm our attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and all duly ratified international conventions relating thereto". There can be no doubt that the Convention forms part of the conventions relating to human rights, which are not simple treaty provisions within the meaning of art. 45 of the Constitution but constitutional norms in accordance with the above-mentioned art. 65.

2. Consequences of the constitutionalization of the Convention

The main result of giving the Convention the status of a set of constitutional norms is its primacy over the infra-constitutional instruments, namely laws, ordinances and regulations.

In accordance with the hierarchical principle, which requires legal norms to conform to the basic law, all previous legislation must be reviewed to eliminate any provisions that may be contrary to the spirit of the Convention.

II.2. NATIONAL MACHINERY FOR THE ADVANCEMENT OF WOMEN

In Cameroon, the question of the advancement of women is not the responsibility of the Government alone. Thus, alongside the public institutions which have been gradually built up over the last two decades, there exist numerous private organizations established as a result of the liberalization of political, cultural and economic life.

1. The public institutions for the advancement of women

Well before the ratification of the Convention, Cameroon was already taking an undeniable interest in questions relating to the advancement of women, as reflected in the establishment of appropriate government bodies.

- Thus, as early as 1975, the year of the First World Conference on Women in Mexico City, a Ministry of Social Affairs was set up. This included a service responsible for demographic action and the advancement of women attached to the Social Development Directorate.
- In 1984, on the eve of the Second World Conference on Women in Nairobi, the Ministry of Women's Affairs was established by Decree No. 84/95 of 26 March 1984.
- With the economic crisis, which became increasingly serious after 1987, Cameroon adopted a structural adjustment plan which called for a cutback in public expenditure and, among other measures, the restructuring of the Government. Thus, the Ministry of Women's Affairs and the Ministry of Social Affairs were merged by Decree No. 88/1281 of 21 September 1988 which established the Ministry of Social and Women's Affairs (MINASCOF). This ministerial department included a Directorate for the Advancement of Women which, despite the reorganization of the Ministry under Decree No. 95/100 of 9 June 1995, retains the following functions:
 - drafting and supervising the implementation of policies, programmes and action plans relating to the advancement of women;
 - monitoring organizations for the advancement of women;
 - preparing, participating in and following up national and international meetings concerned with the advancement of women;
 - designing, developing and popularizing intermediate technologies;
 - technical relations with international organizations for the advancement of women.
- Later, the Ministry of Women's Affairs was re-established by Decree No. 97/205 of 7 December 1997 on the organization of the Government. In contrast to the spirit of the decree of February 1984, which restricted the role of the Ministry of Women's Affairs essentially to carrying out studies, the new Ministry had its powers of intervention reinforced and a general secretariat, a general inspectorate, specialized technical directorates and local departments in the provinces were placed under its authority.

/...

(a) The ministries

The Ministry of Women's Affairs (MINCOF)

According to article 5.8 of Decree No. 97/205 of 7 December 1997 on the organization of the Government: "The Ministry of Women's Affairs is responsible for drafting and implementing measures relating to social observance of the rights of the women of Cameroon, the elimination of all discrimination against women and the strengthening of the guarantees of equality in the political, economic, social and cultural spheres.

To this end it shall:

- study and submit to the Government proposals for facilitating the employment of women in administration, agriculture, trade and industry;
- provide liaison with the national and international political organizations for the advancement of women;
- supervise the bodies providing training for women, other than the educational establishments of the Ministry of National Education."

The Ministry of Agriculture (MINAGRI), together with the Community Development Directorate and the women's agricultural activities service;

The Ministry of Public Investments and Territorial Development (MINIPAT), together with the women's activities planning service.

(b) The specialized institutions for the advancement of women

The Consultative Committee for the Advancement of Women

Established by Decree No. 84/324 of 23 May 1984 and placed under the Ministry of Women's Affairs, the Committee is responsible for:

- studying questions relating to the activities and vocational training of the women of Cameroon or to their status and conditions;
- issuing opinions on draft texts concerning the economic, social and cultural advancement of women under consideration by the Ministry of Women's Affairs;
- proposing to the Ministry of Women's Affairs any action or programme designed to ensure the optimum participation of women in the development effort.

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Institutions and organizations providing guidance and training for women

* Centres for the Advancement of Women

These are integrated structures of the Ministry of Women's Affairs. They provide social and vocational guidance for girls lacking an education and for women in urban and peri-urban areas.

* Protected Workshops

The Protected Workshops, which are managed by the Ministry of Social Affairs, are specialized retraining and reintegration establishments for young women who are socially maladjusted, at moral risk or from needy families. An example is the Yaoundé Dressmaking Workshop for Disabled Women (BOBINE D'OR).

The purpose of this Ministry-run workshop is to provide disabled women with vocational training as dressmakers and an appropriate social education with a view to their socio-economic integration. It helps to find work and accommodation for its trainees when they have completed their training.

* Appropriate Technology Centres

Their role is:

- to provide training, further training, retraining and specialist training for women in agro-pastoral, domestic and craft work;
- to promote research in the agro-pastoral, domestic and craft fields with a view to making women's work less long and arduous;
- to identify, develop and popularize appropriate technologies for the benefit of women and make them easier to acquire, with a view to increasing agro-pastoral and craft output;
- to improve methods of preserving and processing various crops, with a view to reducing post-harvest losses.

Only the centre in Maroua is operational.

There are other State bodies active in the appropriate technology field, such as:

- the National Centre for Research and Experimentation in Agricultural Mechanization (CENNEMA);
- the National Technology Development Committee (CNDI);
- the Institute of Agronomic Research for Development (IRAD).

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* Home-Workshops

This is a specialized institution of the Ministry of Social Affairs that provides supervision for socially maladjusted young women through training and apprenticeships.

2. Private organizations for the advancement of women

(a) The women's branches of the political parties

Within most of the parties which dominate political life in Cameroon there are organs for the advancement of women.

(b) NGOs and women's associations

The association movement in Cameroon is governed by the Freedom of Association Act (Law No. 90/53 of 19 December 1990).

About 150 national associations and NGOs are registered with the Ministry of Women's Affairs. They can be broken down as follows:

- economic development associations and NGOs: 70 per cent
- women's rights associations and NGOs: 16 per cent
- socio-cultural associations and NGOs: 7 per cent
- associations and NGOs concerned with health: 5 per cent
- associations and NGOs concerned with training: 2 per cent

The activities of all these associations and NGOs are directed towards improving the living conditions and status of women.

(c) Cooperatives

Under the Cooperative Societies and Joint Initiative Groups (COOP-GIC) Act (Law No. 92/006 of 14 August 1992) and the Economic Interest Groupings (GIE) Act (Law No. 93/015 of 22 December 1993), other types of groupings, mostly economic in nature, are being developed.

PART TWO

SPECIFIC INFORMATION ON EACH PROVISION OF THE CONVENTION

CHAPTER I

CONSTITUTIONAL AND LEGAL FRAMEWORK FOR THE PROTECTION
OF THE RIGHTS OF WOMEN

(Articles 1-3)

I.1. EMBODIMENT OF THE PRINCIPLE OF THE EQUALITY OF MEN AND WOMEN IN THE
CONSTITUTION AND OTHER LEGISLATION OF CAMEROON

The principle of the equality of men and women forms part of the corpus of
Cameroonian law. This applies to:

1. The Constitution: Cameroon's constitutions have always enshrined the
principle of gender equality. In this respect, the Preamble of the Constitution
of 18 January 1996 is quite explicit:

"We, the people of Cameroon, declare that:

- the human person, without distinction as to race, religion, sex or
belief, possesses inalienable and sacred rights;
- all shall have equal rights and obligations;
- the State shall provide all its citizens with the conditions necessary
for their development;
- the State shall guarantee all citizens of either sex the rights and
freedoms set forth in the Preamble to the Constitution."

2. The Criminal Code: under art. 1 of the Code, "the criminal law shall
apply to all".

3. The Labour Code: art. 2(1) states that "the right of every citizen to
work is recognized as a fundamental right. The State shall do its utmost to
help the citizen find a job and keep it once it has been obtained".

4. The electoral laws: these deal with the capacity to vote and the
conditions of eligibility for election. Thus, any Cameroonian national or
naturalized Cameroonian, without distinction as to sex, may vote in elections,
provided he or she has completed his or her twentieth (20th) year and is not
disqualified by law.

Moreover, any Cameroonian citizen, without distinction as to sex, may be
enrolled on a list of candidates for election to the National Assembly, provided
he or she has the right to vote, is duly enrolled on an electoral list, has
completed his or her twenty-third (23rd) year on polling day and can read and
write French or English.

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What is more, art. 3(2) of the Municipal Elections Act includes the fair representation of women among the essential criteria to be applied in compiling electoral lists.

5. The Civil Service Regulations

According to arts. 12 and 13, access to the Civil Service is open, without discrimination, to anyone of Cameroonian nationality who satisfies the age conditions, i.e. who is not under 17 or over 30 for officials of categories C and D, or over 35 for officials of categories A and B, subject to the fulfilment of certain physical fitness and character requirements.

Despite the existence of laws and regulations on the equality of men and women with respect to the enjoyment of certain rights, there is, strictly speaking, no proper legal definition of discrimination.

I.2. LACK OF A LEGAL DEFINITION OF DISCRIMINATION

Although Cameroon has adopted the principles set out in the international conventions relating to human rights in general and the equality of men and women and non-discrimination with respect to women in particular, the definition of discrimination given in art. 1 of the Convention is not explicitly reproduced in any Cameroonian text. The references to discrimination in the legislation are based on race, religion and sex.

The embodiment of the principle of equality is not in itself sufficient to change behaviour and mentalities that have become entrenched over centuries of respect for tradition, particularly when allowance is made for the coexistence of written and customary law within the Cameroonian legal system. The lack of a legal definition of discrimination and corresponding sanctions accounts, in part, for the survival of such discrimination within the family and in society at large.

I.3. EXISTENCE OF PROVISIONS AND PRACTICES THAT DISCRIMINATE AGAINST WOMEN

Despite texts which lay down principles of gender equality, there are certain areas in which the legal status of women displays weaknesses:

1. Written law

(a) Discrimination as regards women's right to work. The right and freedom to engage in an economic activity are limited by:

- Article 223 of the Civil Code and article 74 of Ordinance 81/02 of 29 June 1981 concerning the powers of the husband to object to his wife's pursuit of a separate trade or profession;
- Article 7 of the Commercial Code which authorizes the husband to put an end to his wife's economic activity simply by notifying his objection to the Registrar of the Commercial Court.

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(b) Discrimination with respect to the right to settle in any place. This right is reserved exclusively for the husband who, as head of the family, decides where the family home shall be.

(c) Discrimination with respect to the exercise and enjoyment of the right of ownership.

Under the Constitution, ownership means the right guaranteed to everyone by law to use, enjoy and dispose of property. However, under arts. 1421 and 1428 of the Civil Code concerning the administration of assets forming part of the marital community property and art. 559 of the Commercial Code on bankruptcy a married woman does not have complete enjoyment of that right.

(d) Administration of assets forming part of the community property

This is entrusted to the husband who may sell, transfer or mortgage community property without the consent of his wife (art. 1421 of the Civil Code).

"The husband shall administer all the personal property of his wife. He may independently exercise any right of action to recover movable property or to protect or recover possession vested in the wife. He shall be responsible for any physical depreciation of his wife's personal property due to failure to take protective action" (art. 1128 of the Civil Code).

(e) Bankruptcy of a trader husband

Although the provisions of arts. 557 and 558 of the Commercial Code protect the married woman in the event of the bankruptcy of her trader husband, art. 559 of the Code restricts the free enjoyment of the assets by the wife of the bankrupt.

Article 557: "If the husband goes bankrupt, the wife, whose contributions of immovables do not form part of the community property, shall take back the said immovables in kind, together with those which she may have received by succession, by gift between living persons or under a will."

Article 558: "The wife shall likewise take back the immovables purchased by her or in her name out of funds derived from the aforesaid legacies or gifts, provided that their use is expressly stated in the purchase agreement and the origin of the funds is confirmed by a statement of accounts or any other authenticated instrument."

Article 559, on the other hand, is discriminatory insofar as it provides that: "Whatever the regime under which the marriage contract was drawn up, apart from the case envisaged in art. 558 above, the legal presumption shall be that the property acquired by the wife of the bankrupt belongs to her husband, has been paid for with his money and must be pooled with the main body of his assets, unless the wife can show otherwise".

(f) Discrimination with respect to equality of rights

- The exercise of guardianship in the event of deprivation of legal capacity

It follows from art. 506 of the Civil Code that in the event of the wife being deprived of legal capacity the husband automatically becomes her guardian. Article 507 of the Civil Code, on the other hand, discriminates against the married woman since it clearly states that: "The wife may be appointed guardian of her husband. In this case, the family council shall decide the form and conditions of administration, subject to an appeal to the courts by a wife who believes herself to have been wronged by the family's decision".

- The definition and punishment of the offence of adultery

Where the criminal law is concerned, art. 361 of the Cameroonian Criminal Code punishes adultery differently according to the sex of the offender. Thus, a wife's adultery is punishable as soon as it is found that she has had sexual relations with a man other than her husband, no matter how frequently and no matter where. The husband, on the other hand, is liable to be punished only if he has had sexual relations with women other than his wife or wives in the matrimonial home or if he has habitually had such relations outside the matrimonial home.

By imposing these conditions with regard to the punishment of the offence of male adultery, the law makes it difficult to prove adultery by the husband, who is thereby afforded special protection.

On the other hand, adultery by either of the spouses is a violation of the duty of fidelity which may be cited indiscriminately by the husband or wife as an absolute ground for divorce (arts. 229 and 230 of the Civil Code).

It follows from the above provisions that the wife is, in some respects, a person lacking in legal capacity who must be protected by her husband and, indeed, the wife's state of inferiority is further accentuated by customary practices and de facto discrimination.

2. Customary practices

The statistics reveal discrimination associated with practices that are rooted in custom and tradition.

Thus, the figures on the percentage of women in the Government reveal the following trend:

- In 1984, there were 5 women out of 43 members of the Government, or 11.6 per cent;
- In 1997, there were 3 women out of 45, or 6.6 per cent.

Similarly, in the central administration the percentage of women holding responsible positions is less than 20 per cent. It is also worth noting that

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women's careers progress more slowly and there are no women holding high office (Governor, Prefect, Sub-Prefect or District Head).

Many customary practices have unfavourable consequences for women:

- early and forced marriages;
- obstacles to the exercise of traditional authority by women;
- sexual abuse;
- female genital mutilation;
- abusive widowhood rites;
- food taboos and prohibitions;
- the subjection of women in matters of reproductive health;
- physical violence and mental cruelty;
- obstacles to succession;
- levirate, a practice which is dying out.

3. De facto discrimination

There are certain forms of discrimination against women that find expression in:

- difficulties in obtaining access to credit;
- the reluctance of some enterprises to recruit women because of the maternity question or the nature of the work;
- the precedence given to male children in the field of education.

In the face of this situation experienced by women in connection with the enjoyment of certain fundamental rights, the authorities, supported by various NGOs, are calling upon all the social partners to change their attitude and have taken a series of measures to ensure that women can develop their potential to the full.

I.4. POLITICAL, SOCIAL AND ECONOMIC MEASURES TO ENSURE THE FULL DEVELOPMENT AND ADVANCEMENT OF WOMEN

Aware of the existence of the above-mentioned discriminatory customs and practices and the need for an institutional framework for the advancement of women, the authorities have taken a series of appropriate measures.

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1. Ministry of Women's Affairs

The Ministry of Women's Affairs (MINCOF) was established, with specific functions, by the Government Organization Act (Decree No. 97/205 of 7 December 1997).

The Ministry of Women's Affairs plays a watchdog role and performs the following functions:

- the institutionalization of International Women's Day on which public opinion is made aware of the problems of women. Thus, in 1998, the chosen theme for the celebration of International Women's Day in Cameroon was "Practices and customs that discriminate against women".

The discussion of this subject led to:

- the listing of the various customs and practices that discriminate against women;
- the noting of the adverse consequences of these practices for women, the family and society as a whole;
- the drafting of specific proposals with a view to the eventual elimination of these customs and practices.
- informing women of their rights by distributing rights brochures;
- the establishment of focal points in certain ministerial departments;
- the establishment of institutions for the guidance and training of women, such as:
 - centres for the advancement of women;
 - appropriate technology centres;
 - social centres;
 - home-workshops;
 - protected workshops;
 - leadership pools;
 - dressmaking workshop for disabled women.
- the establishment of the Committee of Women Ministers and Parliamentarians (CFEMP);
- the launching of projects such as:

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- the advancement of women in the Civil Service;
- the drafting of a programme of guidance and advice for girls and women in Africa (under the aegis of UNESCO/ISESCO and the Ministry of National Education (MINEDUC)).
- contributing to projects and programmes concerning women initiated by other ministerial departments, such as:
 - the financing programme for agricultural and community microprojects (FIMAC);
 - the national agricultural extension services programme (PNVA);
 - the Central Rural Reform Unit (CUROR);
 - the Fund for the Support of Rural Organizations (FONDAOR).
- with the Ministry of Public Investments and Territorial Development:
 - the project to reduce poverty and promote the advancement of women. The corresponding loan agreement was signed with the African Development Bank in February 1998.
- with the Ministry of Public Health:
 - the nutrition education programme.
- with the Ministry of National Education:
 - the girls' non-formal education project in collaboration with UNICEF.
- material support for women's groups;
- financial support for women in distress;
- the granting of loans to women under bilateral and multilateral cooperation projects such as:
 - Productive Microprojects for the Benefit of Women in Cameroon (MPPF-CAM/CIDA);
 - Women, Population and Development (UNFPA).
- the development of association activities.

These efforts by the Ministry of Women's Affairs have already led to abolition of the requirement that married women obtain marital authorization to travel and to the payment of the housing allowance to married women.

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2. Consultative Committee for the Advancement of Women

Since it was established, the Committee has held only three ordinary meetings, the repeated restructuring of the supervisory Ministry having resulted in its operations being placed on the back burner. A study is currently being conducted with a view to its revitalization.

Associations and NGOs, whose activities are encouraged by the State, work alongside these public institutions for the advancement of women.

There are groups of these associations active in different fields, for example:

(a) In economic development:

- ACAFIA (Cameroonian Association of Women Agricultural Engineers);
- AID-CAMEROUN (Support for Development Initiatives);
- CIFEDI (Committee for the Integration of Women in Industrial Development);

(b) In the protection of women's rights:

- ACAFEJ (Cameroonian Association of Women Lawyers);
- ALVF (Association to Combat Violence against Women);
- COCADEF (Cameroonian Committee for Women's Rights);

(c) In women's health:

- CAMNAFAW (Cameroonian National Association for Family Welfare);
- FESADE (Women-Health-Development);
- ACAFEM (Cameroonian Association of Women Doctors);

(d) In training:

- CERFEPROD (Women's Group for the Promotion of Development);

(e) In socio-cultural development:

- FOCARFE (Cameroonian Women's Foundation for Rational Environmental Action);

(f) In promoting peace:

- FAWECAM (Forum of African Women Educationalists/Cameroon);

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(g) In advocacy:

- the Women's Caucus;
- LEFE (League for the Education of Women and Children).

With regard to legislative measures taken to ensure the full development and advancement of women, it should be noted that since Cameroon ratified the Convention no legislation has been adopted with a view to its implementation.

At the same time, although some of the above-mentioned discriminatory provisions remain in force, it is nonetheless true that the establishment of a national commission to revise the laws and regulations reflects the Government's concern to have them repealed.

With a view to regulating the operation of the public institutions, the authorities have set up judicial machinery to protect the rights of women.

I.5. JUDICIAL MACHINERY FOR THE PROTECTION OF WOMEN'S RIGHTS

Cameroon is a State governed by the rule of law. The Constitution provides for judicial machinery to protect human rights. Thus, every Cameroonian citizen has the right to a fair hearing before the courts. Justice is administered by the courts of first instance, appeal courts and the Supreme Court, in strict compliance with the rights of defence.

Any woman victim of an act of discrimination has the right to refer the case to the civil, criminal or administrative courts of the first and second instance and even to bring it before the Supreme Court.

There are legal remedies for discrimination, but the lack of a legal definition of discrimination and its too general characterization in the Criminal Code mean that acts of discrimination cannot always be identified as such. This would appear to be the reason why there is so little jurisprudence.

In some areas, however, there are established precedents. The Supreme Court has always affirmed the principle of gender equality with respect to the right to inherit on intestacy. In matters of divorce, where the spouses have not previously determined the fate of their property under a marriage settlement, they are subjected to the regime of community of movables and property acquired during marriage laid down in the Civil Code.

Similarly, there are no specific national agencies or ombudsmen responsible for watching over the application of the Convention. However, the new organization chart of the Ministry of Women's Affairs provides for a women's rights monitoring unit.

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CHAPTER II

TEMPORARY SPECIAL MEASURES AIMED AT ACCELERATING DE FACTO EQUALITY BETWEEN MEN AND WOMEN

(Article 4)

The Constitution of 18 January 1996 guarantees compulsory primary education. This reflects the political will to provide access to education for all, without discrimination.

Even though discrimination is nowhere precisely defined, Cameroon has taken a number of specific measures to accelerate equality between men and women. These measures relate to three particular areas: education, health and employment.

II.1. EDUCATION

The authorities have taken measures relating to both formal and non-formal education.

1. State of formal education

In Cameroon, the right of access to education applies equally to boys and girls. However, the proportion of girls among the children attending school is low and there are subsequent disparities associated with socio-cultural attitudes and practices stemming from the hostile environment in which the girls have to live.

In general, the enrolment rate is declining: from 78 per cent in 1984 to 61 per cent in 1995.

- At the primary education level, girls account for less than half the total, or barely 46 per cent. The percentage varies from province to province and between the two educational systems (French-speaking and English-speaking), which are not harmonized.
- At the secondary education level, girls make up less than 42 per cent of the total.

2. Non-formal education

To encourage the education of girls and women no longer of the required age for first enrolment in the formal system, the Government has provided certain alternative schemes run by several different ministries:

- the Ministry of Youth and Sports with its youth and recreation and functional literacy centres;
- the Ministry of Social Affairs with its social centres and specialized institutions;

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- the Ministry of Women's Affairs with, for example, its Centres for the Advancement of Women;
- the Ministry of National Education with its SAR-SM (Craft and Rural Sections-Domestic Sections);
- the Ministry of Employment, Labour and Social Insurance with its vocational training centres;
- the Ministry of Agriculture with its rural advisory services;
- the Ministry of Livestock, Fisheries and Animal Industries with its zootechnical and veterinary training centres.

In addition to these public non-formal education initiatives, there are others undertaken by denominational and lay organizations.

3. Special educational measures

- Circular Letter No. 10/A/562/MINEDUC/ESG of 10 January 1980 concerning the readmission of a pupil suspended in connection with a case of pregnancy;
- launch of the national functional literacy programme in 1988;
- commemoration of Literacy Day since 1992;
- preparation and implementation of programmes specially designed for women in both national languages (META languages in the North-West, the TOUROU project in the Far North, experience with the NUFI programme) and official languages (experience of the International Linguistics Society);
- assumption of the Vice-Presidency of the UNESCO National Commission by the Ministry of Women's Affairs;
- presence of Cameroon at various international meetings: conferences of African Ministers of Education at Addis Ababa in 1961 and Nairobi in 1968, Lagos Action Plan (1986), Caracas (1988), Ouagadougou (1993), Copenhagen (1995).

Similarly, following the world conference on education for all (1990), in 1991 Cameroon adopted a declaration of general education policy whose essential aim is to meet the educational needs of all the target populations by the year 2000.

The resulting framework of action includes specific objectives in the field of women's education, namely:

- strengthening the public non-formal education structures;
- reducing regional educational disparities taking sex and age into account.

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Likewise, the national action plan for children assigns the following objectives to be achieved by the year 2000:

- improved access to basic education for all;
- reduced disparities, with special emphasis on the most deprived regions;
- priority to be given to enrolling girls and keeping them in school.

It was on this basis that the Cameroonian Education Forum (1995) recommended, among other things, access to education for disadvantaged groups. This led to the adoption of a declaration on the new education policy (1996) which reaffirmed the political will of the Government to:

- combat educational exclusion;
- reduce regional inequalities;
- remove obstacles to the education of girls.

Finally, the new law on educational guidance is strengthening the compulsory aspect of primary education and facilitating non-discriminatory access to education for all.

These temporary special measures aimed at accelerating de facto equality between men and women also concern the field of health.

II.2. HEALTH

Clearly, in the absence of special measures in the field of health the degree of development cannot be properly assessed. In most cases women do not have easy access to health care. Despite the efforts of the authorities to promote the health of all social groups, women, because of their adverse circumstances, experience difficulty in obtaining access to health care facilities.

Nevertheless, there are measures which protect women's interests in the health field. For example,

- Law No. 90/062 of 19 December 1990 granting a special exemption for health care units. It is a feature of this law that the income from the services provided must be devoted, on a priority basis, to the operation of the health facilities. This measure enables women, the main target group, to benefit from these services more cheaply;
- the Labour Code Act (Law No. 92/007 of 14 August 1992). Articles 84 and 85 of the Act read as follows:

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Article 84

- "(1) Any pregnant woman whose condition has been medically confirmed may terminate her contract without notice and without having to pay any compensation as a result. During this period, the employer may not terminate the contract of employment of the woman concerned on grounds of pregnancy.
- (2) Every pregnant woman has the right to fourteen (14) weeks of maternity leave beginning four (4) weeks before the expected date of confinement. This leave may be extended by six (6) weeks in the event of illness, duly confirmed, resulting from either pregnancy or childbirth. At no time during this period of leave may the employer terminate the employment contract of the woman concerned.
- (3) When confinement takes place before the expected date, the rest period shall be extended to make up the fourteen (14) weeks of leave to which the employee is entitled.
- (4) When confinement takes place after the expected date, the pre-confinement leave shall be extended to the date of confinement without the post-confinement leave being reduced."

Article 85

- "(1) During a period of fifteen (15) months following the birth of the child, the mother shall have the right to rest breaks for nursing purposes.
- (2) The total duration of these rest breaks may not exceed one (1) hour per working day.
- (3) During this period, the mother may terminate her contract without notice under the conditions laid down in Art. 84(1) above."
- Law No. 96/03 of 4 January 1996 establishing a framework law in the field of health relating to the protection and advancement of vulnerable groups, particularly women and children;
 - free pre-natal monitoring in mother and child protection centres and free examination of infants;
 - training for women in health problems to enable them to promote health in their families and the community.

II.3. EMPLOYMENT

The terms of the Labour Code, which offers broad protection for women and children, exclude discrimination in this field. In practice, some employers refuse to recruit women for certain jobs because of the maternity question.

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The Labour Code makes no provision for the care of babies whose mother dies in childbirth.

On the other hand, it regulates the daytime and night working hours for women.

Article 80 fixes the length of the working week at 40 hours.

Article 82 deals with night work. Thus, women and children must have at least 12 consecutive hours of rest. Similarly, women may not be employed to do night work in industry.

The law lays down penalties for non-compliance with these regulations to protect women.

II.4. PENALTIES FOR NON-COMPLIANCE

These penalties relate to the fields of education, health and employment.

1. Education

If discrimination is found, the victim can assert her rights by appealing to higher administrative authority or to the courts.

Another difficulty is the effective application of the regulations in force.

2. Health

Article 338 of the Criminal Code protects pregnant women who are victims of violence. Thus, "anyone who by using violence against a pregnant woman or a child in the process of being born causes, even unintentionally, the death or permanent disablement of the child shall be liable to imprisonment for five to ten years and a fine of 100,000 to 2,000,000 francs".

Strictly speaking, there are no sanctions against sexual mutilation. However, it can be treated as an assault causing bodily harm punishable under the Criminal Code.

3. Employment

The rights of the worker of either sex are guaranteed by the Labour Code. Thus, in cases of unfair dismissal, the victim is entitled to compensation for the injury suffered. This leads to pecuniary and civil penalties. The dismissal of a pregnant woman constitutes aggravating circumstances.

Nevertheless, it seems that women, despite the existence of protective legislation, are still the subject of gender-related social prejudice and discrimination.

CHAPTER III
STEREOTYPED ROLES FOR MEN AND WOMEN
(Article 5)

The roles of men and women vary with the type of society though, fundamentally, the man continues to be perceived as the head of the family. In many cases, especially in rural areas, this is one of the most tenacious stereotypes, although in the cities under the influence of various factors it is tending to fade.

Despite this trend and the laws in force, the women of Cameroon continue to be subjected to numerous forms of discrimination in the political, economic, legal, social and cultural fields. Below, we identify some of these forms of discrimination and examine the strategies adopted by the authorities to lessen their adverse effects.

III.1. IDENTIFICATION OF CERTAIN PRACTICES AND CUSTOMS THAT DISCRIMINATE AGAINST WOMEN

- Forced and early marriages;
- limited access to productive resources;
- female genital mutilation;
- limited freedom of expression;
- restricted role in the community;
- inferior status relative to men;
- exclusion of women from certain religious responsibilities;
- domestic and other violence;
- harassment and sexual abuse;
- food taboos and prohibitions;
- abusive widowhood rites;
- subjection of women in the field of reproductive health;
- principle of stereotyped socialization;
- exclusion of women from certain high offices of State (Governor, Prefect, Sub-Prefect, District Head).

Strategies have been adopted with a view to mitigating the ill effects of this discrimination.

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III.2. ACTION STRATEGIES

The various strategies are listed below, followed by the principal actors.

1. The strategies

These strategies, which feature in the Declaration of Policy for the Integration of Women in Development (PANIFD), include:

- promoting and installing machinery to ensure the full development of women's potential;
- eliminating the cultural taboos that are holding back the development of young women through awareness-raising and education;
- improving women's awareness of family planning and popularizing education in responsible parenthood;
- providing drinking water supplies for rural communities;
- promoting the rights of women;
- promoting direct intervention on behalf of women victims of violence;
- adopting measures to encourage the integration or reintegration of poor and marginalized women into the economically active population.

2. The actors

The principal actors involved in implementing these strategies are:

- the authorities;
- the NGOs and various associations;
- the religious communities;
- the media.

CHAPTER IV

SUPPRESSION OF EXPLOITATION OF WOMEN

(Article 6)

IV.1. EXTENT OF PROSTITUTION

Prostitution is a social scourge which is rife in both urban and rural areas, being practised by both men and women. This scourge is now so widespread that it has become difficult to identify and count the prostitutes.

Before the economic crisis, there was a strategy for identifying and recording prostitutes so that they could be given medical attention.

Prostitution affects both old and young. Its causes include:

- poverty;
- the economic crisis and its consequences (unemployment, redundancy);
- moral decline;
- early and forced marriages;
- the weakening of family ties;
- domestic violence.

Faced with the scourge of prostitution, the authorities have adopted a range of measures.

IV.2. RANGE OF MEASURES

Some of these measures are preventive, others punitive.

1. Preventive measures

There are programmes for rehabilitating girls who are at moral risk or socially maladjusted. These programmes are run by the Ministries of Women's Affairs and Social Affairs through the appropriate institutions such as centres for the advancement of women, social centres and home-workshops.

Awareness campaigns are organized from time to time. They are aimed at all the prime targets, in this case adolescents, police officers, armed forces personnel, the prostitutes, students, etc. The actions of the authorities are supported by NGOs. Thus, travelling theatre performances, concerts and pairing in red-light districts are organized to make all those concerned aware of the pernicious effects of this phenomenon.

The programmes run by the Ministry of Youth and Sports and the youth movements are designed to provide sex education for the young.

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Some youth centres also engage in information, education and communication (IEC) activities.

There is no sex tourism in Cameroon. Nevertheless, a new law to regulate tourist activity has just been passed by the National Assembly since such activity could in itself encourage trafficking in women. Thus, article 5 of Law No. 98/006 of 14 April 1998 stipulates that: "The Government shall ensure compliance with the tourism charter and the tourism code of the World Tourism Organization inviting States and individuals to prevent any possibility of tourism being used for the purpose of exploiting others. In this respect, appropriate measures should be taken to combat sex tourism involving children".

2. Punitive measures

In Cameroon, the Criminal Code identifies prostitution, procuring and the corruption of minors as punishable offences.

(a) Prostitution: art. 343

- "(1) Anyone of either sex who habitually engages in sexual acts with others, for remuneration, shall be liable to imprisonment for six months to five years and a fine of 20,000 to 500,000 francs [...]
- (2) Anyone who, with a view to prostitution or sexual immorality, proceeds publicly by gestures, words, written messages or any other means to solicit persons of either sex shall be liable to the same penalties."

(b) Procuring: art. 294

- "(1) Anyone who incites, aids or facilitates the prostitution of others or shares, even occasionally, in the proceeds of the prostitution of others or receives subsidies from a person engaged in prostitution shall be liable to imprisonment for six months to five years and a fine of 20,000 to 1,000,000 francs.
- (2) Anyone who, while living with a person engaged in prostitution, is unable to provide evidence of resources sufficient to enable him to support himself unaided shall be presumed to be receiving subsidies.
- (3) The penalties shall be doubled if:
 - (a) the offence is accompanied by coercion or fraud or if the perpetrator is armed or if he is the owner, manager or person placed in charge of an establishment in which prostitution is practised;
 - (b) if the offence has been committed at the expense of a person under twenty-one years of age;
 - (c) if the perpetrator is the father or mother, guardian or person customarily responsible.

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- (4) In the cases mentioned under subparagraph (3) above, the application of the provisions of art. 48 shall be mandatory. Thus, it follows that in the event of a minor of 18 years of age having committed acts characterized as an offence, the President of the Court may impose on the father, mother, guardian or person customarily responsible the obligation provided for in art. 46 in the event of the minor committing acts of the same nature within a period of one year unless the obligee provides evidence that he has taken all the necessary measures to prevent the minor from committing such offence.
- (5) The court may order forfeiture of rights and deprive the person convicted for the same period of any right of guardianship or supervision; it may also prohibit him, for the same period, from having the physical custody, even when customary, of any person under the age of twenty-one.
- (6) In the circumstances specified in subparagraph 3(a), the court may also order that the establishment be closed, even though it be assigned to some other use.
- (7) For the purposes of the application of this article, the prostitute shall not be considered to be an accomplice."

(c) Corruption of minors: art. 344

- "(1) Anyone who incites, encourages or facilitates sexual immorality or the corruption of a person under twenty-one years of age shall be liable to imprisonment for one to five years and a fine of 20,000 to 1,000,000 francs.
- (2) The penalties shall be doubled if the victim is under the age of sixteen.
- (3) In addition, the court may order forfeiture of rights and deprive the convicted person for the same period of parental authority and any right of guardianship or supervision."

Finally, as regards prostitution practised under the cover of matrimonial agencies, it should be noted that officially there are none. However, individuals or groups do enter into correspondence with foreign matrimonial agencies. This phenomenon, which is tending to become more widespread, is causing the authorities concern.

CHAPTER V

WOMEN IN POLITICAL AND PUBLIC LIFE

(Article 7)

In Cameroon, there are no laws that discriminate against women in political life. The Constitution, which is the supreme norm, guarantees the equality of all before the law without distinction as to sex, race or religion.

The various electoral laws (municipal, legislative and presidential) recognize the freedom and the equal right of men and women to vote in elections and/or to be eligible for election.

Similarly, there are no laws that discriminate against women as far as appointment to high office or participation in national and international activities are concerned.

However, despite these political good intentions, women continue to be under-represented in decision-making circles.

This is mainly due to prejudices and stereotypes, economic factors and the failure effectively to apply the laws and regulations in force.

V.1. WOMEN AND POLITICS

Cameroon has positive laws and plentiful female human resources at its disposal, but the latter are inadequately represented in various public institutions.

1. The National Assembly

There are two houses of parliament: the National Assembly and the Senate. The latter chamber, one of the innovations of the Constitution of 18 January 1996, has still to be installed.

Under the separation of powers principle, the legislative branch collaborates with the executive branch and supervises its action.

Table 1. Percentage of women in the National Assembly since 1960

Year	Number of members	Number of women	Percentage	Remarks
1960-1965	137	1	0.8	Assembly of Federated States
	50	2	4	Federal Assembly
1966-1970	141	2	1.4	Assembly of Federated States
	50	2	4	Federal Assembly
1970-1973	137	5	3.6	Assembly of Federated States
	50	2	4	Federal Assembly
1973-1978	120	7	5.8	Single chamber One-party
1978-1983	120	12	10	Single chamber One-party
1983-1988	120	17	14.2	Single chamber One-party
1988-1992	180	26	14.5	Single chamber One-party
1992-1997	180	23	12.8	Single chamber Multi-party
1997	180	10	5.5	National Assembly

Source: Cameroon Tribune, No. 6644 of 21 July 1998.

This table shows that since 1992 the percentage of women in the multi-party Assembly has fallen sharply. This is due, in particular, to the small numbers of women being nominated, starting with the preliminaries. Moreover, some political parties will not put women at the head of their lists. In 1992, out of 49 lists submitted by the RDPC, only 4 were headed by women. Out of the 46 lists submitted by the UNDP, 2 were headed by women. The MDR and the UPC had no women at the head of their lists.

Between 1960 and 1992, women held only one important post in the executive office of the National Assembly, that of secretary.

In 1992, there were two women in the executive office: one (1) quester and one (1) secretary.

In 1997, for the first time, women occupied the following posts:

- 2 posts of secretary in the office of the National Assembly;
- 1 post of committee chairman;
- 1 post of vice-chairman of a parliamentary group;

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- 1 woman among the 13 members of the Chairmen's Conference which takes important parliamentary decisions.

2. The Economic and Social Council

The Economic and Social Council is one of the country's constitutional political institutions. The number of women members is negligible.

3. The Government

- 1984: 5 women in the Government (2 ministers and 3 deputy ministers) as compared with 43 men, or 11.6 per cent of women;
- 1992: 2 women members of a Government consisting of 44 ministers, i.e. 4.5 per cent;
- 1997: 3 women ministers out of 45, or 6.6 per cent.

4. Women and local government

Women have difficulty in obtaining access to elective office because of the nominations procedures which are stacked against them.

- In 1987, women accounted for 9.19 per cent of total nominations and 8 per cent of those elected;
- In 1996, the figures were 13.69 per cent of nominations and 10.68 per cent of those elected.

With regard to the participation of women in town councils, the following trends have been observed:

Table 2. Participation of women in town councils

Year	Total number of town councillors	Proportion of women		Number of women mayors
		Total	Per cent	
1982	5 107	336	6.6	0
1987	5 345	446	8.3	1
1996	9 932	1 061	10.7	2

Source: Table based on MINAT data.

It should be noted that no woman has yet occupied the post of government delegate. In 1992, a woman was elected mayor for the first time following the resignation of the incumbent.

Despite the political will to guarantee equal opportunity of access to elective and administrative posts, there is still discrimination against women even in the political parties, where they mainly serve as grassroots activists.

5. Women and the political parties

The activities of the political parties and associations are based on the laws that regulate them. Every citizen, without distinction as to sex, is free to set up a political party.

Out of the approximately 130 political parties active in Cameroon, only one was set up by a woman. However, three parties are headed by women.

V.2. WOMEN IN ADMINISTRATION

The number of women occupying strategic posts in the civil service, the private sector and quasi-public enterprises falls well below the quota of 30 per cent determined by mutual agreement at the World Conference on Women held in Beijing in September 1995.

Out of 150,643 civil servants, 46,110 or 30.6 per cent are women. They are divided up among the various categories as follows:

Table 3. Distribution of women in the civil service, by category

Category	Total number	Number of women	Percentage
A2	13 770	2 909	21.12
A1	11 943	2 135	17.87
B2	3 048	401	13.15
B1	22 414	5 991	26.72
C	23 324	8 199	35.15
D	11 103	4 903	44.15
12	22	2	9.09
11	222	68	30.63
10	2 899	891	30.73

Source: Public Service Record, September 1997.

Table 4. Distribution of women in the public services,
by profession

Profession	Total number	Number of women	Percentage
Administration, general	4 158	991	23.83
Administration, school and university	45	4	8.8
Administration, public health	45	2	0.8
Social affairs	542	202	37.27
Agriculture	5 162	526	10.19
Aeronautics	69	6	8.69
Accountancy	509	81	15.9
Surveying	995	54	5.12
Diplomacy	154	21	13.63
Demography	29	2	6.87
Documentation	220	70	31.81
Customs	1 378	146	10.59
Education, general	29 582	9 936	33.58
Education, technical	3 922	1 541	39.29
Education, higher	913	115	11.58
Education, physical	2 503	452	18.05
Postal and telecommunication services	86	10	12.5
Forestry and water resources	1 158	163	14.07
Livestock and fisheries	746	6	8.44
Registry	1 370	421	30.73
Civil engineering	1 030	19	1.84
Nursing	8 381	4 017	47.93
Animal industries	33	5	15.15
Information technology	474	87	18.35
Government publications office	7	2	28.57
Youth and sports	13	3	23.07
Youth and recreation	441	96	21.76
Medicine	767	164	21.38
Mining and geology	88	4	4.54
Meteorology	101	17	16.88
Prices, weights and measures	86	11	12.71
Inland Revenue	511	65	10.20
Treasury	1 069	278	20.60

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Profession	Total number	Number of women	Percentage
Registration, stamps and administration	262	90	53.32
Statistics	502	35	6.97
Geographical services	16	1	6.25
Employment and social security	416	79	18.99
Translation, interpretation	174	27	15.51
Sanitary engineering	75	24	28.23
Medical technology	981	307	31.29
Telecommunication technology	129	17	13.17
Industrial technology	8	169	4.73

Source: Civil Service Record, 17 January 1995.

These figures reveal the following:

- women are represented in every branch of the public services;
- however, women are heavily concentrated in the lower echelons of the professions and the civil service hierarchy;
- in some professions there are very few women.

Table 5. Number of women occupying managerial posts in ministries

Post	Total number	Number of women	Percentage
Secretary General	25	2	8
Inspector General	34	4	11.8
Technical Adviser	40	4	10
Director	138	12	0.6
Deputy Director	94	10	10.6
Assistant Director	326	43	13.19
Head of Service	1 041	181	17.38

Source: Survey made by ISMP in December 1996.

In the quasi-public enterprises and the private sector, there are two women managers. Because they have difficulty in obtaining access to credit, women become trapped in small-scale trading activities.

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V.3. WOMEN AND THE LEGAL PROFESSION

Cameroon has considerable potential in terms of women in the legal profession.

Table 6. Distribution of women in the legal profession

Category	Men	Women	Total	Percentage
Judge	474	95	569	16.7
Barrister	403	95	498	19
Bailiff	111	7	118	5.9
Notary	31	19	50	38

Source: Data collected by MINJUSTICE, August 1998.

V.4. WOMEN AND NON-GOVERNMENTAL ORGANIZATIONS

Women's organizations and associations have grown and diversified under the protection of the Freedom of Association Act of 1990, the Cooperative Societies Act of 1992 and the Economic Interest Groupings Act of 1993. About 150 women's NGOs are registered with the Ministry of Women's Affairs.

CHAPTER VI
WOMEN AND INTERNATIONAL PARTICIPATION
(Article 8)

The women of Cameroon can represent their country on an equal footing with men.

In reality, however, as the following figures show, women are under-represented in diplomacy and the international organizations.

VI.1. CENTRAL GOVERNMENT SERVICES WITH DIPLOMATIC RESPONSIBILITIES

1. Office of the President of the Republic (Diplomatic Affairs Division)

Table 7. Proportion of women occupying diplomatic posts in the Office of the President of the Republic

Post	Men	Women	Total	Percentage
Attaché	1	2	3	66.66
Chargé de mission	2	0	2	0
TA	1	0	1	0

Source: MINREX, DAG, 1998.

2. Ministry of External Relations

Table 8. Women holding senior posts in the Ministry of External Relations

Post	Men	Women	Total	Percentage
Minister	1	0	1	0
Assistant Minister	2	0	2	0
SG	1	0	1	0
Inspector General	3	0	3	0
National Inspector	3	0	3	0
Technical Adviser	2	1	3	33.33
Director	10	0	10	0
Assistant Director	29	1	30	3.3
Head of Service	56	14	70	20

Source: MINREX, DAG, 1998.

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VI.2. DIPLOMATIC MISSIONS

Table 9. Percentage of women in diplomatic missions

Post	Men	Women	Total	Percentage
Ambassador	25	1	26	3.8
Counsellor, First and Second	40	4	44	9.09
Secretary, First	35	2	37	5.40
Secretary, Second	23	4	27	14.8

Source: MINREX, DAG, 1998.

Table 10. Percentage of women in the various diplomatic grades

Grade	Men	Women	Total	Percentage
Minister Plenipotentiary	22	3, of whom only 1 is active	25	12
Counsellor, Foreign Affairs	4	0	4	0
Secretary, Foreign Affairs	123	17	140	12.14

Source: MINREX, DAG, 1998.

VI.3. INTERNATIONAL ORGANIZATIONS

Table 11. Percentage of women in the international organizations

International organization	Post	Men	Women	Total	Percentage
United Nations Secretariat	P5	2	0	2	0
	P4	4	1	5	20
	P3	3	2	5	40
UNITAR	-	1	0	1	0
AIPO	-	2	0	2	0
OAU	-	2	6	8	75
ICO	P5	1	0	1	0
UNDP	P5	2	1	3	33.3
	P3	5	1	6	16.6
ICAO	-	2	0	2	0
FAO	-	4	0	4	0

/...

International organization	Post	Men	Women	Total	Percentage
ITU	-	1	0	1	0
UNESCO	D1	1	0	1	0
	P5	2	0	2	0
	P4	1	0	1	0
	P3	1	0	1	0
WMO	P	0	1	1	100
ILO	D1	1	0	1	0
	P	4	0	4	0
ITTO	-	1	0	1	0
IMF	-	4	0	4	0
ADB	-	1	0	1	0
UNFPA	-	4	0	4	0
CTCA	Senior officials	2	0	2	0
IBRD	Assistants to Directors and the like	5	2	7	28.5
BEAC	Senior officials	46	2	48	4.1
WFP	-	2	0	2	0
UNIDO	-	3	0	3	0
IPU	-	1	0	1	0
WIPO	-	1	0	1	0
WHO	P5	3	1	4	25
	P4	2	0	2	0
	P3	4	0	4	0
UNICEF	-	2	0	2	0
ECA	P5	1	0	1	0
	P4	5	0	5	0
	P3	2	0	2	0
ACP-EEC	-	3	0	3	0

Source: MINREX, DAG, 1998.

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CHAPTER VII

ACQUISITION/ATTRIBUTION, CHANGE AND RETENTION OF NATIONALITY

(Article 9)

VII.1. HISTORICAL BACKGROUND

Cameroonian nationality was introduced on the eve of Independence on 1 January 1960 by Ordinance No. 59-66 of 28 November 1959. It was attributed to individuals who had the status of Cameroonian subjects on 1 January 1960.

Following the reunification of the two Cameroons on 1 October 1961, Cameroonian nationality was extended retrospectively to natives of West Cameroon, then under British trusteeship, by Federal Law No. 68-LF-3 of 11 June 1968 establishing the Cameroonian Nationality Code. Thus, art. 45 of this law stipulates that:

"Individuals who on 1 January 1960, in East Cameroon, had the status of Cameroonian subjects and on 1 October 1961, in West Cameroon, had the status of a native of that State are considered to be Cameroonians."

In its Preamble, the Constitution of 18 January 1996 expressly guarantees all citizens, without distinction as to sex, the rights and freedoms enshrined in the Universal Declaration of Human Rights, the African Charter on Human and Peoples' Rights and all international conventions relating thereto duly ratified by Cameroon. However, the Constitution makes no mention of the right to nationality. It is therefore necessary to refer to art. 15 of the Universal Declaration of Human Rights of 1948 which reads:

- "1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality."

Because of the place assigned to the provisions of human rights conventions in the Cameroonian legal system, the right to a nationality is a constitutional right (see above). The particular circumstances of history, ethnic origin, religion and language have no effect on nationality. Indeed, in the words of the Preamble to the Constitution:

"Proud of our linguistic and cultural diversity, an enriching feature of our national identity, but profoundly aware of the imperative need to further consolidate our unity, we, the people of Cameroon, solemnly declare that we constitute one and the same nation ..."

In any event, Law No. 68-LF-3 of 11 June 1968 establishing the Cameroonian Nationality Code is in conformity with the Constitution as regards equality between the sexes and makes no distinction between men and women as regards the attribution, change or retention of Cameroonian nationality.

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The same law does make a distinction between the attribution of Cameroonian nationality by origin and the acquisition of that nationality after birth.

VII.2. ACQUISITION/ATTRIBUTION, CHANGE AND RETENTION OF CAMEROONIAN NATIONALITY

1. Attribution of Cameroonian nationality by origin

Cameroonian nationality is attributed on the basis of filial relation or birth in Cameroon.

(a) Filial relation

Articles 6, 7 and 8 of the above-mentioned Law No. 68 list six possible circumstances:

According to article 6, a child has Cameroonian nationality if it is "a legitimate child of Cameroonian parents" or "a natural child, when both parents with respect to whom filiation has been established are Cameroonian".

According to article 7, a child has Cameroonian nationality if it is "a legitimate child one of whose parents is Cameroonian" or "a natural child when the parent with respect to whom filiation was established in the first instance is Cameroonian while the other parent is a foreign national, subject to the right of the minor to renounce Cameroonian nationality during the six months before he comes of age if he was not born in Cameroon or if, in accordance with the national law of that foreigner, he is able to avail himself of the latter's nationality."

According to article 8, a child has Cameroonian nationality if it is "a legitimate child of a Cameroonian mother and a father who has no nationality or whose nationality is unknown" or "a natural child when the parent with respect to whom filiation was established in the second instance is Cameroonian, if the other parent has no nationality or his/her nationality is unknown."

(b) Birth in Cameroon

Article 9 attributes Cameroonian nationality to any child born in Cameroon of unknown parents, provided that during its minority filiation is not established with respect to a foreigner.

Article 10 extends the presumption of birth in Cameroon to a newborn child found in Cameroon.

According to article 11:

"The following shall be Cameroonian, subject to the right to renounce that status during the six months before coming of age:

- (a) a legitimate child born in Cameroon of foreign parents, if one of them was himself/herself born in Cameroon;

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- (b) a natural child born in Cameroon when the parent with respect to whom filiation was established in the first instance was himself/herself born in Cameroon."

Finally, under the terms of article 12, Cameroonian nationality is acquired as of right, simply as a result of being born on Cameroonian territory, by anyone unable to avail himself/herself of any other nationality of origin.

2. Acquisition, change and retention of Cameroonian nationality after birth

The Cameroonian legislation mentions four possible ways of acquiring Cameroonian nationality after birth: by marriage (arts. 17, 18 and 19); by birth and residence in Cameroon or adoption or restoration of the former nationality of the parents (arts. 20, 21, 22 and 23); by naturalization (arts. 24, 25, 26 and 27); and, finally, by restoration of former nationality (arts. 28 and 29).

Only the first way, which concerns women, will be examined.

- (1) (a) A Cameroonian woman who marries a foreigner retains her Cameroonian nationality even if she acquires the nationality of the husband (art. 32).
- (2) (a) A foreign woman who marries a Cameroonian man can acquire Cameroonian nationality by declaration at the time of marriage (art. 17). She may also declare that she is not taking Cameroonian nationality, provided she can prove that after marriage she will retain her nationality of origin.

She may also, after marriage, acquire Cameroonian nationality by naturalization (art. 25).

There appears to be a tendency for the National Civil Law Reform Commission to favour the legal extension of dual nationality to mixed couples, on the basis of social developments and the interests of women.

Furthermore, women have the right to travel with their under-age children on their own passport, which they can obtain without their husband's authorization.

CHAPTER VIII

ACCESS OF WOMEN TO EDUCATION

(Article 10)

The Constitution establishes the compulsory nature of primary education and the right of all, without discrimination, to receive an education. In practice, however, socio-cultural factors may lead some parents and some families to favour the education of boys to the detriment of the education of girls, on the grounds that the latter are unproductive and destined to establish families elsewhere.

VIII.1. CONDITIONS FOR VOCATIONAL GUIDANCE, ACCESS TO STUDIES AND ACHIEVEMENT OF DIPLOMAS IN EDUCATIONAL ESTABLISHMENTS OF ALL CATEGORIES

The Cameroonian educational system makes no distinction between girls and boys. The proportion of girls falls progressively as the level of education rises, particularly in the sciences.

1. Primary education

In Cameroon, primary education is the level with the largest number of pupils, estimated at about 2 million in 1997. The enrolment rate is steadily falling. Thus, from 78 per cent in 1984 it dropped to 61 per cent in 1995.¹

The following table shows the trend in the number of primary school pupils between 1990 and 1995.

Table 12. Trend in the number of primary school pupils between 1990 and 1995

Year	Girls	Boys	Total	Percentage girls
1990/91	904 179	1 059 967	1 964 146	46
1991/92	906 429	1 053 370	1 959 799	46.3
1992/93	913 132	1 002 016	1 915 148	47.7
1993/94	891 530	1 001 248	1 892 778	47.1
1994/95	893 617	1 003 105	1 896 722	47.1

Source: Statistical Yearbooks of the Education Council, 1995.

¹ Draft New Policy of Education, 1997.

Between 1990 and 1992, the school population at this level of education increased steadily by about 5 per cent per year. However, from the beginning of the school year 1993/94 numbers started to fall due to pupils dropping out as a result of the economic crisis. This decline was to intensify with the devaluation of the CFA franc and the sharp fall in civil service salaries.

Between 1985 and 1991, remarkable progress was made with the provision of education following the opening of a large number of primary schools.

2. General secondary education

With about 18 per cent of pupils, general secondary education is of great importance for Cameroon. It trains children aged from 12 to 18 and provides the student with a body of general and scientific knowledge that will determine his or her choice of future occupation.

Table 13. Trend in the number of secondary school pupils between 1990 and 1996

Year	Girls	Boys	Total	Percentage girls
1990/91	148 690	218 299	366 986	41
1992/93	182 694	260 550	443 244	41
1994/95	185 057	273 084	458 141	40
1995/96	185 248	273 820	459 068	40

Source: idem.

As compared with boys, the number of girls obtaining access to secondary education is low. This is a consequence, among other things, of social prejudice against the education of girls.

As distinct from primary education, which is more widespread, general secondary education is more heavily concentrated in the urban areas. However, the authorities are making efforts to set up colleges in some large villages.

At the same time, the Cameroonian education system does not discriminate in any way between girls and boys. There is no doubt that in the official institutions education is mixed and boys and girls have equal opportunities.

In short, there are more boys than girls enrolled in primary and general secondary education.

The problem of the underrepresentation of girls among those taking science courses first arises in the second grade of the French-speaking education system and in the fourth form of the English-speaking education system.

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In general, the percentage of girls taking science courses in Cameroon is very low. By way of illustration, the percentage of girls taking second-cycle science courses, by province, is as follows:

Adamaoua:	3%	Central:	13%
Far North:	2%	East:	7%
Littoral:	14%	North:	4%
North-West:	11%	West:	24%
South:	11%	South-West:	11%

Source: Situation report on the enrolment of girls and performance in the scientific disciplines, FEMSA-Cameroon, September 1997.

Similarly, out of a sample of 10,650 candidates for Baccalaureate C in five consecutive years only 512 or 4.8 per cent, were girls, while out of a sample of 27,526 candidates for Baccalaureate D during the same period 6,348 or 23.06 per cent were girls.

The reasons for these low percentages of girls are both internal and external to the girl herself (internal contradictions, prejudices with regard to women and the sciences, the duration of the studies, the attitude of the parents).

3. Technical and vocational education

Where technical and vocational education is concerned, post-primary education should be distinguished from technical education proper.

Post-primary education is vocational in nature and comprises sections of two types, namely: Craft and Rural Sections (SAR) and Domestic Sections (SM). This type of education mainly attracts girls who drop out at the primary level. The figures show that the proportion of girls (heavily concentrated in the SM) declined from 30.5 per cent in 1975-76 to 22.15 per cent in 1984-85.²

This fall in the proportion of women is attributable to their improved "educational life expectancy".

In technical education, girls are generally less numerous than boys. According to a study carried out in 1992 by the Ministry of Social and Women's Affairs (MINASCOF) on "the factors affecting enrolment and drop-out among girls", girls account for about 40.4 per cent of the total number enrolled. This study also shows that 69 per cent of the girls enrolled in technical

² MINPAT/Planning Directorate, Seminar-Workshop on the formulation of national demographic policy "Demographic and socio-economic characteristics of the female population", pp. 23-24, 1988.

education are training to be typists and secretaries or taking so-called women's courses (sewing, domestic science, social services).

4. Higher education

According to the aforementioned study, girls account for about 23 per cent of the total number of students in higher education. Only a few of them are studying science. In 1991, only 17 per cent of the students enrolled in the Faculty of Sciences of the University of Yaoundé were girls.

VIII.2. ACCESS TO THE SAME CURRICULA AND EXAMINATIONS AND TO SCHOOL PREMISES AND EQUIPMENT OF THE SAME QUALITY

There are no discriminatory measures with respect to girls and women in these areas; the curricula and examinations, like the equipment, are available without distinction to girls and boys, except in a few denominational schools reserved exclusively for boys.

VIII.3. ELIMINATION OF ANY STEREOTYPED CONCEPT OF THE ROLES OF MEN AND WOMEN

Sending girls to school has long been perceived as an unprofitable investment. In Cameroon, this perception is more deeply entrenched in the Islamized region where sending girls to school is regarded as tending to undermine traditional and moral values. Moreover, with the fall in household purchasing power resulting from the economic crisis through which the country is passing, the education of children has increasingly come to be seen as an investment on which to capitalize. In this respect, as far as the family is concerned, boys appear to be a better risk than girls who are generally expected to leave home to become part of another family.

The Cameroonian Marriage Code specifies 15 as the minimum legal age for girls to marry and 18 for boys. Thus, at a very early age girls may find themselves deflected from their school career and exposed to the risks of early and/or undesired marriages and pregnancies or sexual harassment in and out of school. In the heavily Islamized regions, when a girl is first married her age will often be below the statutory minimum.

At the socio-cultural level, the status and preferred role of the young girl are defined in terms of the customary principles governing society. Thus, from an early age, the parents instil in their daughters attitudes and standards intended to prepare them for the role of wife, mother and productive citizen, whereas boys are responsible for the family heritage from birth.

VIII.4. SCHOLARSHIPS AND OTHER STUDY GRANTS

All applications are examined in the same way by a committee, which gives precedence to scientific subjects new to Cameroon. Thus, special grants are offered to students wishing to pursue studies in these fields. The Ministry of Women's Affairs is represented on this committee and makes sure that girls are awarded their fair share of scholarships.

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VIII.5. ACCESS TO PROGRAMMES OF CONTINUING EDUCATION, INCLUDING ADULT AND FUNCTIONAL LITERACY PROGRAMMES

The Government of Cameroon is making a notable effort in the field of access to basic education for all, but the illiteracy rate among women is still high. Moreover, serious disparities remain between regions, the big cities and the rural areas and between age groups. For example, in the provinces of the Far North 64 per cent of the children who could be enrolled are not, and the difference between the enrolment rates for girls and boys is 14 per cent as compared with 9 per cent nationally.

The main obstacles to the development of education for girls are pinpointed in a study of the factors with a negative effect on the underenrolment of girls in Cameroon's schools commissioned by the Ministry of Social and Women's Affairs and revised by the NGO AGRO-PME (Small and Medium-Sized Agricultural Enterprises):

- lack of a birth certificate, which impedes enrolment and access to official examinations;
- early and undesired marriages and pregnancies;
- socio-cultural traditions that restrict the participation of women in social life;
- a mistaken social perception of the modern school on the part of parents and the community;
- the intensive exploitation of girl labour on farms and in households;
- curricula that fail to meet the basic educational needs of the target groups in terms of local cultural values.

With the assistance of UNICEF, the Government has introduced a basic education programme for girls in the northern provinces.

The three components of this programme are as follows:

- girls' basic education project;
- social mobilization project on behalf of young girls;
- girls' non-formal basic education project.

This programme aims to improve access to school for girls by 10 per cent a year and to reduce the drop-out rate by 15 per cent.

In addition, the fact that women constitute a majority of the Cameroonian population (51 per cent), together with their low level of education, has led various ministerial departments and specialized agencies [Youth and Sports, Agriculture, Livestock, Women's Affairs, Employment and Labour, Social Affairs, National Employment Foundation] to adopt functional literacy programmes and non-formal basic education as a means of reaching this important group.

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In parallel with this government action, several denominational and lay, as well as community, NGOs have developed alternative education and literacy programmes.

These alternatives are intended to serve as a bridge back to the normal education cycle or as a means of integration into the labour market. However, their impact is being blunted by a number of constraints:

- shortage of structures and qualified personnel;

The Ministry of Youth and Sports has about 115 youth and recreation centres and 75 literacy centres and supervises 60 youth movements and associations.

The Ministry of Women's Affairs has 26 operational centres for the advancement of women and plans to have one centre in each departmental capital (or 58 altogether).

Moreover, 84 rural leadership pools are open and 37 closed because of the freeze on recruitment to the civil service and retirements.

The Ministry of Social Affairs has 100 or so social centres and home-workshops.

The Ministry of Agriculture has rural promotion structures.

- financial constraints leading to the defection of beneficiaries;
- shortage of teaching materials and equipment;
- conservative attitudes;
- the negative aspects of certain religious factors;
- curricula and content ill-adapted to the needs and resources of the community and to the social demand for labour;
- lack of coordination and collaboration;
- failure to exploit non-formal education structures;
- non-acceptance of the certificates and attestations issued by such structures in relation to the professional scale in force;
- lack of competitiveness of the graduates of this system on the job market and their difficulty in integrating into the formal education system.

VIII.6. REDUCTION OF DROP-OUT RATES

In general, the school drop-out rate varies with the cycle:

- at the primary level, the estimated rate is 6.4 per cent for girls as compared with 5.6 per cent for boys;
- at the secondary level, it is 14.2 per cent for girls as compared with 10.6 per cent for boys.

The differences are more pronounced in higher education.

Moreover, since 1992, there has been a decline in the enrolment rate for girls as a result of the economic crisis, which has aggravated the problem of the protection, safety and retention of girls at school.

Aware of this problem, the Government has set up an informal basic education project which is based on a social mobilization approach and has been developed in the field in the Far North region, with the support of UNICEF. This project is currently being extended to the East province.

The project objectives are as follows:

- to convince the national community of the need for education for girls;
- to limit the dropping out and under-enrolment associated with socio-economic and cultural factors;
- to eliminate all forms of prejudice and discrimination with regard to schooling for young girls;
- to encourage a change of mentality and a more favourable social perception of school and the role of girls;
- to make girls and their parents more aware of the advantages of a better basic education;
- to keep pregnant girls in school;
- to extend the age of school admission for girls in those areas where enrolment is low and the population consists of marginal groups (pygmies, bororos, hill people, inhabitants of inaccessible or frontier areas);
- to increase the supply of education, even in low-density areas;
- to intensify advocacy campaigns and mobilize society on behalf of women;
- to introduce education into family life in order to reduce the early and/or undesired pregnancy rate;

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- to increase the number of girls enrolled in school;
- to reduce wastage by improving attendance among girls, with particular emphasis on the regions with low enrolment.

VIII.7. OPPORTUNITIES TO PARTICIPATE ACTIVELY IN SPORTS AND PHYSICAL EDUCATION

There are no restrictions except in cases of physical incapacity and/or where medically inadvisable.

Both males and females are admitted to the National Youth and Sports Institute (INJS) and girls can practise any sport there.

Moreover, women's football teams participate in competitions at both national and international level. The State assigns sports and physical education teachers to the traditional and non-formal educational establishments under a programme funded from the State budget. Girls and boys compete in all disciplines in the games organized annually by the National School Sports Federation (FENASCO).

VIII.8. ACCESS TO INFORMATION ON HEALTH, FAMILY WELL-BEING AND FAMILY PLANNING

The Ministry of Women's Affairs is promoting a women's education programme in the context of non-formal basic education and functional education involving:

- information;
- awareness-raising;
- education (educational chats);
- training;
- social mobilization.

Education programmes have been set up within the context of the AIDS programme and in connection with sexual mutilation, family planning, fundamental rights, and the education and/or protection of young girls.

CHAPTER IX

ACCESS OF WOMEN TO EMPLOYMENT

(Article 11)

In the Cameroonian context in general, in 1987 women accounted for about 42 per cent of the economically active population in work. They were most numerous in agriculture with 50 per cent of the total, followed by services (about 25 per cent) and industry (15 per cent). Moreover, they made up 15 per cent of dependent workers.

- On 30 June 1992, in the public sector or administration, they accounted for about 28 per cent of the establishment. Today, however, this figure needs to be revised downwards because of staff cutbacks and the lowering of the retirement age, which has particularly affected the lower grades where women are over-represented.
- As for the informal sector, it includes most of the self-employed, including a high proportion of the economically active female population (about 58 per cent in 1987).

Moreover, one head of household in five is a woman. It should be noted that in Cameroon the domestic work done by women is not yet taken into account in the system of national accounts.

With respect to standard of living, most Cameroonian households are classed below the poverty threshold. Women, who make up 51.9 per cent of those living in these households, are the ones who suffer most hardship. At the same time, the middle households, which account for 18.3 per cent of the population, have a composition that is only 48.4 per cent female and 51.6 per cent male.

This tendency for the proportion of women to fall as the standard of living rises is common to all the regions.

Table 14. Percentage of women by standard of living and by region

Standard of living/region	Total female population				Women heads of household			
	Poor	Interm.	Non-P.	Overall	Poor	Interm.	Non-P.	Overall
Yaoundé	50.2	50.0	51.8	50.8	15.5	28.1	40.3	32.4
Douala	42.0	48.96	47.1	46.6	8.3	16.0	20.4	17.4
Other cities	54.6	52.3	46.3	50.8	25.0	11.7	25.6	20.1
Forest	52.1	50.4	49.5	51.4	15.6	13.4	27.1	16.0
High plateaux	51.7	49.5	46.3	50.6	8.4	21.7	26.9	16.5
Savannah	53.3	49.7	52.5	52.1	13.6	4.9	22.1	11.8
Overall	51.9	50.2	50.8	50.8	12.9	13.9	26.7	17.2

Source: ECAM 96/DSTAT.

Specifically, there are three main aspects to article 11 of the Convention, namely:

- the rights exercised by women on a basis of equality with men;
- the measures taken to prevent discrimination against women on the grounds of marriage or maternity;
- the periodic review of the legislation to protect women.

IX.1. THE RIGHTS EXERCISED BY WOMEN ON A BASIS OF EQUALITY WITH MEN

1. The right to work as an inalienable right of all human beings
2. The right to the same employment opportunities, including the application of fair criteria for selection in matters of employment

These two aspects are enshrined in various pieces of national legislation:

(a) The Constitution whose Preamble clearly states that "everyone shall have the right and obligation to work".

(b) The Labour Code, according to whose art. 2(1) "the right to work is recognized as a fundamental right of every citizen".

(c) The Civil Service Regulations, according to whose art. 12(1) "access to the Civil Service is open, without discrimination, to any Cameroonian national who satisfies the requirements with respect to age, physical fitness and good character".

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3. The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to vocational training and retraining

In general, the law does not discriminate against women.

Article 2 of the Labour Code is explicit as regards the right to job security: "The State must do everything possible to help citizens to find a job and to retain it once found". Furthermore, paragraph 2 of the same article prohibits forced or compulsory labour.

Similarly, article 24 of the Civil Service Regulations states that "The civil servant shall enjoy the following rights vis-à-vis the administration:

- the right to protection;
- the right to remuneration;
- the right to a pension;
- the right to health;
- the right to in-service training;
- the right to leave;
- the right to participation."

All these rights are applicable to and enjoyed by men and women without distinction.

4. The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work

On 25 May 1970, Cameroon ratified ILO Convention No. 100 of 1951 on equality of remuneration. The provisions of this Convention are incorporated in art. 61(2) of the Labour Code which states: "For the same conditions of work and level of skill, the wage shall be the same for all workers, regardless of their origin, sex, age or status".

With regard to the system for the evaluation of the quality of work, the Civil Service Regulations (Section 1, Chapter III, art. 42) read as follows: "As soon as the fiscal year has ended and at the latest by 31 August of each year, the professional performance of the civil servant shall be evaluated in terms of the objectives assigned, the time allowed for their achievement and the quality of the results."

Paragraph 2 of the same article goes further, stipulating that the evaluation shall determine the course of the official's career, particularly as regards promotion or redundancy.

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5. The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave

The right to social security is enshrined in Social Security Organization Ordinance No. 73-17 of 22 May 1973.

Article 1 of the Ordinance reads as follows: "There shall be set up a social security organization responsible, within the framework of general government policy, for administering the various benefits for which the social and family protection legislation provides."

Only dependent workers fall within the areas of social security currently covered in Cameroon. Moreover, regardless of gender, unemployment benefit does not feature among the various benefits provided.

6. The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction

Title VI of the Labour Code deals with occupational health and safety.

In accordance with art. 95 of the Code, hygiene and safety conditions in the workplace are defined by order of the Minister responsible for labour matters. Thus, Order No. 39/MTPS/IMT of 24 November 1984 lays down general measures.

As far as health is concerned, art. 98 of the same Code requires every enterprise and every establishment of whatever description, public or private, lay or religious, civil or military, including those associated with the exercise of liberal professions and those controlled by trade associations or trade unions, to organize a medical and health service for the benefit of the employees.

The provisions of the Civil Service Regulations similarly protect the health and safety of civil servants. Thus, art. 25 stipulates that "The State is required to protect the official against any threats, abuse, violence, assault, insults or slander to which he may be exposed because or when he is performing his functions." Later, art. 31(2) stipulates that "The State is required to protect the official against work-related accidents and occupational diseases."

Article 84(1) of the Labour Code throws light on the question of safeguarding the reproductive function. The substance of this article is reproduced below in the section devoted to the legislation for the protection of the working woman.

The availability of 14 weeks of maternity leave for women and 3 days of paternity leave for men likewise reflects the authorities' concern to safeguard the function of reproduction.

Alongside these common provisions which apply equally to men and women (recruitment, working hours, rest periods, remuneration, hygiene and safety measures, premature termination of an employment contract), the Cameroonian

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legislation contains special provisions to protect the working woman in her dual capacity of employee and mother.

It is clear from the foregoing that there is a full range of measures to protect the woman employee, although it is difficult to discern whether or not they are being applied.

IX.2. LEGISLATION TO PROTECT THE HEALTH AND SAFETY OF THE WORKING WOMAN

1. Prohibition of dismissal on grounds of pregnancy

Article 84(1) of the Labour Code reads as follows: "Any pregnant woman whose condition has been medically confirmed may terminate her contract without notice and without being liable for that reason to pay compensation. During this period, the employer may not terminate the employment contract of the woman concerned on grounds of pregnancy."

2. Introduction of maternity leave with pay

This aspect features in art. 2 of ILO Convention 100, which has been ratified by Cameroon, and is reflected in various pieces of legislation:

(a) The Labour Code, art. 84(2) of which reads as follows:

"Every pregnant woman has the right to fourteen (14) weeks of maternity leave beginning four (4) weeks before the expected date of confinement. This leave may be extended by six (6) weeks in the event of illness, duly confirmed, resulting from either pregnancy or childbirth. At no time during this period of leave may the employer terminate the employment contract of the woman concerned."

(b) The Civil Service Regulations

Under art. 66(1): "At her request and on presentation of a six-month pregnancy certificate, a female official shall be entitled to fourteen (14) weeks of maternity leave for confinement and nursing, with full pay. The certificate must indicate the expected date of confinement."

According to paragraph 4 of the same article, this leave can be extended by six weeks in the event of illness duly confirmed and resulting from either pregnancy or confinement.

3. Eligibility for an allowance while on maternity leave

Under art. 84(5) of the Labour Code, apart from the various benefits for which the social and family protection legislation provides, during maternity leave a woman has the right to receive, at the expense of the National Social Security Fund, a daily allowance equal in amount to the wage effectively payable at the time of suspension of the employment contract; she retains the right to benefits in kind.

4. The right of women to rest during the nursing period

Article 85(1) stipulates that "During a period of fifteen (15) months following the birth of the child, the mother shall have the right to rest breaks for nursing purposes" while, according to paragraph 3 of the same article, "During this period, the mother may terminate her contract without notice."

5. Prohibition of heavy and dangerous work

Under the terms of art. 83, the nature of the work which women and pregnant women, respectively, are prohibited from doing shall be defined by order of the Minister responsible for labour matters.

6. Prohibition of night work

It follows from art. 82(2) that women and children may not do night work in industry. Article 81 defines night work as any work done between 10 p.m. and 6 a.m.

With regard to the provision of the necessary supporting social services, employers are having difficulty in establishing and operating day-care facilities within their enterprises.

Although Cameroon does have legislation containing provisions that protect the working woman, it is nonetheless true that some of these provisions are out of date and need revising.

IX.3. NEED FOR A PERIODIC REVIEW OF THE LEGISLATION FOR THE PROTECTION OF THE WORKING WOMAN

For the time being, there is no formal provision for a periodic review of out-of-date and inappropriate legislation. However, a national commission has been set up within the Prime Minister's services to revise the laws and regulations. Its general objective is to list all these texts and see how they might be reformed.

Although in many cases women are recognized as being entitled to the various fundamental rights, in reality they still face obstacles when it comes to exercising those rights.

1. In the field of employment

In the structured sector, women's employment opportunities are limited by their basic profile since it generally corresponds to parts of the labour market which are already saturated. Similarly, a woman's choice of occupation is often restricted by inappropriate basic training.

Moreover, the hiring practices of some employers infringe upon a woman's freedom to marry since she is often required to provide a certificate showing that she is unmarried.

The informal sector, where working women are more numerous, does not have access to the public social security system.

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With respect to the application of the principle of equal remuneration for work of equal value within the context of collective labour agreements, it must be acknowledged that in Cameroon working women generally know little about the administrative and legal systems, which makes it difficult for them to assess when their rights are being infringed.

Similarly, women take little interest in the process of collective bargaining whether inside or outside the enterprise, even though all important social and work-related decisions are discussed during this process before being endorsed by the Government. Accordingly, women should be urged and encouraged not only to join unions but also to take positions of responsibility within those unions. Tripartite bargaining (employers, workers and government) is a guarantee of dialogue and industrial peace.

Furthermore, there is as yet no national job classification, which makes it difficult to establish the percentage of women in low-paid and part-time jobs. Nevertheless, it should be pointed out that jobs in the informal sector, where women are more numerous, are poorly paid, the average wage being CFAF 32,000 per month (Bureau of Statistics and National Accounts, 1993).

2. Protection of women from bodily harm

With respect to the violence to which women may be exposed at the workplace and in the home, there are provisions in the Criminal Code that establish penalties for assaults causing bodily harm. However, sexual harassment, a form of violence experienced on a daily basis by women at work, has not been legally defined, which makes it difficult to prosecute. Similarly, the lack of a legal definition of discrimination based on sex discourages women from complaining to the courts about the not easily classifiable practices of which they are the victims.

This situation is reflected in the lack of established precedents in this area of the law.

CHAPTER X

ACCESS OF WOMEN TO PRIMARY HEALTH CARE

(Article 12)

The health of the people is a government priority since a country that neglects the people's health can hardly be expected to develop socially and economically. This objective can only be achieved if the political will exists and the health and related sectors are prepared to combine their efforts.

X.1. SECTORAL HEALTH POLICY: MEASURES TAKEN BY THE GOVERNMENT TO IMPROVE THE HEALTH OF THE PEOPLE

The priority objective of sectoral health policy (1992) is "to improve the state of health of the people by making comprehensive quality care more accessible to the whole of the population, with the full participation of the communities."

The essential components of this sectoral health policy, as incorporated in Framework Law No. 96/03 of 4 January 1996, are as follows:

- universal access to essential quality care through the development of health districts;
- reinforcement of the health care systems at every level (central, intermediate and peripheral);
- making essential generic pharmaceutical products affordable to the largest possible number of Cameroonians thanks to the creation of a National Essential Drugs Centre (CENAME);
- involvement of the communities in the co-financing and co-management of the health services (encouragement of dialogue at all levels through the establishment of health committees, management committees, etc.) with a view to their taking their share of responsibility for dealing with health problems;
- development of a partnership between government, the beneficiary communities and all the other interested parties.

This policy, whose operational strategy is based on the Declaration of National Policy for the reorientation of primary health care (PHC) and on a series of measures forming part of the priority programmes for making the health care system viable (one of these programmes is devoted specifically to the health of women and children), consists in giving the largest possible number of persons access to the care they need at a reasonable and bearable cost.

In this context, the health centres are the preferred means of establishing the interface between the community and the health services.

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Since mothers and children constitute the most vulnerable group, in both urban and rural areas, MINSANTE has laid down the basic principles of health care provision for mothers and children in a re-updated document entitled "Policy and standards for maternal and child health and family planning services", the aim being to improve the provision and delivery of these services.

Altogether, there are 12 aspects to sectoral health policy:

- controlling endemic diseases and epidemics and epidemiological monitoring;
- primary health care;
- referrals;
- health care for women, children and youth, family planning;
- mental health;
- drugs and pharmaceutical policy;
- traditional medicine;
- infrastructure and equipment;
- rationalization of personnel management;
- health and management information system;
- financing of the health sector;
- operational research.

This policy is being implemented through programmes (including the National Family Health Programme, which incorporates a dozen priority sub-programmes for mothers and children) backed by 30 or so projects, 4 of which are specifically targeted at women, namely:

- Women-Population-Development;
- Maternal and Child Health;
- Discrimination in Traditional Practices;
- EVA Project (Education in Life and Love).

This new health policy of the Government of Cameroon reflects the priority it is giving to this sector and its desire significantly to improve the health indicators for the population in general, and women and children in particular, over the course of the next 10 years.

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To achieve the aim of improving women's health and nutrition, seven priority areas have been marked out:

1. Priority areas

- reduction of risk factors;
- adequacy of health coverage;
- raising the level of education of women;
- higher incomes for women;
- improved household food security;
- educating the public about health and nutrition;
- inclusion of women in health management.

Special attention should be paid to the reduction of risk factors in view of its potential for improving women's health.

The state of women's health remains precarious due to a series of interdependent factors (serial childbirths, food taboos, traditional practices, hard work in the home and on the land) which lessen their ability to work and undermine their constitution. Thus, improved health and nutrition depend on the implementation of strategies designed to solve these problems.

The necessary measures mainly involve:

- developing a programme to support the campaign against the malnutrition and lack of micro-nutrients which are degrading the health of women and children;
- setting up a social mobilization programme to make people, especially men and the traditional authorities, aware of the highly deleterious effects of food taboos and certain traditional practices on the health of women and children;
- increase people's awareness of sexually transmitted diseases and AIDS (an IEC campaign has been organized with the support of the mass media);
- promote genital cancer screening and treatment;
- lighten women's workload (especially that of rural women) by facilitating their access at reduced cost to appropriate or intermediate technologies;
- increase the level of access to drinking water in urban and especially rural areas by building new works and introducing a national maintenance policy for the existing installations;

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- intensify the programme of education in responsible parenthood by involving all the groups concerned: young people, parents, adults. The programme should be incorporated into the school system and delivered in both urban centres and rural areas;
- promote the practice of breast-feeding up to the age of at least 6 months.

Within this framework a number of projects are being carried out.

2. Ongoing programmes and projects

- the breast-feeding programme;
- the campaign against iodine-deficiency disorders;
- the campaign against protein-energy malnutrition;
- the campaign against deficiency anaemias;
- the Women-Population-Development project;
- the campaign against AIDS;
- the Maternal and Child Health/Family Planning project;
- the Education in Responsible Parenthood project;
- the Nutrition Education pilot project;
- the COP-MIR project (communication for taking into account population problems in rural areas);
- the Guinea Worm Eradication project;
- the Health-Fertility-Nutrition project, which is in the start-up phase.

By and large, all these projects and programmes are making a real contribution to improving the living conditions of the population in general and women in particular. For example, the campaign against iodine-deficiency disorders has led to the introduction of iodine into cooking salt in Cameroon.

Some of these projects are now being carried out by NGOs.

The public, quasi-public and private hospitals and medical centres are actively engaged in operating these programmes and projects. The public health care units include:

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category 1: 2 general hospitals;
category 2: 3 central hospitals;
category 3: 9 provincial hospitals;
categories 4 and 6: 158 district medical centres;
basic medical services: 170 integrated health centres;
gynaecological services: 51 maternal and child welfare and maternity units.

3. Measures relating to offences against women and children

These offences are characterized in a series of provisions of the Criminal Code.

(a) Abortion: art. 337

1. "A woman who procures an abortion herself or consents thereto shall be liable to imprisonment for 15 days to 1 year or a fine of 5,000 to 200,000 francs or both.

2. Whoever procures an abortion for a woman, even with her consent, shall be liable to imprisonment for 1 to 5 years and a fine of 100,000 to 2,000,000 francs.

3. The penalties under paragraph 2 shall be doubled:

(a) for anyone who habitually practises abortion;

(b) for anyone engaged in a medical or related profession.

4. In addition, the professional premises may be ordered to be closed and the practice of the profession prohibited."

(b) The use of violence against a pregnant woman: art. 338

"Anyone who by using violence against a pregnant woman or against a child in the process of being born causes, even unintentionally, the death or permanent disability of the child shall be liable to imprisonment for 5 to 10 years and a fine of 100,000 to 2,000,000 francs."

(c) Exceptions: art. 339

1. "Articles 337 and 338 shall not apply if the acts are performed by an authorized person and justified by the need to save a mother whose health is at grave risk.

2. In the case of pregnancy resulting from rape, medical abortion shall not be an offence if carried out after the State prosecutor has attested to the materiality of the facts."

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(d) Infanticide: art. 340

"A mother who is principal perpetrator or accomplice in the manslaughter or murder of her child within a month of its birth shall be liable only to 5 to 10 years' imprisonment. These provisions may not be applied to the other perpetrators or accomplices."

X.2. IDENTIFICATION OF THE ACTORS

In Cameroon, the cause of health receives support from both the Government and the private sector.

1. Public sector

Responsibility for the implementation of the Government's health policy falls mainly upon the Ministry of Health, which collaborates with the other ministries.

(a) Ministry of Health

The seven directorates of the Ministry of Health, organized by Decree No. 95/040 of 7 March 1995, include the Community Health Directorate and the Family Health Sub-Directorate whose main concern is the protection of women and children. The Sub-Directorate is responsible for:

- the promotion and protection of maternal health;
- the inspection and monitoring of maternity hospitals;
- the organization of campaigns against genetic diseases;
- the organization, supervision and protection of maternal health and the health of infants and juveniles;
- the surveillance and nutrition education of mothers and children;
- health education;
- the definition of child protection strategies and action plans.

Moreover, Decree No. 95/013 of 7 February 1995 organizes the basic health services in health districts. This new subdivision of the country into health areas and districts, which is governed by operational and efficiency criteria rather than mere administrative logic, makes it possible to deal comprehensively with all the population's health problems. Thus, children and pregnant women can be best cared for at the health area level because the team working at the centre is familiar with their social and physical environment. Within the context of this reorganization there is provision for activities at every level with a view to solving most of the health and nutritional problems of children and pregnant women.

In addition, Law No. 96/03 of 4 January 1996 establishes the general framework for State action in the health field and the objectives of national

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health policy in Cameroon. According to article 4(3) of this framework law, which is mainly intended to provide a legal basis for the partnership between the State and the communities: "One of the main principles on which national health policy is based is the protection and promotion of the health of vulnerable and disadvantaged groups, particularly women, children, adolescents, older persons, the poor and the disabled".

As far as the staffing of the health service is concerned, women are adequately represented in the various branches.

Table 15. Breakdown of health service personnel by profession and gender

Profession	Men	Women	Total	Percentage women
Doctor	500	164	764	21.38
Pharmacist	14	12	26	46.15
Nurse	4 364	4 017	8 381	47.93
Sanitary engineering technician	51	24	75	28.23
Medico-sanitary technician	674	307	981	31.29
Midwife		119		100
Dental surgeon	53	26	79	31.64

Source: MINSANTE (1991).

(b) Ministry of Agriculture

As part of its services for farmers, MINAGRI has a unit specifically responsible for projects on behalf of women in agriculture. Through its extension workers this unit, which is part of the rural engineering and community development directorate, gives rural women tips on nutrition, food, health and environmental sanitation. It also advises on farming techniques and appropriate technology with a view to improving the women's income and productivity.

(c) Ministry of Mines, Water Resources and Energy

Within the context of the definition and application of water resource management policy, this department includes measures on behalf of women in its local water supply and management programmes.

(d) Ministry of National Education

Through its Health Directorate, this ministry is responsible for after-school and extracurricular activities involving the coordination of school health and social measures, in liaison with MINSANTE, and for sex education in the schools.

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(e) Ministry of Women's Affairs

As part of its task of providing guidance and continuing education for women, the Ministry of Women's Affairs includes in its programmes problems of health and nutrition. This particular service is provided by supporting institutions such as the Centres for the Advancement of Women and the leadership pools, through educational chats, health and nutritional education, diet demonstrations, etc.

(f) Ministry of Economics and Finance

Coordinates, supervises and monitors programmes and projects relating to the advancement of women.

(g) Ministry of Livestock, Fisheries and Animal Industries

Organizes the production and quality control of foodstuffs of animal and fish origin.

(h) Ministry of Youth and Sports

Its main responsibility is to inform the public about health problems through its mobile urban health promotion teams.

(i) Ministry of the Environment and Forests

Coordinates the environmental protection and management activities of the different departments. Women are a prime target for awareness-raising in connection with the management of the various natural resources they utilize on a daily basis.

(j) Ministry of Territorial Administration

Together with the local authorities, this department is responsible for public hygiene and health.

(k) Ministry of Social Affairs

Has a directorate responsible for protecting the individual and the family and for grassroots services (Social Centres).

(l) Ministry of Communication

Provides technical supervision of the tripartite MINCOM-UNFPA-UNESCO programme through Information-Education-Communication strategies.

(m) Ministry of Towns

This newly created department has sanitation and highways among its principal responsibilities.

2. Private sector

In the private sector, the denominational and lay bodies merit attention because of the importance of their contribution and their special status as profit-making organizations.

The initiatives of the NGOs and humanitarian organizations should also be noted.

The traditional practitioners play a not inconsiderable part in the management of health problems in Cameroon.

CHAPTER XI
ECONOMIC AND SOCIAL RIGHTS OF WOMEN

(Article 13)

Women are not yet participating sufficiently in industrial, commercial, formal and craft activities. They are concentrated in the food, textile and clothing branches and excel in food production.

Women account for about 13.5 per cent of the participants in the structured sector and 9 per cent of promoters of small and medium-sized enterprises (SMEs). They head 3.2 per cent of industrial and commercial enterprises and 5.3 per cent of service enterprises.

In the informal sector, about 18 per cent of enterprises are run by women. They are concentrated in the food trade where they account for about 81 per cent of retail sellers and 9 per cent of wholesalers.

Thus, women represent a considerable human potential in the formal and informal sectors. The development of these human resources is still being impeded by certain obstacles which will be examined in relation to the provisions of article 13.

XI.1. RIGHT TO FAMILY BENEFITS

Strictly speaking, in Cameroon there is no social security system that takes the non-wage earner, including unmarried mothers, into account. On the other hand, there is a social security system that caters for the dependent worker only.

Family benefits are available to both men and women workers without distinction. These benefits consist mainly of housing, family allowances and supplementary benefits, which vary with the number of children, and the partial payment of some of the recipient's medical expenses.

XI.2. RIGHT TO BANK LOANS, MORTGAGES AND OTHER FORMS OF FINANCIAL CREDIT

Although the credit legislation in force in Cameroon does not discriminate against women, there are several factors preventing the majority of them from obtaining access to formal loans.

1. The written law

Legislative provisions restrict women's legal capacity to offer guarantees with a view to obtaining a bank loan.

Thus, the right and freedom to pursue a commercial activity are limited by:

- Article 223 of the Civil Code and article 74 of the Ordinance of 29 June 1981, which recognize the husband's right to object to his wife's pursuing a separate profession;

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- Article 7 of the Commercial Code, which authorizes the husband to put an end to the commercial activity of his wife simply by notifying his objection to the Registrar of the Commercial Court.

2. The terms and conditions offered by the banks

The banks' terms and conditions cannot easily be met by women farmers and traders because of:

- their lack of basic training in management and bookkeeping;
- their poor understanding of the notion of the return on a loan;
- their ignorance of banking and tax procedures;
- their lack of collateral and security.

In practice, some bankers demand the husband's guarantee as one of the conditions for granting a loan.

In order to make a start on overcoming some of these difficulties and obstacles, the Government has taken several specific measures on behalf of women, namely:

- the Priority Programme for the Promotion of SMEs led by the Ministry of Industrial and Commercial Development which specifically targets children, disabled persons and women. It is intended to bring about the swift and harmonious integration of women into the SME promotion effort by:
 - strengthening their ability to create and manage enterprises;
 - eliminating discrimination.

The Cooperative Societies Act (Law No. 92/006 of 16 August 1992) facilitated the establishment of decentralized financial institutions of a kind calculated to encourage entrepreneurship among women.

3. Customary practices

Because of the dead hand of custom, women find it difficult to become owners of property in general and land in particular.

XI.3. RIGHT TO PARTICIPATE IN RECREATIONAL ACTIVITIES, SPORTS AND ALL ASPECTS OF CULTURAL LIFE

The Government of Cameroon guarantees men and women without distinction the possibility of access to sports and leisure activities.

1. Sports

Women, who previously took part in only a few sports, are now represented in almost all the sports federations, including those for the so-called "reserved" sports such as judo, karate, football, etc.

However, their level of participation is still generally low:

- two athletes out of eight are girls;
- three sports teams out of twelve are women's teams, although some sports have no women's clubs.

Ignorance of what is involved has had a profound influence on women's participation in sports. Whereas educated parents tend to appreciate sports and games, those in the rural areas are still prejudiced against them.

Other obstacles also exist such as:

- motherhood and early marriage can bring the sporting careers of girls to a premature close;
- the timidity of young girls;
- lack of sponsorship for women's sports;
- women's everyday responsibilities;
- few sports teachers are women (out of every ten teachers giving physical education and sports lessons only one is a woman);
- families may lack sufficient means;
- inadequacy of the sports infrastructure in schools and universities;
- inadequacy of the private sports infrastructure.

2. Other cultural activities

There are several areas in which Cameroonian women are displaying their talents, in particular:

- crafts
- choreography
- theatre
- dance
- singing.

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Despite women's enthusiasm for things cultural, their level of involvement is relatively low.

This is attributable to such factors as:

- socio-cultural restraints, which prevent women from playing a full part in activities that take place outside the family circle;
- lack of support;
- lack of means.

The implementation of the recommendations of the Culture Forum encouraging the expansion of cultural activities in Cameroon will certainly enable women to become involved to a greater extent than before.

CHAPTER XII

THE SITUATION OF RURAL WOMEN

(Article 14)

XII.1. GENERAL SITUATION OF RURAL WOMEN

Rural women are playing a crucial role in ensuring food security in Cameroon. They account for 52 per cent of the rural population and produce about 90 per cent of the food.

However, they still experience hardship, suffering in particular from:

- lack of credit for agricultural production and extension activities;
- lack of health care;
- lack of information on the opportunities offered by the international market;
- lack of a basic education;
- the isolation of the production areas;
- difficulties of access to land ownership;
- excessive demands on their time;
- the arduous nature of their work.

During peak periods, rural women do 8 to 12 hours of agricultural work a day and spend almost as much time on household work, or 1.5 to 3 times more than the men, who only take care of the export crops.

Moreover, since statistical data broken down by gender are few or non-existent, the contribution of rural women to the development of society cannot be satisfactorily assessed.

Rural women generally receive support from rural organizers with only limited technical abilities considering the problems they are supposed to help to solve, namely:

- raising agricultural productivity;
- crop storage;
- processing and marketing of agricultural produce;
- drinking water supply;

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- training;
- administration of health care.

It should be noted that the situation has improved as a result of the implementation of the National Agricultural Extension Services Programme (PNVA).

Moreover, the easing of the provisions of the Associations Act has encouraged the development of several NGOs and associations working to provide support for rural women.

XII.2. SITUATION OF RURAL WOMEN IN RELATION TO THE PROVISIONS OF ARTICLE 14 OF THE CONVENTION

The situation of rural women can be effectively assessed only in the light of certain leading indicators.

1. Participation in decision-making

The participation of rural women in decision-making, both within the family and in society, is still very low due to a number of obstacles:

- socio-cultural attitudes and inhibitions;
- lack of education in civics and economics;
- lack of financial resources;
- the passivity or timidity of the women;
- the excessive demands on women's time due to their multiple role (mother, wife and participant in development).

2. Access to adequate health care facilities

The authorities are making efforts to bring the health services closer to the people, especially in rural areas, by establishing health districts run by doctors and organizing a minimum package of activities, including reproductive health and nutrition.

3. Social security programmes

In Cameroon, the social security systems do not yet reach the rural population. Moreover, through lack of information and support, rural people find it difficult to obtain access to the insurance-guaranteed public security system.

4. Access to all types of education and training

The law makes no distinction between men and women as regards access to the educational and training establishments. However, rural girls are more likely to drop out of school than their urban sisters.

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Overall, the difficulties encountered by rural women and girls with respect to education and training are as follows:

- early marriages and pregnancies;
- sexist choices made by the parents;
- the low economic potential of rural families;
- excessive demands on women's time;
- persistent socio-cultural constraints;
- under-representation of women in mixed groups;
- shortage of women technically qualified to provide agricultural advisory and support services. It should be noted that the authorities are making efforts to improve the level of training of women even non-formally;
- the National Agricultural Extension Services Programme (PNVA) operates through mixed groups (men and women) and technical demonstration units. In the second phase of programme implementation it is planned to recruit nearly 200 women extension workers in order to address more effectively the concerns of rural women. In 1992/1993, the PNVA was using a total of 987 people including 32 women or 3.2 per cent. Today, it is using 117 women out of a total of 2,340 or 5 per cent;
- The training schools have been professionalized since 1994. They deliver useful and operational on-the-spot information in a specific field. Similarly, the NGOs and private institutions are working in rural development and encouraging women to organize in groups by providing training and information and transferring technology.

5. Organization of self-help groups

The Associations and COOP/GIC Acts of 1990 and 1992 encouraged rural women to organize themselves in groups. The number of joint initiative groups and associations is on the increase.

These bodies are useful on several counts:

- provision of a joint guarantee to facilitate access to credit;
- provision of low-cost services for members;
- means of integrating small farmers into the national economy;
- increased trade between the traditional sectors and the rest;
- technology transfer;
- ease of financial transactions.

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The main difficulties relating to the organization of self-help groups are as follows:

- the weak internal structuring of the groups;
- the relatively undeveloped spirit of cooperation among the members;
- the lack of land specifically identified as belonging to the group;
- the low literacy rate among rural women.

6. Participation in all community activities

Of necessity, because they make a vital contribution to the stability and functioning of the family, rural women are becoming more and more involved in the management of the village community. At the same time, their exclusion from the administration of the family assets is encouraged by the existence of unfavourable legal provisions. Thus, article 1421 of the Civil Code reads: "The administration of the community property is entrusted to the husband who may sell, transfer or mortgage it without the consent of his wife". Similarly, article 1428 recognizes that: "The husband shall administer all the personal property of his wife. He may independently exercise any right of action to recover movable property or to protect or recover possession vested in the wife. He shall be responsible for any physical depreciation of his wife's personal property due to failure to take protective action".

7. Access of women to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes

Despite their important role in the economy, women still only have limited access to productive resources. According to the Ministry of Agriculture's estimates for 1996, overall, only about 17 per cent of farms are run by women. This national average conceals differences at the provincial level.

Table 16. Percentage of farms run by men and women respectively

Province	Total number of farms	Women	Percentage	Men	Percentage
South	83	12	14.5	71	85.5
Far North	146	11	7.5	135	92.5
East	121	20	20.2	101	79.8
Centre	221	43	16.5	178	83.5
Littoral	145	38	26.2	107	73.8
South-West	127	26	20.5	101	79.5
North-West	165	25	15.2	140	84.8
West	215	54	25.1	161	74.9
North	125	9	7.2	116	92.8
Adamaoua	84	6	7.1	78	92.9
Total	1 434	246	17.2	1 188	82.8

Source: MINAGRI (Agricultural Survey Directorate, 1996).

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Women have difficulty in obtaining bank loans for the following reasons:

- inability to cope with the procedures and guarantee requirements of the commercial banks;
- scarcity of rural lending institutions;
- bankers not interested in projects that only generate low incomes;
- low quota of loans and subsidies available to women's groups;
- low literacy rate;
- limited financial resources;
- lack of business information and know-how;
- lack of organized marketing channels;
- poorly developed communications;
- underfunded NGOs and paucity of trade organizations;
- persistence of socio-cultural practices that restrict women's access to land, despite this being a resource essential to their self-fulfilment.

There are certain agencies that provide start-up support:

- the Rural Organization Support Fund (FONDAOR). Out of 2,290 grants awarded only 16 per cent went to women's groups;
- Decentralized Rural Credit;
- the National Employment Fund (FNE) provides advice and financing;
- the FIMAC programme;
- the Savings and Loan Cooperatives (COOPEC);
- the Women-Population-Development project which finances women's income-generating activities in the Far North and South-West provinces;
- the Productive Microprojects on behalf of the Women of Cameroon (MPPF-CAM) projects whose aim is to increase women's income while initiating them into the principles and rules of entrepreneurship;
- the women's pre-cooperatives and joint initiative groups;
- the First Ladies of Africa Programme for the economic advancement of rural women.

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In addition, it should be noted that the diplomatic establishment and certain international organizations are making a significant contribution in this area.

8. Living conditions of rural women, particularly in respect of housing, sanitation, electricity and water supply, transport and communications

The following table sets out the characteristics of rural housing.

Table 17. Characteristics of rural housing in 1976 and 1987

Characteristic	1976	1987
Walls made of permanent materials	6%	7%
Metal, tile or slab roof	31%	54%
Cement floor with or without tiles	7%	15%
Ownership	94%	91%

Source: Demo. 1987, vol. III, Part 9: Summary of preliminary reports.

Thus, as only a small percentage of houses are built of permanent materials with cement floors, most rural people live in flimsy housing, although they generally own it themselves.

As regards access to drinking water, surveys show that the coverage has not improved very much during the last 20 years and in most places the traditional water points have remained the main source of supply.

Table 18. Breakdown of rural housing units by method of drinking water supply

Method of supply	1976	1987
Running water	4.3%	2.2%
Standpipe	4.6%	9.9%
Well	19.9%	41.5%
Springs	39.7%	10.7%
Marigot (backwater)	29.7%	35.2%
Other	2.4%	0.5%
Total	100%	100%

Source: Demographic surveys cited by UNDP/Republic of Cameroon in "Report on Human Development in Cameroon, 1993".

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In view of the low rural drinking water coverage (31 per cent) and the defective condition of most of the hydraulic works installed (60 per cent), the Government has launched the following water supply programme:

- one borehole equipped with a pump for every locality with 300 to 500 inhabitants;
- a water supply system for communities with 2,500 to 5,000 inhabitants.

Moreover, hydraulic rehabilitation programmes are being carried out all over the country under the new policy of encouraging the participation of the beneficiary communities in all phases of rural hydraulic engineering projects.

Thus, women are performing the daily chore of supplying the family with drinking water. In some areas, they are obliged to walk several miles in search of water.

As for rural hygiene and environmental sanitation, the latrine is the type of convenience most commonly employed (87.9 per cent of households in 1987) and waste water is allowed to drain away into the soil.

In 1987, the usual form of lighting in rural areas was the petrol lamp, to which 82.7 per cent of the population had access. Electricity is available only to a small privileged minority (4.24 per cent).

Wood is the fuel most commonly used for cooking in rural areas. In 1987, it was used by 96 per cent of households, with the remaining 4 per cent using either oil or gas or electricity.

CHAPTER XIII

EQUALITY OF MEN AND WOMEN BEFORE THE LAW

(Article 15)

XIII.1. EQUALITY OF MEN AND WOMEN BEFORE THE LAW

The Preamble to the Constitution enshrines the principle of the equality of men and women before the law in the following terms: "Human beings, without distinction as to race, religion, sex or belief, possess imprescriptible, inalienable and sacred rights ..."

"... All shall have equal rights and obligations ..."

"... the State shall guarantee all citizens of either sex the rights and freedoms set forth in the Preamble to the Constitution ..."

This last provision merits closer attention. As mentioned in the first part of the report, all international human rights conventions duly ratified by Cameroon form part of the Preamble to the Constitution. This applies to the Universal Declaration of Human Rights which is more incisive concerning the equality of all before the law; thus article 7 reads: "All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination." All other subordinate laws and regulations must conform to this principle of the equality of all before the law, on pain of annulment on grounds of unconstitutionality.

XIII.2. LEGAL CAPACITY OF WOMEN

Legal capacity is taken to mean the power granted to someone to exercise his rights. Cameroonian law recognizes the legal capacity of both men and women. Article 216 of the Civil Code stipulates that "Women shall have full capacity as of right. The exercise of that capacity shall be limited only by the marriage contract and by law."

- Women may take part in court proceedings without having to have themselves represented.

The only restrictions relate to:

- age (the applicant must have turned 21 at the time of the action);
- effective possession of rights (she must not have been deprived of her rights);
- mental capacity (the applicant must be in possession of all her faculties and capable of understanding).

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- They may conclude contracts, carry on a commercial activity on the same footing as a man and practise the profession of their choice.

There is, however, a restriction on the contractual capacity of a married woman. Thus, article 223 of the Civil Code authorizes the husband to object to the pursuit of a profession by his wife if he considers that it could be prejudicial to the interests of the family.

Moreover, article 7 of the Commercial Code empowers the husband to put an end to his wife's economic activity simply by notifying his objection to the Registrar of the Commercial Court.

However, the wife may go to court to seek the withdrawal of the objection on the grounds that her pursuit of a profession is not prejudicial to the interests of the household.

The administration of the community property is entrusted to the husband who may sell, transfer or mortgage it without the consent of his wife (arts. 1421 and 1428 of the Civil Code). If the husband is unable to express his wishes, the wife may represent him only if so authorized by the court (art. 219 of the Civil Code). All these discriminatory provisions have been identified and will definitely not be perpetuated in the new Civil Code in preparation.

XIII.3. NULLITY OF CONTRACTS AND MEASURES DIRECTED AT RESTRICTING THE LEGAL CAPACITY OF WOMEN

When a woman considers that an administrative decision discriminates against her, she may ask the administrative court to set it aside. In the case of a discriminatory private contract, she may apply to the ordinary courts for it to be declared null and void.

XIII.4. THE RIGHT OF WOMEN TO FREEDOM OF MOVEMENT AND CHOICE OF RESIDENCE AND DOMICILE

According to the Preamble to the Constitution, "Every person shall have the right to settle in any place and to move about freely, subject to the statutory provisions concerning public order and safety and the keeping of the peace." Since the proclamation of freedoms in 1990, Cameroonian women have enjoyed the freedom to come and go, especially married women for whom the need for the husband's authorization to obtain a visa was a serious infringement of that right.

To conclude, the legislation does not discriminate against women, except in the above-mentioned cases relating to a woman's capacity to administer the community property, to choose and keep a job or economic activity and to choose a domicile. If women are not enjoying their personal rights, it is due more to ignorance and lack of education and to the weight of custom, which continues to bear heavily upon them.

CHAPTER XIV

WOMEN IN RELATION TO CERTAIN ASPECTS OF FAMILY LAW

(Article 16)

The provisions of article 16 concern questions relating to civil status. In Cameroon, these questions are governed by various pieces of legislation, in particular:

- the Civil Code;
- Law No. 69/LF-3 of 14 June 1969 regulating the use of names, first names and pseudonyms;
- Ordinance No. 81/02 of 29 June 1981 organizing the registry of births, marriages and deaths and various provisions relating to civil status.

The coexistence of written and customary law leads to a certain amount of friction. This legal dualism finds expression in the administration of justice. In fact, there are courts of written law and customary courts which have almost the same powers in matters of marriage, filiation, succession, etc.

More detailed information concerning the various aspects of article 16 of the Convention is provided below.

XIV.1. WOMEN AND THE RIGHT TO ENTER INTO MARRIAGE

Under the law, men and women have the same right to enter into marriage and freely choose a spouse. However, there is a difference with respect to the minimum age at which they can marry. Thus, article 52 of the Ordinance of 29 June 1981 establishes a minimum age of 18 for boys and 15 for girls.

The question of consent is dealt with in the Ordinance of 29 June 1981:

Article 64(1): "The future husband and wife shall personally signify their consent to the registrar at the time of solemnization of the marriage."

Article 64(2): "The consent of a minor future husband or wife shall not be valid unless supported by that of the father and mother. This consent must be free and without defect."

Article 65(1): "The marriage shall not be solemnized if consent has been obtained by duress."

At the same time, in Cameroon under the ordinary law the form of marriage is polygamy. Thus, a man may have several wives, sometimes in disregard of the initial matrimonial system in the case of a monogamic first marriage. Where there is a finding of bigamy, the second marriage is null and void.

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XIV.2. EXERCISE OF CONJUGAL RIGHTS AND RESPONSIBILITIES

According to articles 213 and 214 of the Civil Code:

- "The husband shall be the head of the family and the wife shall replace him in his capacity of family head if he is unable to express his wishes because of incapacity, absence or distance or for any other reason.
- The wife shall cooperate with the husband in giving the family moral and material guidance, providing for its upkeep, bringing up the children and preparing them to set up on their own.
- The obligation to assume these responsibilities shall fall principally on the husband. He must provide his wife with all the necessities of life according to his abilities and status.
- The wife shall contribute to the household expenses through her marriage settlement and community contributions and through the withdrawals she may make from the personal resources which she retains the right to administer."

For its part, article 215 of the Civil Code stipulates that "the choice of family residence shall belong to the husband, the wife shall be obliged to live with him and he must accept her. Exceptionally, if the residence chosen by the husband places the family at physical or moral risk, the wife may be authorized to have, for herself and her children, another residence to be determined by the judge."

These are the conjugal rights and responsibilities exercised by women. Their rights in the event of the marriage being dissolved are described below.

XIV.3. THE RIGHTS OF WOMEN IN THE EVENT OF THE MARRIAGE BEING DISSOLVED

1. Forms of dissolution

Under the terms of article 77 of the Ordinance of 1981 and article 227 of the Civil Code, marriage is dissolved by the death of a spouse or by divorce decreed by the courts.

(a) Dissolution as a result of the death of the husband

In this situation, the law protects the widow. Thus, the above-mentioned article 77 states that "in the event of the death of the husband, his heirs may not claim any right over the person, liberty or share of the estate of the widow who, upon the expiration of a period of 180 days from the death of her husband, may freely remarry, without anyone being able to claim compensation or material benefit by way of dowry or otherwise, whether upon engagement or at the time of the marriage or subsequently."

It should be pointed out that the period of 180 days during which the woman may not marry is intended to avoid any confusion with regard to paternity.

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Although this provision favours women, customary practices such as levirate (according to which when the husband dies the widow or widows must remain in the family as wives of the dead man's brothers) infringe the woman's right to inherit and her liberty.

Thus, these customary practices restrict the wife's management of the husband's estate. The situation becomes even more complicated when the husband's family has to issue the minutes of the family council, a document often required by the court as part of the file in inheritance cases.

(b) Dissolution of the marriage by divorce

In Cameroon, divorce is granted for a matrimonial offence.

There is no discrimination with respect to the grounds for divorce or the procedure to be followed. The only difficulty for the wife is in providing evidence of her husband's adultery since article 361 of the Criminal Code characterizes the offence of adultery differently for men and women. Thus, a wife may be punished for adultery as soon as she is found to have had sexual relations with a man other than her husband, no matter how often or in what place. The husband, on the other hand, is culpable only if he has had sexual relations with women other than his wife or wives in the matrimonial home or indulged in them habitually outside the matrimonial home.

2. Effects of the dissolution of a marriage

These effects concern the personal relationship between the spouses, their property rights and the children.

(a) Personal relationship

The effects are identical. There is no longer any obligation to cohabit, remain faithful, lead a conjugal life or aid and assist each other. However, the last-mentioned obligation may take the form of maintenance for one spouse or the other.

(b) Property rights

The dissolution of the marriage bond also entails the dissolution of the matrimonial property regime, though the assets are divided up in accordance with the regime chosen at the time of solemnization of the marriage. If no such choice was made, the legal regime applicable to the spouses when they come before the courts of written law will be that of community of movables and after-acquired property.

Where the property of the spouses is concerned, the effects of divorce extend back to the date of the application for divorce (art. 252 of the Civil Code). It is on that date that community will be deemed to have been dissolved. In this way, the law seeks to prevent the husband from exerting his paternal authority during the proceedings, to the detriment of his wife's interests.

Moreover, once the divorce becomes final, the right of the spouses to inherit from each other on intestacy is also extinguished.

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Before the customary courts, the wives are sometimes at a disadvantage since they must provide evidence of their contribution to the conjugal assets.

(c) The children

Article 302 of the Civil Code reads as follows: "The children shall be entrusted to the spouse who has obtained the divorce." However, their interests are amply taken into account and may require the judge to order, for the children's greater good, that all or some of them be placed in the care of a wife who lost the divorce case or even in that of a third party. To satisfy himself in this respect, the judge may order the social services to carry out an investigation as a basis for his decision.

The judge will also arrange for the other parent to have access to the children.

Custody is provisional and at the discretion of the court. That is to say it is controlled by the judge who may make changes if the interests of the children so require.

XIV.4. RIGHTS OF THE WIFE WITH RESPECT TO THE RELATIONSHIP BETWEEN PARENTS AND CHILDREN IN NORMAL CIRCUMSTANCES AND IN CRISIS SITUATIONS

Article 203 of the Civil Code places both parents under an obligation to give their child moral and material guidance.

1. Parental authority

(a) In a legitimate family, parental authority belongs to the father and the mother unless one of them has been deprived of it because of his or her behaviour or because of loss of physical or mental capacity. In the case of illegitimate children, parental authority is exercised by the parent with respect to whom filiation has been established. This is automatic in the case of the mother for whom childbirth is equivalent to recognition.

(b) In the event of divorce, parental authority belongs to the parent who has effective custody of the child. In the event of death, authority belongs to the surviving parent.

2. Guardianship

(a) For legitimate children, under the terms of article 389 of the Civil Code, "during the lifetime of the spouses, the father shall be the legal administrator of the property of their minor children not regarded as of full age and capacity, with the exception of any gift or bequest made on the express condition that it be administered by a third party.

When the father is deprived of the powers of administration, the mother shall become the administrator as of right in his place with the same powers as he had, without his marital authorization being required.

(b) In the event of divorce or judicial separation, the spouse to which the custody of the child is entrusted shall be the one responsible for administering its property, unless otherwise ordered".

The property of illegitimate children is administered by the parent with respect to whom filiation has been established.

Where adoption is concerned, the conditions for adoption apply to both spouses without distinction as to sex.

Upon the death of their parents, the children will be the principal heirs regardless of their sex. However, there is a difference in relation to the status of the child, since the legitimate child does not have the same rights as the acknowledged illegitimate child, the latter being entitled to half the share he would have received had he been legitimate.

Although the status of the married woman is regulated, this is not the case where the cohabitation of two unmarried partners is concerned.

XIV.5. COHABITATION

In Cameroon, the law does not recognize unmarried cohabitation. Consequently, it has no legal effect. The issue of such a union are illegitimate. If recognized, they have the right to claim maintenance and their share of their parents' estate.

The practice of promising a child in marriage has now almost died out.

XIV.6. THE DOWRY

The dowry is governed by the Civil Code which in arts. 1540 and 1541 defines it as follows: "The dowry is the property which the wife brings to the husband for bearing the costs of the marriage. Everything that the wife brings with her or that is given to her under the marriage contract ..., unless otherwise stipulated."

However, in tribal practice, the dowry may be defined as the goods which a future husband contributes to the family of his future wife.

Ordinance 81-02 of 29 June 1981 concerning the organization of civil status, which deals with the customary dowry, does not define it.

However, the dowry is not a condition of the validity of the marriage.

Thus, article 70(1) reads: "The total or partial payment or non-payment of the dowry and the total or partial performance or non-performance of any marriage contract shall have no effect on the validity of the marriage."

(2) "Any action challenging the validity of a marriage based on the total or partial non-performance of a dotal or marriage settlement shall be inadmissible as a matter of public policy."

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At the same time, according to article 72: "The total or partial payment of a dowry cannot in any circumstances form the basis for natural paternity which can only result from the existence of a blood relationship between the child and its father."

The law also envisages two situations in which the dowry must be returned. It follows from article 71(2) of the 1981 Ordinance that if the engagement is broken off, the depositary must return it immediately.

Similarly, according to article 73: "In the event of the dissolution of the marriage by divorce, the beneficiary of the dowry may be ordered to repay it, in whole or in part, if the court considers that he or she is totally or partially responsible for the disunion."

Furthermore, article 357 of the Criminal Code characterizes wrongfully demanding a dowry as an offence and punishes with 3 months to 5 years' imprisonment or a fine of 5,000 to 500,000 francs or both:

- anyone who by promising to marry a woman already married or still engaged receives from a third party all or part of a dowry;
- anyone who receives all or part of a dowry without having reimbursed any ousted suitor;
- anyone who, lacking capacity, receives all or part of a dowry with a view to marrying a woman;
- anyone who demands all or part of an excessive dowry on the occasion of the marriage of a daughter over the age of 21 or of a widow or divorcee;
- anyone who, while demanding an excessive dowry, bars for this reason alone the marriage of a daughter under the age of 21.

Other aspects linked with personal and property rights are implicit in article 16 of the Convention, for example, the right of women to have their say concerning family planning, to choose a family name and a profession and to enjoy household property.

XIV.7. THE EXERCISE BY WOMEN OF FAMILY PLANNING AND OTHER PERSONAL RIGHTS

1. The right of women freely to plan births

There is no law or regulation that prevents women from freely and responsibly deciding the number and spacing of their children. They have access, without the need to request authorization from anyone, to the information and services provided by the family planning centres scattered all over the country. However, it should be pointed out that their exercise of this right is impeded, among other things, by illiteracy, poverty, the inaccessibility of information and cultural restraints, especially where rural women are concerned.

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Although the right to reproductive health is recognized and respected in Cameroon, nevertheless, before taking any permanent step to control a married woman's procreative function (such as ligating the tubes), the doctors require the husband's prior written authorization which she is obliged to produce.

2. The right of women to choose a family name, a profession and an occupation

(a) Choice of a family name

Law 69/LF/3 of 14 June 1969 regulating the use of names, first names and pseudonyms does not contain any discriminatory provision giving the husband the exclusive right to choose the family name. However, the general practice is for married women to take their husband's name. Thus, a married woman can use two names: her maiden name and the name of her husband.

This right to use the name of the husband is optional. A married woman is not obliged nor is it her duty to take her husband's name. When she is required to identify herself, she is free to use her maiden name rather than that of her husband. However, the use of the husband's name by the wife should not be injurious to him or third parties.

In the event of divorce, the wife may continue to use the name of her husband, unless he forbids it.

(b) The right of women to choose a profession or an occupation

Article 74(1) of the 1981 Ordinance reads as follows: "A married woman may pursue a profession separate from that of her husband." The exercise of this right by the wife is restricted by reservations set out in the following articles:

- According to article 74(2): "The husband may object to the pursuit of such a profession in the interests of the marriage and the children."
- Article 223 of the Civil Code takes a similar line: "A married woman may pursue a profession separate from that of her husband, unless the latter objects."

Nevertheless, the law does make exceptions to the exercise of the husband's right to object.

- The same article continues: "If the husband's objection is not justified by the interests of the family, the wife may be authorized by decision of the court to ignore it, in which case any professional commitments she has entered into since the objection was raised shall be valid."

This latter provision enables women to avoid finding themselves at the mercy of a husband who may sometimes be acting in bad faith.

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3. The right of women to own, acquire, manage and dispose of property

Women's right of ownership, which according to the Constitution is the right to use, enjoy and dispose of one's property, is not fully recognized in view of certain provisions of the Civil Code and the Commercial Code relating, respectively, to the administration of statutory community property and bankruptcy.

(a) Provisions of the Civil Code

Article 1421: "The husband shall administer the community property on his own. He may sell, transfer or mortgage it without the consent of his wife."

Article 1428: "The husband shall administer all the personal property of his wife. He may independently exercise any right of action to recover movable property or to protect or recover possession vested in the wife. He may not dispose of his wife's personal real property without her consent. He shall be responsible for any physical depreciation of his wife's personal property due to failure to take protective action."

(b) Provisions of the Commercial Code

Articles 557 and 558: These articles protect a married woman whose trader husband goes bankrupt.

Article 559: This restricts the free enjoyment of her property by the wife of the bankrupt.

Thus, according to this article, "Whatever the regime under which the marriage contract was drawn up, apart from the case envisaged in art. 558 (acquisition of property by inheritance or gift), the legal presumption shall be that the property acquired by the wife of the bankrupt belongs to her husband, has been paid for with his money and must be pooled with the main body of his assets, unless the wife can show otherwise."

Over and above the written provisions which make the woman in some respects "a person lacking legal capacity" who must be protected by the husband, most of our usages and customs incorporate retrograde principles according to which a woman is incapable of owning property and especially land, all the more so as she herself is regarded as an inheritable good.

CONCLUSION

The women of Cameroon have always played several important roles in society: the role of wife, the role of mother and the role of participant in the development of the country. However, their contribution to development has not been adequately recognized and their potential has not been properly tapped.

Since the 1960s, through the United Nations, the international community, aware of women's role as partners in development, has mobilized to promote action on their behalf. Thus, it has worked to establish a theoretical framework and subsequently to provide the means to support national programmes aimed at improving the lives of women.

For its part, Cameroon has not let this international movement pass it by. Its interest in the advancement of women is reflected in the progressive introduction of appropriate national mechanisms and the implementation of multisectoral programmes.

Despite these notable efforts, it must be acknowledged that Cameroonian women are still the victims of discrimination of every kind. Although the legislation in general appears to be egalitarian and non-discriminatory, the reality is that women are daily subjected to de facto discriminatory practices associated with constraints of a socio-cultural nature (resistance to change due to a conservative mentality, ways and customs that recognize patriarchy as the model for society, stereotypes, clichés and social prejudice).

It is clear, moreover, that the steps taken to improve the social and legal status of women do not always have the expected effect due to the existence of numerous obstacles such as:

- the dual legal system which Cameroon has inherited from the colonial period and the conflict between the written law and local customs and religions;
- the lack of a clear and precise definition of discrimination and discriminatory practices that would enable women victims to set the legal and/or administrative machinery in motion in order to end them;
- illiteracy among women and their generally low level of education;
- inadequacy of the resources (financial, material and human) allocated to the mechanisms for the advancement of women;
- the difficult international economic climate characterized by the existence of structural adjustment programmes, external debt and globalization of the economy;
- women's diffidence about participating in the improvement of their status.

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Admittedly, the rate at which these problems are being solved is slow, but the existence of a series of favourable factors makes it possible to view the future with optimism. These include:

- the political will to succeed expressed, on the one hand, in the preparation of a National Action Plan for the Integration of Women in Development whose implementation should certainly enable the difficulties to be progressively overcome and, on the other hand, in the framing of a policy with three main goals:
 - the maintenance of growth;
 - the eradication of poverty;
 - the development of human resources;
- the growing awareness of the female population reflected in the quantitative and qualitative development of the women's association movement;
- the availability of sources of financing for projects to improve women's lives;
- the economic recovery which will enable the State to allocate more resources to the institutional mechanisms for the advancement of women;
- the involvement of the private sector and civil society in women's issues.

Finally, the preparation of periodic reports on the implementation of the Convention, which necessarily involves an evaluation of the action taken and the future prospects, will undoubtedly give new impetus to the movement to improve the status of women.

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**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Combined second and third periodic reports of States parties

Cameroon*

* The present report is being issued without formal editing.

For the initial report submitted by the Government of Cameroon, see CEDAW/C/CMR/1 which was considered by the Committee at its twenty-third session.



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Acronyms

ACAFEJ	Cameroonian Association of Women Lawyers
ACAFIA	Cameroonian Association of Women Agricultural Engineers
ACBF	African Capacity Building Foundation
ACEP	Private Enterprises Credit Agency
ADB	African Development Bank
ALVF	Association to Combat Violence against Women
BCC	Behaviour Change Communication
BIP	public investment budget
CAMCCUL	Cameroon Cooperative Credit Union League
CAREF	Building the Poverty-Reduction Capacity of Women's Networks
CDA	community development activities
CEAC	Community Education Action Centre
CEC/PROMMature	Women Promoters' Savings and Credit Cooperatives
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CENAME	National Centre for the Supply of Essential Drugs and Medical Consumables
CEPSI	Centre d'Etudes des Problèmes Sociaux des Indigènes
CFPR/EB	Fast-Track Vocational Training Centre/Clerical Workers
CFPR/MI	Fast-Track Vocational Training Centre/Industrial Workers
CHACOM	behaviour change and community mobilization
CNDHL	National Commission on Human Rights and Freedoms
COFEC	Collective of Women's Advocacy Organizations in Cameroon
COOPEC	Savings and Loans Cooperative
CPF	centre for the advancement of women
CTA	appropriate technologies centre
CVECA	Self-Managed Village Savings and Credit Fund
DESS	Specialized Higher Education Diploma
ECAM	Cameroonian Household Survey
EDSC	Demographic and Health Survey of Cameroon
EIG	economic interest group
EOC	emergency obstetric care

EPI	Expanded Programme on Immunization
FACILS	Collective action facility for local solidarity initiatives
FADCR	Rural Community Development Support Fund
FAO	Food and Agriculture Organization of the United Nations
FAWECAM	Forum for African Women Educationalists in Cameroon
FNE	National Employment Fund
FOREFAEF	Think Tank on the Financing and Development of Women's Activities
FOURMI II	Urban and Rural Organizations and Micro Initiatives Fund
GER	Gross Enrolment Ratio
HIPC	Heavily Indebted Poor Countries
IGA	income-generating activities
ILO	International Labour Organization/International Labour Office
INJS	National Youth and Sports Institute
INS	National Institute of Statistics
IP	Parity Index
IPEC	International Programme on the Elimination of Child Labour
IRIC	International Relations Institute of Cameroon
JIG	joint initiative group
LUTRENA	Project to Combat Child Trafficking in West and Central Africa
MC2	Community Growth Mutual Fund Network
MDGs	Millennium Development Goals
MFC	microfinance company
MFI	microfinance institutions
MINADT	Ministry of Territorial Administration and Decentralization
MINAGRI	Ministry of Agriculture and Rural Development
MINAS	Ministry of Social Affairs
MINEDUB	Ministry of Basic Education
MINEDUC	Ministry of National Education
MINEE	Ministry of Energy and Water Resources
MINEFI	Ministry of the Economy and Finance
MINEPAT	Ministry of Economic Affairs, Programming and Regional Development
MINESEC	Ministry of Secondary Education

MINESUP	Ministry of Higher Education
MINPMEESA	Ministry of Small and Medium-Sized Enterprises, Social Economy and Handicrafts
MINPROFF	Ministry for the Promotion of Women and the Family
MPPF-CAM	Productive Microprojects on Behalf of the Women of Cameroon
MUFFA	Mutual Financing Society for African Women
NACC	National Anti-Corruption Commission
NGO	non-governmental organization
NGP	National Governance Programme
NSI	National Institute of Statistics
OHADA	Organization for the Harmonization of Business Law in Africa
ONEL	National Elections Observatory
PACDDU	Support for Urban Decentralization Programme
PADC	Community Development Support Programme
PAEFMIR	Project to Support Women Entrepreneurs in Rural Areas
PANELP	National Action Plan to Promote Employment and Reduce Poverty
PARFAR	Programme to Increase Rural Family Income
PASE	Educational Support Programme
PCRD	Decentralized Rural Credit Project
PDPV	Village Palm Groves Development Programme
PGPD	Gender, Population and Development Project
PLHA	people living with HIV/AIDS
PMTCT	prevention of mother-to-child transmission
PNDP	National Community-Driven Development Programme
PNDRT	National Roots and Tubers Development Programme
PNVRA	National Agricultural Extension and Research Programme
PREPAFEN	Project on Poverty Reduction and Action on Behalf of Women in the Province of Extrême-Nord
PRFP	Programme on the Economic Redevelopment of the Plantain
PRSP	Poverty Reduction Strategy Paper
RH	reproductive health
SME	small and medium-sized enterprises
SSDS	Social Development Sector Strategy

SSS	Health Sector Strategy
STI	Sexually Transmitted Infection
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
WACAP	West Africa Cocoa Commercial Agriculture Project
ZEP	priority educational areas

Introduction

Cameroon ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), hereinafter called the “Convention”, on 23 August 1994. On 7 January 2005, it also ratified the Optional Protocol to the Convention, which came into effect on 7 April of the same year.

Through these acts, it not only demonstrated its political resolve to promote and protect the basic rights of women, but also confirmed its commitment to respect and fully apply the provisions of this instrument.

Under article 18 of the Convention, States Parties undertake to submit to the Committee on the Elimination of Discrimination against Women, hereinafter called the “Committee”, an initial report followed by periodic reports on the measures they have taken to give effect to their commitments under the Convention.

Pursuant to this article, Cameroon’s initial report (CEDAW/C/CMR/1), submitted in 1999, was considered on 20 June 2000. On 26 June 2000, the Committee made its final observations and recommendations to the Government of Cameroon.

Through this first periodic report, Cameroon intends to fulfil its four-year obligation under the Convention.

This report is a compilation of supplemental information and responses to specific observations and questions of the Committee and new measures and facts relating to the implementation of the Convention.

The report is divided in two parts:

- The first part presents the general socio-economic, political and legal framework in Cameroon;
- Part two presents article-by-article information on the new measures taken by Cameroon to implement the Convention, as well as clarifications in response to the Committee’s concerns and observations.

Part One

General presentation of the socio-economic, legal and political framework of Cameroon

I. Overview of the socio-economic, legal and political framework

Socio-economic framework

The information contained in the initial report remains valid. However, it should be noted that Cameroon went through a period of major economic recession which led to a decline in purchasing power following a hiring freeze and downsizing in the civil service, corporate restructuring in the private and semi-public sectors, wage cutbacks and unemployment.

However, the Government has made efforts to restore prosperity through the structural adjustment programme established under agreements with international financial institutions (International Monetary Fund (IMF), World Bank).

Legal and political framework

The legal and political framework described in the initial report remains valid. However, innovations have been made to improve the situation.

For example, under Law No. 96/06 of 18 January 1996, the Constitution that was adopted by referendum on 20 May 1972 has been revised to strengthen the rule of law. That constitutional revision is characterized mainly by the inclusion of human rights as a constitutional principle, designation of the judiciary as an authority independent of the executive and legislative authorities, and administrative decentralization.

With regard to judicial power, article 37 of the Constitution states that justice shall be administered in the territory of the Republic on behalf of the Cameroonian people. Judicial power shall be exercised by the Supreme Court, courts of appeal and tribunals.

According to article 38, the Supreme Court shall be the highest court of the State in legal and administrative matters as well as in the appraisal of accounts. It shall comprise a Judicial Bench, an Administrative Bench and an Audit Bench:

- The Judicial Bench (art. 39) shall give final rulings on appeals accepted by law against final rulings given by the various courts and tribunals of the judicial system;
- The Administrative Bench (art. 40) shall examine all administrative disputes involving the State and other public authorities. It shall also examine appeals on regional and council election disputes;
- The Audit Bench (art. 41 — Law No. 2003/005 of 21 April 2003 setting forth the attributions, organization and functioning of the Audit Bench of the Supreme Court) shall be competent to control and rule on public accounts as well as on those of public and semi-public enterprises.

Each of these three benches of the Supreme Court shall give final rulings on rulings handed down by lower courts under its jurisdiction and shall examine all matters expressly devolving upon it by law. The structuring of the new administrative jurisdiction will therefore include the new Administrative Bench of the Supreme Court as an appellate jurisdiction, and the administrative courts to be created and established throughout the country, unlike previously when only one administrative jurisdiction existed in the Supreme Court in Yaoundé.

The revised Constitution of 1996 also created the Constitutional Council, which has jurisdiction in matters pertaining to the Constitution. It is the organ regulating the functioning of the institutions. The Constitutional Council shall give final ruling on:

- The constitutionality of laws, treaties and international agreements;
- The constitutionality of standing orders of the National Assembly and the Senate prior to their implementation;

- Conflict of powers between State institutions; between the State and the regions, and between the regions.

The Constitutional Council was established pursuant to Law No. 2004/004 of 21 April 2004 on the organization and functioning of the Constitutional Council.

Laws, treaties and international agreements may, prior to their enactment, be referred to the Constitutional Council by the President of the Republic, the President of the National Assembly, the President of the Senate, one third of the members of the National Assembly or one third of the Senators and presidents of regional executives.

The Constitutional Council shall also ensure the regularity of presidential elections, parliamentary elections and referendum operations and shall proclaim the results thereof.

The powers of the Supreme Court in constitutional matters have therefore been upgraded and transferred to the Constitutional Council. For example, jurisdictional control (by way of an action or an exception) over the constitutionality of laws, which was very restricted, has been fully enhanced and expanded.

The jurisdiction *ratione personae* of the High Court of Justice has been expanded. The Court shall have jurisdiction in respect of acts committed in the exercise of their functions to try:

- The President of the Republic for high treason;
- The Prime Minister, other members of Government and persons ranking as such and senior government officials to whom powers have been delegated, for conspiracy against the security of the State.

Furthermore, over the past few years, several laws relating to the electoral process have been passed, including:

- Law No. 90-56 of 19 December 1990 relating to political parties;
- Law No. 91-20 of 16 December 1991 laying down conditions governing the election of Members of Parliament, as amended by Law No. 97-13 of 19 March 1997;
- Law No. 92-002 of 14 August 1992 establishing conditions for the election of municipal councillors;
- Law No. 92-10 of 17 September 1992 laying down conditions governing the vacancy of and election to the Presidency of the Republic, as amended by and supplemented by Law No. 99-020 of 9 September 1999.

Administrative organization was amended by Decree No. 92/186 of 1 September 1992, on the creation of new departments, and Law No. 92/187 of 1 September 1992, on the creation of new districts.

In addition, Cameroon had already taken the initiative to combat torture by adopting the following texts of 10 January 1997:

- Law No. 97/009 of 10 January 1997, which amended and supplemented some provisions of the Penal Code and added an article 132 bis, entitled "Torture", to the section dealing with offences by civil servants in the performance of their duties. This new article, which reproduces *mutatis mutandis* the treaty-

based definition of torture, also lays down the penalties to be applied against perpetrators of acts of torture. It also reiterates the absolute nature of the law in protecting human beings against torture, excluding any exemption to the prohibition of torture;

- Law No. 97/010 of 10 January 1997, which amended and supplemented certain provisions of Law No. 64/LF/13 of 26 June 1964 on extradition, satisfying the requirements of article 3 of the Convention against Torture, which states that no State Party shall expel, return or extradite a person to another State where he or she would be in danger of being subjected to torture.

Moreover, Cameroon has made every effort to better implement the “Paris Principles” on the status of national institutions, including the promulgation of Law No. 2004/016 of 22 July 2004 on the creation of the National Commission on Human Rights and Freedoms (CNDHL). This is an independent institution for consultation, observation, evaluation, dialogue, coordination, promotion and protection of human rights. Accordingly, it receives all complaints concerning cases of violation of human rights and freedoms. CNDHL is supported by development partners in the implementation of its human rights education programme in Cameroon, from primary schools to the university and other institutions of higher learning, in accordance with the resolutions of the United Nations Second Decade for Human Rights Education.

II. Socio-economic, political, legal and judicial measures taken to implement the Convention since the submission of the initial report

Since the submission of the initial report in 2000, Cameroon has taken measures to strengthen the framework for the protection of human rights in the country.

A. Socio-economic measures

Government authorities have developed several documents and programmes to improve the management of public affairs, foster public participation in development and enhance the programming of government actions in the various sectors. They include:

- Poverty Reduction Strategy Paper (PRSP), approved in 2003. Chapter 3 and other sections of this report refer to the Government’s resolve to improve the living conditions of women: specifically, respect for their rights, concrete recognition of their contribution to development and their integration into income-generating economic activities;
- National Governance Programme (NGP), developed and executed during the 2001-2004 period. This programme had identified and targeted six sectors to be reformed, including public administration; economic, financial and social management; justice; decentralization; fight against corruption; and participation of citizens and civil society in the management of public affairs.

Many positive measures have been taken to combat corruption, such as the creation of the National Anti-Corruption Commission (NACC) and the adoption of a law during the parliamentary session of March 2006, on the declaration of assets.

It should be noted that, in implementing the NGP on respect for human rights, the Ministry of Justice gave an update on the situation in an evaluation report that was approved on 25 April 2006.

The actions cited in this report will soon be executed with the support of development partners.

Other programmes have been implemented by the Government in collaboration with civil society organizations and development partners within the context of bilateral and multilateral cooperation. They include:

- National Community-Driven Development Programme (PNDP) which is explained under “Political measures”;
- Community Development Support Programme (PADC) explained under “Political measures”;
- Programme to Increase Rural Family Income (PARFAR);
- FACILS programme (a collective action facility for local solidarity initiatives).

Similarly, the Government has developed and implemented strategies to reduce poverty and improve the social conditions of the population, as follows:

- *Social Development Sector Strategy*, which consists in finding mechanisms to promote the welfare of disadvantaged segments of the population, as follows women;
- *Rural Development Sector Strategy* (see article 14);
- *Health Sector Strategy* (see article 12);
- *Education Sector Strategy* (see article 10).

B. Political measures

The principle of the separation of powers, affirmed in the initial report, has been strengthened with the gradual introduction of the institutions provided for in Law No. 96/06 of 18 January 1996 on the revision of the Constitution of 1972.

It is under this process that the following texts were adopted:

- Law No. 2003/005 of 21 April 2003 setting out the attributions, organization and functioning of the Audit Bench of the Supreme Court;
- Law No. 2004/004 of 21 April 2004 establishing the organization and functioning of the Constitutional Council;

Administrative organization has improved, bringing governmental institutions closer to users, thanks to the following legal instruments:

- Law No. 2004/017 of 22 July 2004 on the orientation of decentralization;
- Law No. 2004/018 of 22 July 2004 establishing the rules applicable to councils;

- Law No. 2004/019 of 22 July 2004 establishing the rules applicable to regions;
- Decree No. 004/320 of 8 December 2004 on Government reorganization.

The promulgation of Law No. 2000/15 of 19 December 2000, on public financing of political parties and election campaigns, and Law No. 2003/15 of 22 December 2003, setting up the National Elections Observatory (ONEL), may be considered a major step forward in the process of consolidating democratic institutions in Cameroon.

Likewise, improving the electoral system is one of the Government's main concerns, in its effort to increase the involvement of citizens in the management of public affairs.

With regard to the administrative system, the Constitution has created 10 regions to replace the 10 provinces that had been in existence since 1984 and that were decentralized administrative constituencies. Unlike its 1972 predecessor, the current Constitution devotes its entire title X to the decentralized territorial communities of the Republic represented by the regions and councils. These communities are public legal entities. They enjoy administrative and financial autonomy in the management of regional and local interests. They administer themselves freely through regional councils. The purpose of these councils is to promote economic, social, health, educational, cultural and sports development in their communities, under the overall supervision of the State.

Cameroon is a decentralized, democratic and unitary State with a semi-presidential regime and separation of powers between the executive, legislative and judicial branches. The unicameral parliament consisting of the National Assembly, a single chamber under the Constitution of 1972, became a bicameral institution under the Constitution of 1996 with the addition of a second chamber, called the Senate.

The other example of the sharing of decision-making powers with the population is the "community-driven development" approach, which laid the groundwork for the National Community-Driven Development Programme (PNDP) developed by the Government to drastically reduce poverty by 2015. Its objective is to empower grass-roots communities and the decentralized structures of the State so that they can play a role in their own development, in the gradual process of decentralization.

Other structures have been established along the same lines, including the Support for Urban Decentralization Programme (PACDDU), the Community Development Support Programme (PADC) and FOURMI II, as well as the Local Governance Programme, which prepares the public to share in decision-making.

The goal of "community-driven development" is to build partnership relationships between the State, civil society, the private sector and development partners by strengthening the capacities of grass-roots communities. These partnerships would be gradually expanded to cover the whole country.

The capacity-building objective will be achieved through the following measures:

- Financing projects and activities initiated by local districts, village communities and other segments of civil society, based on "community

development plans” and Rural Community Development Support Fund (FADCR);

- Preparing local councils and grass-roots communities for their effective integration into the gradual decentralization process;
- Improving the knowledge and skills of community-driven development actors for their concerted involvement in poverty alleviation efforts. The targets of this capacity-building are: grass-roots communities, decentralized local communities, decentralized service agents of the State, NGOs, service providers and microfinance institutions;
- Providing community-driven development actors with the necessary information and management and decision-making tools for them to fulfil their responsibilities;
- Reinforcing institutional mechanisms by creating specific ministerial structures responsible for gender promotion and for the establishment of partnerships with civil society and international organizations.

C. Legal and judicial measures

Since the submission of the initial report in 2000, the following measures have been taken:

- Ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW);
- Ratification of the United Nations Convention against Transnational Organized Crime and its three supplemental protocols pursuant to Decree No. 2004/20 of 18 May 2004. The first of these protocols is designed to prevent, suppress and punish trafficking in persons, especially women and children. This Convention is in the process of being incorporated into domestic law;
- Ratification on 18 May 2004 of the United Nations Convention against Corruption;
- Promulgation of Law No. 2005/015 of 29 December 2005 on child trafficking and slavery;
- Draft bill on protection and promotion of disabled persons which sets out measures to facilitate their access, without gender discrimination, to education, health, sports and leisure, the environment, etc.;
- Promulgation of Law No. 2005/007 of 27 July 2005 on the Code of Criminal Procedure.

In the context of a liberalization of the media in Cameroon, media coverage has been fostering public education about human rights with a view to their effective realization. In order to reconcile prosecutorial requirements with freedom of expression, crimes of opinion have been eliminated. Pursuant to Law No. 90/092 of 19 December 1990 on freedom of social communication, all violations of these provisions incur only fines.

The Prime Minister, as Head of Government, has also signed Decree No. 2000/158 of 3 April 2000, which lays down the conditions and modalities under which private audio-visual communication companies may be established.

Moreover, with the same aim in view, judicial mechanisms for the protection of human rights have been strengthened.

Thus, in addition to the triple right of action under the criminal laws referred to in the initial report, collective responsibility has been given effect throughout Cameroon's courts of appeal and courts of major jurisdiction in the main metropolitan areas where complex cases and cases involving major economic interests arise, so that two tiers of jurisdiction can provide a stronger guarantee of defendants' rights.

Arbitration, which facilitates prompt and simple settlement of disputes, is increasingly being applied through legislation in accordance with the Organization for the Harmonization of Business Law in Africa (OHADA) which Cameroon is gradually implementing internally, notably through:

- Law No. 2003/008 of 10 July 2003 laying down penalties for violations of certain OHADA uniform acts;
- Law No. 2003/009 of 10 July 2003 appointing the competent jurisdictions described in the uniform act on arbitration rights and specifying how referrals to them are effected;
- Decree No. 2002/299 of 3 December 2002 appointing the authority entrusted with affixing the executory formula to decisions of the OHADA Common Court of Justice and Arbitration.

Part Two

Specific information on each provision of the Convention

I. Constitutional and legal framework for protection of women's rights (articles 1-5)

Article 1

For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.

Cameroon's body of laws embodies the principle of equality between men and women. It should be noted that the various texts pertaining to this matter were addressed in the initial report of Cameroon on the Convention on the Elimination of All Forms of Discrimination against Women in 2000. It is worth recalling that some of those texts embody the principle of equality between men and women, namely:

- The revised Constitution of 18 January 1996;

- The Penal Code;
- The Labour Code;
- The electoral laws;
- The Civil Service Regulations.

By ratifying the Convention, Cameroon undertook to apply the principle of non-discrimination with respect to women.

No legal definition of discrimination has so far been adopted. However, the draft law for the prevention and punishment of violence against women and of gender-based discrimination provides for a definition of discrimination and subsequent sanctions (responses to Committee recommendations 49 and 50). This marks the Government's resolve to strengthen existing legal machinery and instruments for the protection of women. Accordingly:

- The Optional Protocol to the Convention was ratified by Cameroon on 7 January 2005 and took effect on 7 April 2005 (response to Committee recommendation 64);
- The draft law setting out the code governing persons and the family seeks to apply uniform treatment in the handling of male/female relationships by adopting special measures that enshrine the principle of equality between these two components of society. One of the more noteworthy major innovations is strengthening equality between men and women with respect to name, domicile, age of marriage, and the organization and revitalization of the family council;
- The draft law on the prevention and punishment of violence against women and gender-based discrimination is fairly innovative, as it addresses violations that heretofore went unpunished, such as female genital mutilation and sexual harassment. The areas addressed in this draft law seek effectively to ensure protection of the person and rights of women in society.

In the commercial sphere, the provisions of the OHADA uniform act pertaining to commercial law, in article 7, govern inequalities between men and women.

Article 2

States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:

(a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;

(b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;

(c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the effective protection of women against any act of discrimination;

(d) *To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*

(e) *To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;*

(f) *To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*

(g) *To repeal all national penal provisions which constitute discrimination against women.*

The observations presented with regard to article 1 apply to this article.

Article 3

States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.

With a view to enabling women to enjoy the rights recognized under the Convention, the authorities have taken political, institutional, legislative and administrative measures.

To that end, the Poverty Reduction Strategy Paper (PRSP) affords a suitable framework for implementing the policy laid down by the Head of State. The lines of action laid down in the PRSP are carried out by the administration through sectoral strategies.

The Government's commitment effectively to combat poverty is expressed by:

- Pursuit of policies to secure lasting and equitable economic growth;
- Reallocation of a substantial portion of public resources to basic social and economic sectors;
- Efficient human resources management;
- Specific initiatives in favour of women and other vulnerable groups.

For that purpose, programmes and projects are developed for the advancement of women in the context of bilateral and multilateral cooperation. Those initiatives are geared to capacity-building for women in the socio-economic and legal arenas, in order to foster full autonomy for this vulnerable sector of society.

Chapter 3, section 373, of the Poverty Reduction Strategy Paper (PRSP) is devoted to the advancement of women. The Government's initiatives in this area focus on four primary areas, namely:

- Improvement of women's social and legal status;
- Improvement of women's standard of living;
- Promotion of equality and equity between the sexes in all areas of national life;

- Strengthening of institutional structures and mechanisms.

Response to Committee recommendation 52

Having espoused the defence and protection of human rights as one of the aims of its National Governance Programme (NGP), the Government intends to afford protection to vulnerable groups and minorities. Accordingly, it is developing an action plan aimed at the advancement of women, in which it proposes:

- To translate into reality the principle of equal access by men and women to elective offices and functions;
- To promote, encourage and oversee a quota policy in elections and in the workplace;
- To ensure that, where rules so allow, women receive compensation equal to that of men;
- To support the policy of combating violence against women;
- To adopt a Family Code;
- To approve the strategy regarding vocational training on an equitable basis.

Similarly, the Social Development Sector Strategy contains mechanisms to enable the promotion of well-being for disadvantaged populations, including women. Specific initiatives are envisaged for women prostitutes, in particular to address their social and health needs through:

- An antiretroviral maintenance treatment fund;
- Education and awareness-raising among prostitutes and people living with HIV/AIDS (PLHA) (Behaviour Change Communications (BCC) strategy);
- Development, adoption and implementation of texts on the rights of PLHA;
- Creation of centres for socio-vocational reintegration of prostitutes.

As part of the strategy for combating poverty and social exclusion comprised by chapter 8 of the document entitled *Cameroon: Building Governance (Cameroun: Les chantiers de la gouvernance)*, after taking stock of the situation, the Government adopted a number of goals under the PRSP. One noteworthy goal upon which the Ministry for the Promotion of Women and the Family (MINPROFF) may focus is strengthening human resources in the social sector and integrating disadvantaged groups into the economy.

Response to Committee recommendation 52

The Government also intends to encourage the growth of civil society by strengthening the capacities of associations. This undertaking may be seen in a number of laws dealing with the freedom of association. Individual women in Cameroon can, in the framework of associations, cooperatives or NGOs, contribute effectively to the socio-economic development of their country. Several laws and decrees have enabled the associative movement in Cameroon to make significant headway.

In this context, a law that has been added to the books is Law No. 99/014 of 21 December 1999 on non-governmental organizations (NGOs). It has been followed by an implementing decree.

However, from the organizational perspective, the structure of the associative movement is still at a rudimentary stage, and one consequence of this is a dissipation of energies sometimes leading to unproductive misunderstandings. That state of affairs substantially reduces civil society's ability to be an interlocutor to the State, development partners and the private sector.

The lack of training among the actors involved is compounded by weak managerial capacities and a lack of structures mediating with the State or with stakeholders in the market economy sphere.

Research done for the design and development of the National Governance Programme disclosed that the associative sector brings together about 78 per cent of the active population of our country. A 2003 survey identified 55,602 duly constituted associations, although they were unevenly distributed throughout the provinces. In light of the data gathered on the ground, the associations seem to be serving as a training-ground to strengthen grass-roots initiatives and local and regional competencies. In recent years, they have emerged as a forum for social dialogue, or as a link between the State and the socio-economic sphere.

Article 4 — Temporary special measures aimed at accelerating de facto equality between men and women

1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.

2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.

Since the submission of the initial report of 2000 under the Convention, Cameroonian authorities have adopted a number of measures designed to accelerate de facto equality between men and women.

In the field of education, the following may be noted:

- A scholarship policy which sets aside 40 per cent of scholarships to be granted to girls;
- A project on “child-friendly, girl-friendly schools”, designed to give particular encouragement to young girls to attend school.

With regard to the fight against HIV/AIDS, in 2001 the Ministry for the Promotion of Women and the Family developed a campaign against HIV/AIDS in the female population. In implementing this strategy, actions are planned to strengthen the economic capacities of women who have been infected with or are suffering from HIV/AIDS.

Article 5

States Parties shall take all appropriate measures:

(a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

(b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.

Age-old cultural practices, customs and traditions continue to be a hindrance to actions pursued by the public authorities in order to improve the status of women in all areas. This is most apparent in rural areas, varying according to region and religion.

How does the State go about modifying negative sociocultural patterns and models of behaviour that perpetuate discrimination? Is there a legal framework set up by the State in order to combat these pernicious practices? Our approach consists of:

- Identifying behaviours and attitudes that discriminate against women;
- Identifying obstacles to the elimination of stereotypes and prejudices;
- Taking action to combat such discrimination.

I. Identifying of behaviours and attitudes that discriminate against women

1. Stereotypes and prejudices in respect of occupational and educational activities

Strategic, technical and managerial posts

In public and private structures alike, the majority of such posts are held by men.

According to data from the statistical yearbook on the situation of women in Cameroon, the proportion of women in positions of responsibility (posts of Director and similar) in central ministerial services was 12 per cent in 2002 and 2005 (see table 1 in annex).

The association of certain occupations with women

The occupations of secretary, nurse, primary-school teacher and social worker are usually exercised by women. This reflects the low rate of enrolment of girls in technical schools and institutions and the small number of boys who receive training for occupations traditionally associated with women. According to the 2004 statistical yearbook of the National Institute of Statistics, 56,516 girls were enrolled in institutions of technical education, representing 41 per cent of the total enrolment.

Agriculture

A stereotyped image of women exists in the agricultural sector, but it is tending to become less apparent. The drop in the prices of cash crops (cocoa, coffee) has led to the development of new crop-growing practices among men, who are switching to food crops, which were formerly the preserve of women.

Education

In education, preference is given to boys.

2. Stereotypes and prejudices in respect of marital relations

- Mothers remain largely responsible for children's education and for the performance of countless domestic tasks;
- There is a widespread belief that women determine the child's sex;
- In childbirth, a preference is shown for the male sex;
- Female sexual expression remains a taboo.

It is usually left to men to start up discussions about sexuality. As a result, women have to put up with all the frustrations incurred through their silence (violence, sexist insults, male chauvinism).

The likening of women to property

Women are unable to be in charge. Since they are regarded as property, responsibility for the management of household property falls to men. Women consequently find it difficult to engage in financial transactions without a means of guarantee. Nor can they inherit, and it is hard for them to own land.

3. Stereotypes and prejudices in respect of social life*Women's rights fall short of men's rights*

Notwithstanding the provisions of the Constitution and the many laws and conventions ratified by Cameroon, the national community persists in believing that men have more rights than women.

Men justify their acts of physical violence by invoking their recognized right to administer corporal punishment.

Confinement of girls to household tasks

School textbooks and advertisements carry stereotyped images of girls confined to household tasks, while boys are shown playing football or waiting to be served at table.

Belief that women like to be beaten by men

A woman who is not beaten by her husband thinks that he doesn't really love her.

Belief that women who do not submit to the rites of widowhood are either witches or responsible for their husbands' death

Women run a high risk when they fail to submit to the rites of widowhood. The belief that they should do so is very strongly entrenched, while varying from one group to another, and requires women to comply with degrading practices.

Women as AIDS carriers

Considered to be responsible for bringing AIDS into the community, women are particularly marginalized when they are known to be HIV-positive.

Because of the prevalence of such views in society, men and the community exert particular pressure on women.

4. Stereotypes and prejudices in respect of political life

The prevalence of the view that women's abilities do not naturally predispose them to engage in politics is a factor in the scant admittance of women into the political arena.

II. Identifying obstacles to the elimination of stereotypes and prejudices

A variety of factors still contribute to the persistence of negative stereotypes and prejudices in regard to women. These include:

- Sociocultural constraints;
- The weak economic power of women;
- The paucity of resources allocated to bodies for the advancement of women;
- Insufficient development of awareness about the Convention on the Elimination of All Forms of Discrimination against Women;
- Low representation of women in decision-making posts.

III. Action taken

Action to combat discrimination against women has been taken at various levels, including by the Government, associations, NGOs, the media and religious communities.

- *Appointment of two women in the Ministry of Territorial Administration and Decentralization by Decree No. 2006/231 of 17 July 2006 concerning the appointment of Sub-Prefects*

This legislation is one of the major innovations introduced into territorial administration.

- *Drawing up of a draft bill on violence*

The Ministry for the Promotion of Women and the Family (MINPROFF) has prepared a draft bill on violence against women and gender-based discrimination.

This text identifies the main offences constituted by violence against women and the corresponding punishments.

- *Institutionalization of the gender perspective in development policies and programmes*

Gender mainstreaming in all development policies, programmes and projects is one of the main methods adopted to improve the status of Cameroonian women. As a result of this approach, gender issues are taken into account in all the planning, programming, implementation and evaluation projects carried out by national bodies.

The situation of women in each area of development has also been able thereby to be taken into account in the Poverty Reduction Strategy Paper, with a view to improving their living conditions.

- *Organization of awareness-raising workshops on practices that discriminate against women*

Organized by the Ministry for the Promotion of Women and the Family in Mbalmayo from 11 to 13 December 2001 and in Buea from 28 to 30 June 2002, these workshops were designed to make the participants aware of the harmful effects of discriminatory practices on the self-fulfilment of women with a view to inducing them, through their actions, to bring about gender-oriented social change.

- *Organization of law clinics*

The Ministry for the Promotion of Women and the Family, in collaboration with the United Nations Population Fund, has organized law clinics in the Ouest, Centre and Sud provinces. These have served to identify certain basic problems impeding the enjoyment or exercise by women of their rights and a number of violations of women's rights. Follow-up action on these specific cases has been initiated by the provincial offices of the Ministry for the Promotion of Women and the Family.

- *Organization of a training seminar for senior public officials*

A training seminar for senior public officials was organized by the Ministry for the Promotion of Women and the Family from 24 to 26 May 2004 in Yaoundé. Its purpose was to make them aware of the relevance and crosscutting nature of gender issues and to induce them to integrate a gender perspective in development policies and programmes with a view to fostering equality between men and women and promoting the participation of women in the management of public affairs.

- *Integration of women in town-planning services*

Municipalities now include women in town-planning projects.

- *National Community-Driven Development Programme (PNDP)*

The PNDP calls for the full participation and presence of women in the entire development process.

In December 2005 an awareness-raising seminar was held for parliamentarians on gender-based budgeting.

Article 6 — Suppression of the exploitation of prostitution of women

States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

The causes of prostitution set out in the previous report continue to apply. It should be noted, however, that this scourge has intensified on account of the massive use of new information and communications technologies like the Internet.

Measures taken by Cameroon

Cameroon has taken preventive measures against the economic exploitation of children. These include:

- Ratification of International Labour Organization (ILO) Convention No. 182: Worst Forms of Child Labour Convention;
- Ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment;
- Signature and ratification in progress of the two Optional Protocols to the Convention on the Rights of the Child, concerning respectively the involvement of children in armed conflict and the sale of children, child prostitution and child pornography;
- Ratification of the Additional Protocol to the United Nations Convention against Transnational Organized Crime (Decree No. 2004/120 of 18 May 2004), to prevent, suppress and punish trafficking in persons, especially women and children;
- Project to combat national and cross-border trafficking in children in West and Central Africa (LUTRENA);
- ILO-IPEC WACAP project against the exploitation of children on cocoa farms;
- Draft bill on violence against women, which provides for stiffer penalties for procurement;
- Social Sector Development Strategy, which provides for improved social support and health care for prostitutes through the establishment of specialized centres and socio-occupational integration.

Law No. 2005/015 of 29 December 2005 against trafficking in children.

In addition, a national plan against child labour adopted some years ago provides in the short term for adequate protection of children against all the most demeaning and degrading forms of abuse and exploitation, which may impair their physical and psychological integrity.

In this spirit, Cameroon has joined various subregional, regional and international initiatives to combat the trafficking and exploitation of children (including girls) for commercial ends. Mention may be made in this connection of the following:

- Seminar-workshops held in Libreville, Gabon, in 2001 and 2002 to prepare a convention against this scourge in the Central and West African subregions;

- Second World Congress against Commercial Sexual Exploitation of Children, held in Yokohama, Japan, in December 2001;
- Establishment of Interpol offices to combat child trafficking and sexual exploitation.

Lastly, under the new cooperation programme for 2003-2007 between Cameroon and UNICEF, specific measures have been adopted for children in need of special protection, including child victims of trafficking.

All these initiatives demonstrate the political will of the public authorities to protect children (girls) and women from sexual exploitation and trafficking.

Response to Committee recommendation 51

Article 7 — Discrimination in political and public life

States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

(a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;

(b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;

(c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.

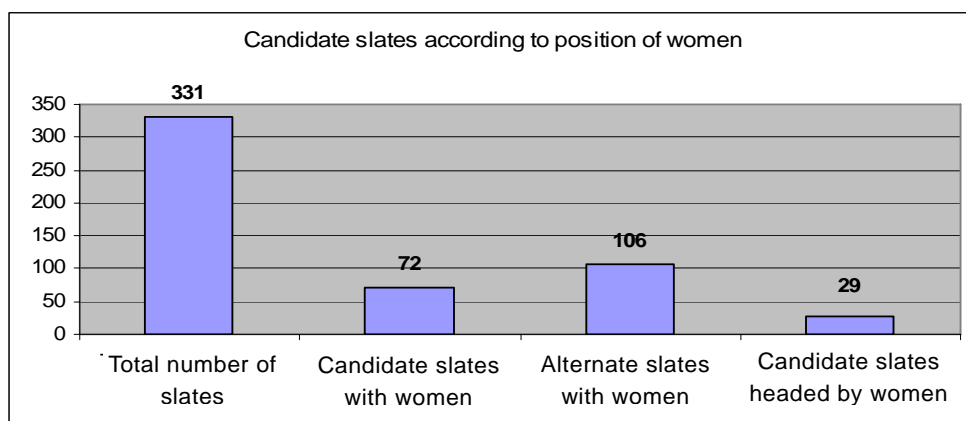
Women and political life

A. Presidential election of 11 October 2004

Following examination of 46 candidacies, including three from women, submitted for the presidential election, 16 candidates were selected, of whom not one was a woman.

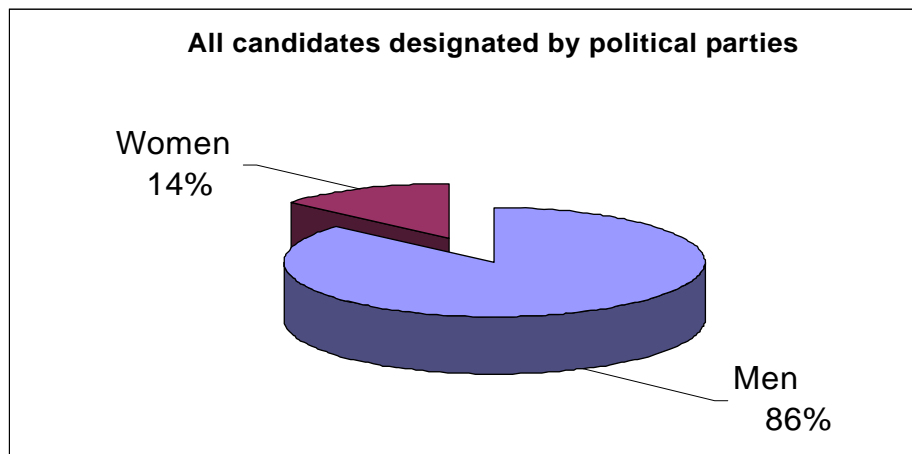
B. Legislative elections

Out of a total of 331 electoral slates, 22 per cent of candidate slates contained women as against 32 per cent of alternate slates: women thus constituted 22 per cent of candidates and 32 per cent of alternates.



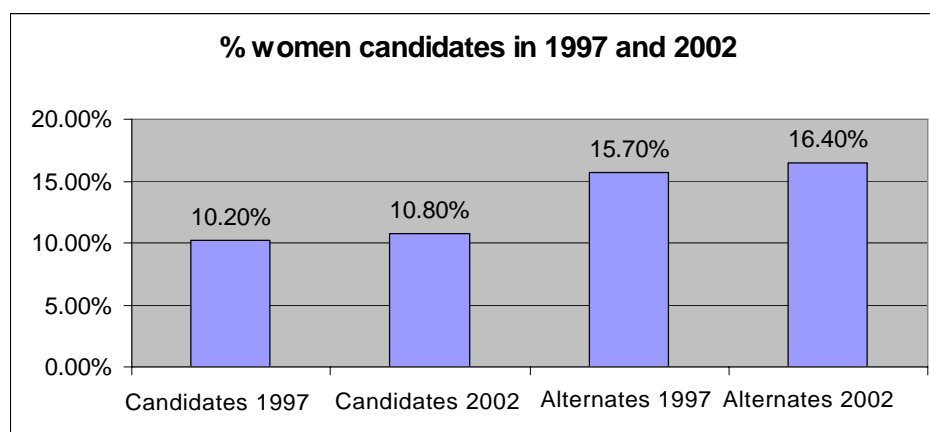
Source: Ministry for the Promotion of Women and the Family (MINPROFF), 2004 statistical yearbook.

Out of 1,612 candidates and alternates designated for the 2002 legislative elections, 219 were women, accounting for 13.6 per cent of the total number, as compared with 1,393 men, accounting for 86.41 per cent.



Source: MINPROFF, 2004 statistical yearbook.

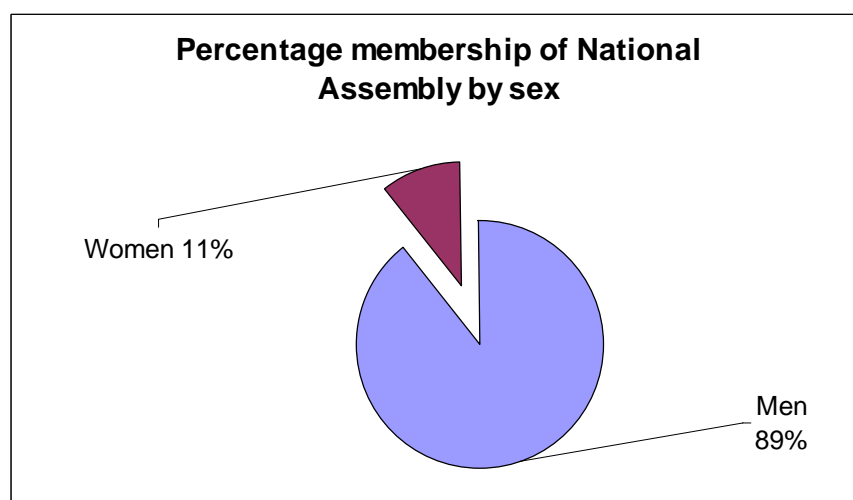
In 1997, there were 2,282 candidates, 12.9 per cent of whom were women.



Source: MINPROFF, 2004 statistical yearbook.

The above graph shows that, generally speaking, the majority of women included in electoral slates for legislative office are alternates. Thus, in 1997 and 2002 alike, the proportion of women on candidate slates did not exceed 11 per cent and, on alternate slates, was around 16 per cent. The tendency towards stronger representation of women on alternate slates seems to have prevailed for both elections.

Results of 2002 elections



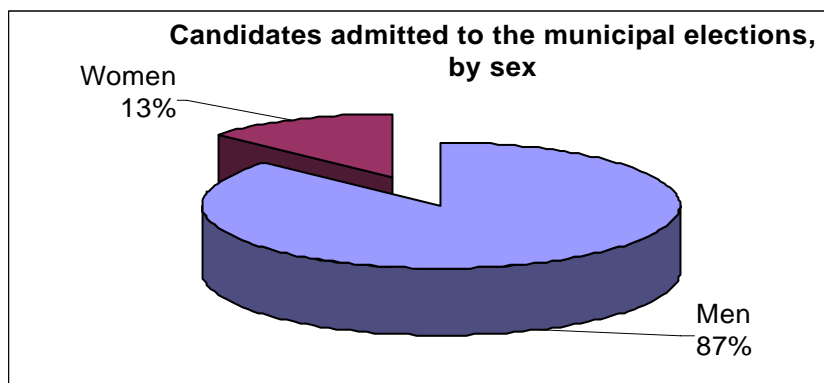
Source: MINPROFF, 2004 statistical yearbook.

It emerges from these results that out of 180 elected members of the National Assembly, only 20 are women and account for 11.11 per cent of members and 18.3 per cent of alternates, as compared with 160 men, accounting for 88.89 per cent of members.

Since the last two legislatures, the number of women members of the National Assembly has doubled.

The participation of women in the various legislative elections is clearly shown in annex tables 3, 4, 5, 6, 7 and 8.

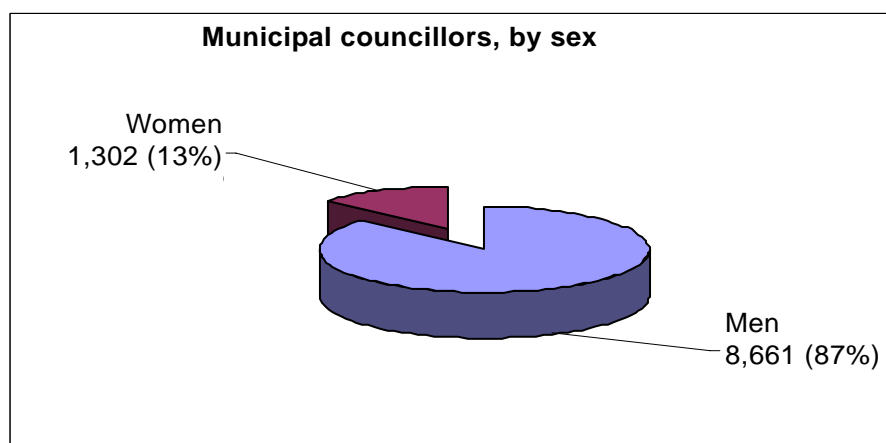
C. Municipal elections



Source: MINPROFF, 2004 statistical yearbook.

Of the 22,636 candidates approved to run in the municipal elections in 2002, 1,946 (13 per cent) were women. The elections were held in 337 local governments.

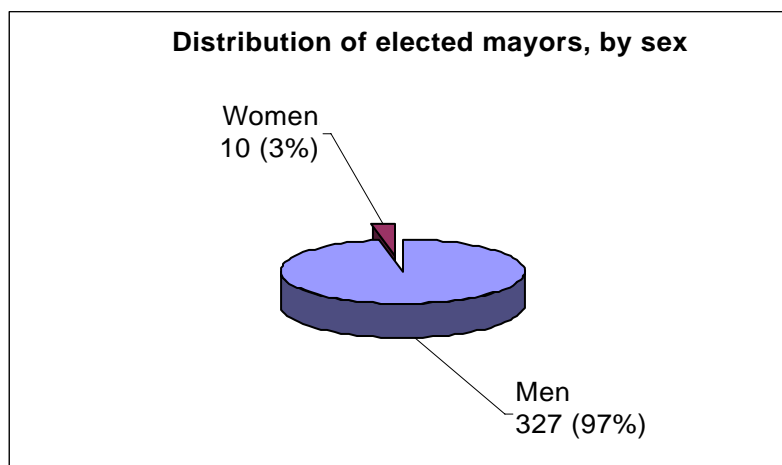
Results



Source: MINPROFF, 2004 statistical yearbook.

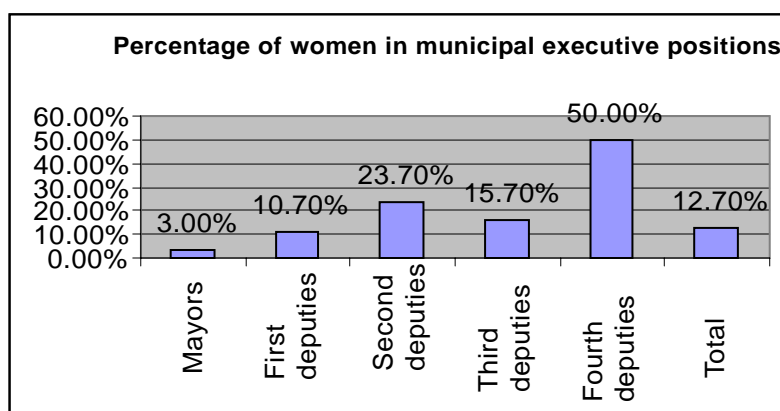
Nationally, 9,963 council members were elected in the municipal elections of 2002, of whom 1,302 (13 per cent) were women and 8,661 (87 per cent) were men.

Ten women were elected mayor, along with 327 men, which amounts to 3 per cent women and 96.9 per cent men (see annex 13).



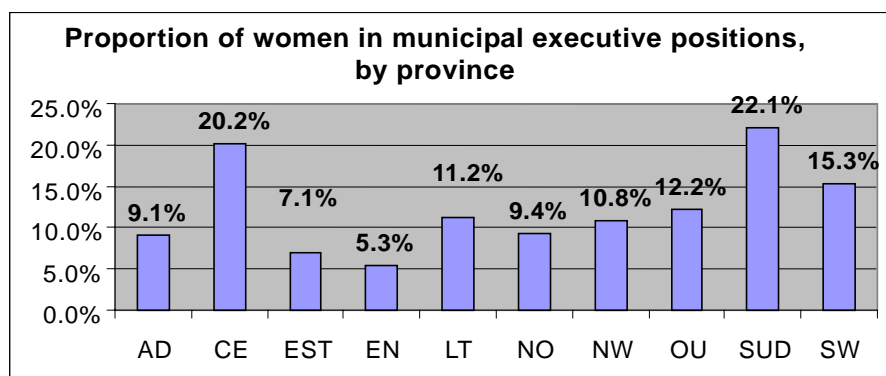
Source: MINPROFF, 2004 statistical yearbook.

It should be pointed out that women also serve as deputy mayors.



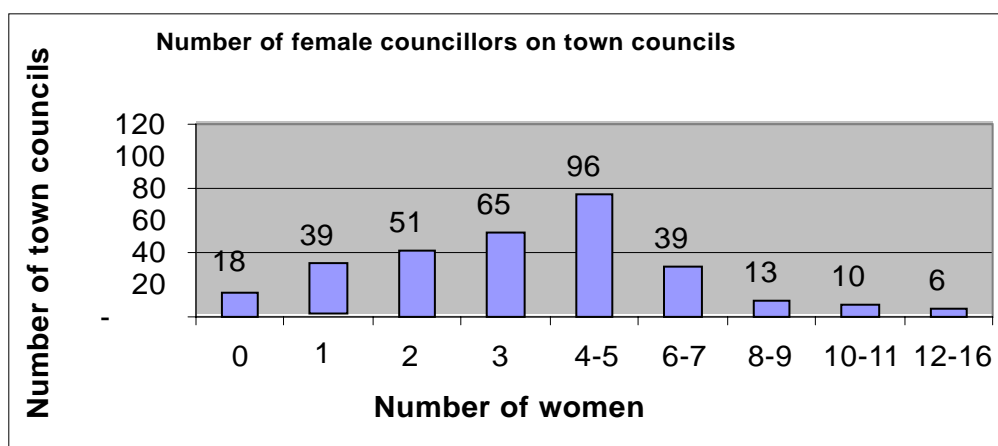
Source: MINPROFF, 2004 statistical yearbook.

In some provinces women hold more than 20 per cent of the municipal executive positions. This applies mainly to the provinces of Centre and Sud, whereas the proportion in Nord and Est provinces is under 10 per cent.



Source: MINPROFF, 2004 statistical yearbook.

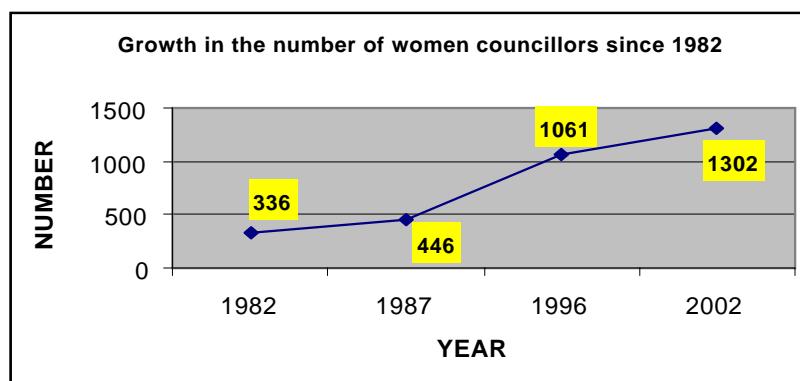
Representation of women in local government



Source: MINPROFF, 2004 statistical yearbook.

The chart above shows that, of the 337 town councils for which elections were held, 18 have no female councillors, 155 have no more than 3 women and only 16 have 10 women or more.

Growth in the number of women on town councils since 1982



Source: MINPROFF, 2004 statistical yearbook.

The number of female mayors went from zero in 1982 to 10 in 2002, with only one in 1987 and two in 1996. The number of women councillors rose from 336 in 1982 to 1,302 in 2002 (see annex, tables 9, 10, 11, 12, 13, 14 and 15).

D. Participation of women in the organization of elections

The National Elections Observatory (ONEL) has 11 members, 3 of them women, including one vice-president. The provincial, departmental and municipal offices of the Commission have 3, 41 and 174 female members, respectively, which corresponds to 5 per cent, 12 per cent and 11 per cent, respectively (see annex, tables 16, 17 and 18).

E. Number of women in senior posts (see annex, tables 19 and 20)

Response to Committee recommendations 55 and 56

With a view to increasing the representation of women in decision-making posts, the Committee proposed various measures: the institutionalization of gender mainstreaming, the establishment of a quota of at least 30 per cent for women and the requirement that election slates place women candidates closer to the top.

Article 8 — *The right to represent one's Government at the international level*

States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.

Women are represented in the diplomatic sector. Like men, they can represent Cameroon at the international level and can participate in the work of international organizations.

Admission to the International Relations Institute of Cameroon (IRIC), which trains diplomats, is open without discrimination to Cameroonians and all Africans of either sex who have a bachelor's degree.

Statistics on the gender distribution of diplomats trained at the Institute show that women are being admitted, although they have been few in number (see annex, table 21).

Of the 166 diplomats trained and awarded a doctor's degree in international relations, only 24 are women.

Of the 60 diplomats awarded the recently created Specialized Higher Education Diploma (DESS) Programme in international relations between 2002 and 2005, 47 are men and 13 are women (see table 21 bis). This low number of female diplomats has an impact on their representation in the Government department that deals with diplomacy, as well as in embassies and international organizations (see annex, tables 22 and 23).

I. Representation at the international level

It should be pointed out that women diplomats participate on the same basis as their male colleagues in international conferences and seminars, depending on their individual areas of expertise. The number of women is low, however, and some delegations representing Cameroon abroad consist entirely of men.

In an effort to conform with the principles adopted by such international organizations as the United Nations and the African Union regarding gender parity among candidates, including placing a priority on female candidates for certain posts, Cameroon has given preference to female candidates for posts in the United Nations system and the African Union. In 2003 a Cameroonian woman was elected as a judge of the International Criminal Tribunal for Rwanda and another was elected Commissioner for Trade and Industry in the African Union.

II. Gender-based affirmative action

As a result of a sweeping measure relating to the diplomatic corps, namely, Decree No. 173/4/PR of 17 April 2006, 10 women were posted to Cameroonian diplomatic missions abroad, along with 89 men. In the central services of the Ministry of Foreign Affairs, 2 women hold the rank of Director and 7 that of Deputy Director. Unfortunately, the number of women who have the opportunity to represent the Government at the international level remains low. Another aspect of the situation is that the spouses of diplomats cannot be given diplomatic posts; in some embassies, however, spouses are hired to work as administrative staff.

Article 9

1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.

2. States Parties shall grant women equal rights with men with respect to the nationality of their children.

The legislation on nationality remains unchanged. However, the draft bill on the Code of Persons and the Family takes a very positive view on this matter, stressing the equality of men and women.

Article 10

States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:

(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in preschool, general, technical, professional and higher technical education, as well as in all types of vocational training;

(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;

(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;

(d) The same opportunities to benefit from scholarships and other study grants;

(e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

(f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;

(g) The same opportunities to participate actively in sports and physical education;

(h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.

I. Measures adopted by Cameroon to promote the education of women

The education system of Cameroon has two sectors: one formal and the other informal. In order to deal with gaps resulting from ignorance and the persistence of cultural practices, Cameroon has adopted a number of measures to reduce the gaps and promote equality between the sexes.

A. Steps taken in the formal system

- Development and implementation of an Education Sector strategy that includes gender concerns;
- Priority granted to the social, health and education sectors in the allocation of supplementary resources under the Heavily Indebted Poor Countries (HIPC) Initiative;
- Free primary education through the elimination of fees for public primary schools and the provision of minimum school kits since 2001;
- A scholarship award policy with a mandatory quota of 40 per cent for girls;
- Textbook policy: establishment of a council charged with approving school textbooks and teaching materials. Its responsibilities include reviewing school textbooks to eliminate discriminatory attitudes such as sexist stereotypes. Any book that contains sexist stereotypes is removed from the list of official textbooks;
- Strengthening the partnership between the State and international organizations, NGOs and associations that deal with the schooling of girls. Several activities in this field are being carried out in partnership with UNICEF, the Ministry of Basic Education (MINEDUB) and the Ministry of Social Affairs (MINAS). They include social mobilization to promote schooling for girls and the fostering of extracurricular science-related activities for girls to interest them in scientific careers;
- Adoption of an action plan in the education sector to combat HIV/AIDS;
- Establishment of a gender committee in the former Ministry of National Education (MINEDUC) whose strategic orientation includes the elimination of all forms of discrimination against girls and women in education, the promotion of educational access for girls and keeping them in school and the full use of female human resources;
- Revision of school textbooks with a view to eliminating sexist stereotypes;
- Training of trainers in gender issues;
- Scholarship grants for the female candidates with the highest scores in official examinations, with a view to promoting excellence among women;
- Free distribution of textbooks;
- Support for families.

In this connection UNICEF, in the context of its “child-friendly, girl-friendly schools” project, has intervened in priority educational areas in order to lower the number of repeaters and dropouts on the part of both boys and girls. This also applies to the Forum for African Women Educationalists in Cameroon, which provides guidance to girls’ clubs in schools, organizes science camps for girls and awards prizes to girls with the highest scores on national examinations.

- Support for school cafeterias;
- Advocacy for girls’ schooling;

- The establishment of a unit for the education and training of women and girls within the Ministry for the Promotion of Women and the Family.

Furthermore, the Educational Support Programme (PASE), which involves the Ministries of Basic Education, Secondary Education and Higher Education and is funded by the World Bank, devotes a great deal of attention to the problem of fairness in ensuring access on the part of girls to schooling and keeping them in school, especially in the priority education areas (ZEP). Cameroon has made a significant effort to ensure schooling for all at the primary level but the challenges at the secondary and higher levels remain. To deal with these challenges the Government has set the following priorities:

- Broaden access to secondary and higher education;
- Promote high quality secondary and higher education;
- Combat pupil wastage;
- Reduce the gaps between the sexes;
- Promote the professionalization of teachers.

B. Steps taken in the informal system

1. Strengthening institutional machinery in informal education

Special tasks have been assigned to some of the Government services that are responsible for informal education, for example, the Ministry for the Promotion of Women, which provides training for women in centres for the advancement of women and centres for appropriate technology. This sort of arrangement gave rise to a project to establish a support mechanism for poor women in centres for the advancement of women. With HIPC funding the project has sought to strengthen the operational capacities of centres for the advancement of women so that they can:

- Provide information and guidance to women;
- Provide consulting services to women trying to start their own businesses or develop an innovative idea;
- Provide training and continuing education to women facing difficulties in obtaining employment.

A draft project to implement the idea has been formulated. Sixty trainers have been recruited and various types of equipment and teaching materials have been acquired.

Response to Committee recommendation 57

- The Ministry of Social Affairs has contributed by establishing and rehabilitating centres for the education and training of girls who have dropped out of school and by providing support to vulnerable families and communities. The Ministry also runs workshop residences, social centres and the “Spool of Gold” centre, which trains handicapped girls and women to prepare them for employment.

- The Ministry of Youth provides training for girls in centres and homes for young people and in youth clubs.
- The Ministry of Employment and Vocational Training, which was created as part of the overall strategy for vocational training reform and development of jobs, manages the fast-track vocational training centres for clerical and industrial workers (CFPR/EB and CFPR/MI, respectively).

This ministry has developed specific strategies for such vulnerable groups as women. Reducing gender gaps in vocational training will require maintaining better balance between sexes through specific measures aimed at benefiting girls. In that connection various measures are planned:

- Establishing earmarked funds to promote access to vocational training;
- Establishing a vocational training mechanism;
- Revision of current vocational training textbooks;
- Establishment of a framework for discussion and awareness-raising.

2. Strengthening the partnership between the State, international organizations, NGOs and national organizations that are active in training and finding employment for young women

From 2002 to 2004 the results of such activities have been that:

- 600 female community organizers have been designated and trained in the nine districts that make up the intervention zones covered by the basic education programme being implemented with UNICEF help;
- A workshop to develop picture boxes for community organizers was held;
- Networks for community organizers were set up to strengthen awareness-raising activities.

II. Education statistics

(See annex tables 24, 25, 26, 27, 28, 29, 30, 31, 32 and 33)

In general, the educational level of women still needs to be improved. The literacy rate for women is 60 per cent in contrast to 70 per cent for men.

Since 2001, the level of schooling has been generally satisfactory.

With respect to primary education, the gross enrolment ratio (GER) was 102.97 per cent in 2002/2003 as opposed to 98.08 per cent in 2001/2002.

Primary education

The gross enrolment ratio for primary education stood at 100 per cent in 2003 and at 100.14 per cent in 2004. While the general parity index is 0.85, it stands at 0.64 and 0.63 in the Nord and Nord Extrême provinces respectively.

Moreover, it should be noted that the drop-out rate among girls at the primary education level is higher than the rate among boys.

General secondary education

The parity index at entry is 0.92. However, fewer girls than boys complete their secondary education. The retention level at the senior secondary level is 54.6 per cent for girls and 76 per cent for boys.

Technical secondary education

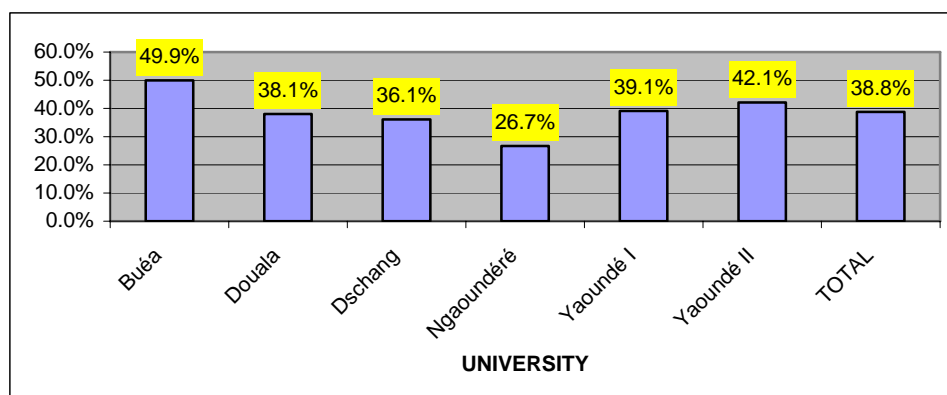
Girls make up 41 per cent of enrolment; however, there is greater retention rate for girls than for boys.

The repeat rate for girls, on average, is 25 per cent at the primary education level and 18 per cent at the secondary level (both general and technical).

Higher education

At the higher education level, the parity index is 0.64.

Percentage of women enrolled in State universities



The bar graph above shows that the proportion of women remained stable during 2001/2002 and 2002/2003 at State universities. The number of women enrolled at University of Buea is virtually the same as the number of men. They make up no more than 27 per cent of students at Ngaoundéré University, whereas the overall total is 39 per cent (see annex, table 28).

In sum, there are gender disparities in the Cameroonian educational system. However, it should be emphasized that although the disparities are not great at the primary level, they are more significant at the senior secondary and higher education levels.

III. Major obstacles

Despite the measures taken to promote education for all, a number of obstacles continue to stand in the way of optimally addressing the concerns and challenges expressed by Cameroon. For example:

- Insufficient financial and material resources;
- Family poverty;

- Persistence of cultural constraints and discriminatory practices against women;
- Insufficient expertise in the gender approach on the part of social and sectoral partners.

Article 11

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) The right to work as an inalienable right of all human beings;*
 - (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
 - (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
 - (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
 - (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*
 - (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*
- 2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*
- (a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*
 - (b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*
 - (c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of childcare facilities;*
 - (d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.*
- 3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.*

A. The rights exercised by women on a basis of equality with men

The Labour Code and the General Civil Service Regulations guarantee the equality of both sexes in respect of employment. The Labour Code stipulates that the right to work is recognized as a basic right of each citizen, and that the State must do its utmost to help every citizen find and retain employment.

The following principles are set forth in the General Civil Service Regulations:

- The right to work as an inalienable right of all human beings;
- The right to the same employment opportunities, including the application of equitable criteria for selection in matters of employment;
- The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining;
- The right to equal remuneration, including benefits, in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;
- The right to social security, particularly in cases of retirement, unemployment, sickness, disability and old age and other incapacity to work, as well as the right to paid leave;
- The right to health protection and job security, including the safeguarding of the function of reproduction.

Social security covers workers of both sexes. The political will to extend social security to the informal sector has led to the creation of a committee charged with reforming social security in preparation for the expansion of mutual health and occupational hazard insurance to all segments of the population.

The right to protection set forth in articles 82, 84, 85, and 87 (2) of the Labour Code cannot be abridged in any way. Moreover, any breach of contract by an employer on grounds that contravene the rules set forth in those articles is not tolerated and is punishable by administrative and financial penalties in accordance with the regulations in force.

In practice, all Cameroonian citizens who satisfy the requirements of a given job have access to that job without discrimination. Nevertheless, certain requirements are discriminatory against disabled persons.

B. Legal measures to protect the health and safety of working women

- (a) Prohibition of dismissal on the grounds of pregnancy;
- (b) Introduction of paid maternity leave;
- (c) Payment of an allowance during maternity leave.

The above-mentioned measures, which pertain to the protection, health and safety of working women — reaffirmed by article 84, paragraphs 1 and 5, of the Labour Code, article 2 of International Labour Organization (ILO) Convention No. 100 and articles 66 (1) and (4) of the General Civil Service Regulations — have

not been amended in any way that could adversely affect the health and safety of working women.

However, it has been difficult to find a way to take into account the domestic work done by women.

Response to Committee concerns and recommendations 59, 60 and 65

C. Protection of the physical and moral integrity of women

Apart from the provisions of the Penal Code, which protect the physical integrity of persons in general, and pregnant women in particular, against attack, it should be noted that a significant development has taken place in that regard. A draft law on the prevention and suppression of violence against women and of gender-based discrimination has been prepared. Under the proposed law, sexual harassment would be subject to criminal penalties and pecuniary compensation.

Overall, the Government of Cameroon does not discriminate in any way in respect of legislation concerning the employment of women. However, it is regrettable that, in the private sector, women may be recruited on condition that they do not become pregnant — although such cases are very isolated. In any event, labour inspectors ensure that legal and regulatory provisions are strictly observed.

The creation of a social security reform committee is a reflection of the Government's political will. The committee's objective is to improve the management system of the National Social Security Fund, which covers private sector workers, and to extend social security to the informal sector.

The number of women in the various trade unions can be found in table 34 of the annex.

Response to Committee recommendation 65

Article 12

1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health-care services, including those related to family planning.

2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

I. Health policy in Cameroon

The social policy of the State recognizes that improving the health of the people is crucial to the economic and social development of Cameroon.

This policy has led to the strengthening of the institutional mechanisms for the promotion of women's health and the development of the Health Sector Strategy, which was adopted in 2002 and is currently being implemented.

A. Strengthening of the institutional framework for the promotion of women's health

This goal was reflected in the signing of Decree No. 2002/209 of 19 August 2002 on the organization of the Ministry of Health, which is charged with devising and implementing health policy in Cameroon.

The Directorate of Family Health is part of that Ministry and is charged with, among other things, the development and follow-up of the implementation of the Government's reproductive health policies as well as the coordination and implementation of activities relating to reproductive health. Among the divisions of this Directorate are the Sub-Directorate of Reproductive Health and the Sub-Directorate of Vaccination. One of the great innovations of the aforementioned decree has been a commitment to promoting a gender-based approach in the health system.

B. Development and implementation of the Sectoral Health Strategy

The objective of this strategy is to reform the health system over the coming years, to make health services more accessible to all levels of society, to make essential medications available and to make it possible to achieve the Millennium Development Goals in the area of health.

This Strategy takes into account all aspects of human life at all stages: the health of women, children, men, older persons and adolescents.

As part of the implementation of this Strategy, and taking into account the political, legal, socio-economic and health situation in Cameroon, programmes in the following eight areas have been developed:

- Disease control;
- Reproductive health;
- Health promotion;
- Essential drugs, reagents and medical devices;
- Management;
- Health care supply;
- Health-sector financing programme;
- Institutional development.

The reproductive health (RH) programme, which is aimed at improving the health status of mothers and children by reducing maternal and infant mortality by a third by 2010, is being implemented through the following measures:

- Provision of reproductive health services on a trial basis in 11 health districts with the assistance of the United Nations Population Fund (UNFPA); this programme will be gradually extended to cover the entire country;
- Emergency obstetric care (EOC) project, aimed at reducing maternal mortality; this project was tested in two health districts and has since been extended to cover the entire country;

- Strategic plan to safeguard contraceptives, which is aimed at preventing and reducing infant mortality;
- Project for the prevention of mother-to-child transmission of HIV/AIDS (PMTCT), which provides the following services to seropositive pregnant women: treatment with anti-retroviral drugs; treatment of diseases that might promote the transmission of HIV; utilization of safe practices with respect to newborns and treatment during delivery; proper prenatal and postnatal nutrition. The Government is providing the project with stocks of anti-retroviral drugs and drugs for the treatment of opportunistic infections;
- The establishing of 8 May of every year as Maternal Mortality Prevention Day in Africa.

II. Achievements in 2000-2006 with respect to women's health

Women's health also forms part of the improvement in the living conditions of women and is thus a major component of action for the advancement of women in Cameroon. Targeted actions were carried out during the 2000-2006 period. At the level of the Ministry of Public Health several actions were carried out with a view to improving women's health and reducing maternal mortality.

As part of the fight against HIV/AIDS, the prevention of mother-to-child transmission (PMTCT) was introduced in 2000 through a pilot phase in the Centre and Nord-Ouest provinces. To date, 462 PMTCT sites have opened, covering 64 per cent of health districts, and a number of trained advisers and caregivers are employed there.

For the future, the Ministry of Public Health expects to extend the PMTCT programme to all provinces through the following actions:

- Decentralization of the supply of antiretroviral drugs and tests to health districts through the supply chain of the National Centre for the Supply of Essential Drugs and Medical Consumables (CENAME);
- Establishment of provincial focal points and of a provincial coordination structure;
- Establishment of a district-based approach with a coordination structure at the health district level and a district networking system.

With the Expanded Programme on Immunization (EPI), all pregnant women are systematically immunized against tetanus at prenatal consultations.

In the fight against malaria, the authorities have restructured the National Malaria Control Programme through the creation of a Central Group with a permanent secretariat and of provincial malaria control units.

As part of the intermittent malaria treatment programme for pregnant women, impregnated mosquito nets and insecticides are systematically distributed in all health districts.

With a view to improving women's reproductive health, the European Union, in collaboration with a number of non-governmental organizations and other partners such as UNFPA, is strengthening the capacities of traditional birth

attendants as part of the promotion of basic community services and is distributing prenatal consultation kits.

With the financial support of FAO, the project on behaviour change and community mobilization (CHACOM) for reproductive health aims to promote hygiene, primary health care, family education and the prevention of certain diseases such as malaria, HIV/AIDS and cholera.

To the same effect, specialized reference hospitals in the field of reproductive health have been established (the Ngousso Gynaecological-Obstetric-Pediatric Hospital in Yaoundé).

In 2003, the Ministry for the Promotion of Women and the Family (MINPROFF) approved the women's component of the plan to combat HIV/AIDS. The plan was prepared on 4 March 2003 and has been implemented since June of that year. Various large-scale actions have been carried out including both the staff of the Ministry services and among women members of the public within their respective groups and organizations. Such actions cover training, awareness, care and the strengthening of institutional mechanisms.

1. Training

With respect to training the following actions may be noted:

- Training of the staff of MINPROFF central and field services on STD/HIV/AIDS;
- Training of leaders of women's associations and groups in leadership techniques, gender-oriented prevention of STD/HIV/AIDS and management of community development activities;
- Training of the staff of the MINPROFF field services in Behavior Change Communication (BCC) for combating STD/HIV/AIDS;
- Training of leaders of women's associations in BCC in the context of the fourth programme of cooperation with the United Nations Population Fund (UNFPA).

2. Awareness

The following awareness-training actions have been conducted:

- Social mobilization of women within centres for the advancement of women and women's associations engaged in the fight against HIV/AIDS;
- Awareness training on STD/HIV/AIDS directed at various social categories (market saleswomen, adolescent girls, rural women) through educational talks, round tables, lectures, focus groups and on the occasion of various remembrance days;
- Awareness training for staff of the central services of MINPROFF and of partner bodies on the prevention of STD/HIV/AIDS, with emphasis on preventing stigmatization of, and discrimination against, people living with HIV/AIDS.

3. Caregiving

Care has been extended to some 310 people living with HIV through varied forms of support (financial support, purchase of medicines, income-generating activities (IGA) and commodity grants, among others). The purpose of such actions is not only to combat stigmatization of such people, and discrimination against them, but also, and above all, to promote solidarity with them.

4. Strengthening of institutional machinery

Examples include the following:

- The opening and funding of an appropriation line for combating AIDS in 2003 and 2004 in the amount of 30 million CFA francs;
- The creation within centres for the advancement of women of counselling units on STD/HIV/AIDS;
- The creation within MINPROFF of a service for the promotion of the health of women and girls; this service is responsible, in particular, for the prevention of HIV/AIDS and other infectious diseases among women and girls.

Statistics relating to women's health are given in the annex, tables 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 and 47.

Article 13

States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:

- (a) *The right to family benefits;*
- (b) *The right to bank loans, mortgages and other forms of financial credit;*
- (c) *The right to participate in recreational activities, sports and all aspects of cultural life.*

I. Measures taken to eliminate discrimination against women in the economic and social fields

Cameroon embarked on the third millennium with important advantages while, at the same time, facing major challenges in terms of diversifying its economy, strengthening its growth and improving the living conditions of its people. The advantages included: a stable macroeconomic framework after sustained efforts to achieve adjustment, more attractive conditions for the development of the private sector, its status as a focal point of development in an increasingly open subregional framework, an increasingly young and educated population capable of absorbing new technologies and improving productivity, and a high degree of political and institutional stability.

Even though impact data are unavailable on the extent to which the trends in the situation of women as described in the initial report in 2000 have changed, the quality of the actions undertaken gives grounds for hoping for substantial positive modifications in the short, medium and long term.

Between 2000 and 2006, the Government continued actively to pursue a policy for the advancement of women.

This action took the following forms:

- Strengthening the economic capacities of women;
- Implementation of cooperation programmes;
- Strengthening institutional machinery.

A. Strengthening the economic capacities of women and implementation of cooperation programmes

In the framework of the implementation of the poverty reduction policy, the Government, with the support of the established cooperation bodies, set up a number of programmes and projects in support of women.

(a) Programmes

1. Comprehensive Programme for the Advancement of Women and Gender Equality

The programme receives financial assistance from UNDP and has the aim of improving socio-economic conditions by granting microcredit to women.

In the context of this programme the following actions have been undertaken:

- Financing and follow-up of 240 women's projects in the provinces of Littoral, Ouest, Nord-Ouest and Adamaoua. The entrepreneurs who received credit from the gender programme regularly reimburse their loans. The reimbursement rate in 2002 was 83 per cent;
- Training of 200 women in receipt of credits from the programme for the management of income-generating activities (IGA);
- Retraining of the staff supervising the entrepreneurs engaged in IGA in the pilot provinces of Ouest, Littoral, Nord-Ouest and Adamaoua. The staff were retrained in the main stages of the process of reviewing the applications from entrepreneurs.

2. Programme to Increase Rural Family Income (PARFAR) in the Northern provinces

This programme is financed by the African Development Bank (ADB). It comprises a component on support for women's economic activities and combating HIV/AIDS. The central management structures of PARFAR were set up within the provincial delegations of the Ministry for the Promotion of Women and the Family (MINPROFF) in Adamaoua, Nord and Extrême-Nord provinces.

3. "Jobs for Africa" programme

The purpose of the programme is to support the Government, the private sector and civil society in developing and introducing investment strategies to promote decent employment of a kind suited to poverty eradication. It receives funding from the International Labour Organization (ILO).

The participation of MINPROFF in the process of development, finalization and approval of the National Action Plan to Promote Employment and Reduce Poverty (PANERP), developed in the framework of this programme, has made it possible to integrate gender mainstreaming components.

(b) Projects

1. Support for integration of women in microenterprises

This project is paid for by MINPROFF funds. It is part of the fulfilment by the Government of its commitment to reduce poverty. It provides equipment to women belonging to joint initiative groups and associations to assist them in carrying out their projects in the fields of agriculture, stock raising, food processing, arts and crafts, and so forth.

Agricultural and food-processing equipment has been allocated to women.

2. Gender, Population and Development Project (PGPD)

This project is part of the third assistance programme of the United Nations Population Fund (UNFPA) for the 1998-2002 period.

The PGPD covers six provinces and is designed to empower leaders of both sexes with respect to reproductive health and the management of community development activities.

3. Project on Poverty Reduction and Action on Behalf of Women in the Province of Extrême-Nord (PREPAFEN)

This project is funded by ADB and UNDP and focuses on capacity-building and the establishment of structures and infrastructures.

To date, PREPAFEN has granted credits to a value of 785 million CFA francs. Credits have been provided to by PREPAFEN to 1,036 women out of 1,339 people funded, corresponding to 77 per cent of projects supported.

4. Gender Equality Project

The chief objective of this UNFPA-funded project is to reduce inequality between the sexes through gender mainstreaming in sectoral policies and programmes; gender-based training of national administrative staff; training of women's associations and groups in leadership techniques, the induction of new members and management of microprojects; and making community structures and networks responsive to the needs of women and the promotion of gender equality.

5. Project on Building the Poverty-Reduction Capacity of Women's Networks in the Republic of Cameroon (CAREF)

A tripartite grant agreement was signed in January 2004 between the Africa Capacity Building Foundation (ACBF), the Ministry for the Promotion of Women and the Family (MINPROFF) and the Collective of Women's Advocacy Organizations in Cameroon (COFEC) in an amount of 850 million CFA francs for empowering women's organizations in Cameroon.

6. Project to Support Women Entrepreneurs in Rural Areas (PAEFMIR)

The objectives of this project, which is funded by HIPC resources, are:

- To promote the socio-economic development of rural women by building the organizational and managerial capacities of groups of rural women;
- To raise the income of rural women through support for the conduct of income-generating activities (funding of women's microprojects).

(c) Strengthening the institutional machinery within certain ministerial departments**1. Ministry for the Promotion of Women and the Family**

The decree on the organization and operation of centres for the advancement of women (CPFs) which are specialized technical units of the Ministry of Women's Affairs, defines their principal tasks as the civic, moral and intellectual training and education of women and girls who have dropped out of the formal education system. To date, 44 CPFs are in operation in Cameroon.

Furthermore, with a view to optimizing their action for mentoring, educating, training and supporting women, 120 trainers specializing in information and communications technologies, project management, social intervention, the clothing industry, agro-pastoral activities, and the hotel and restaurant industries have been recruited. Similarly, 40 CPFs have received HIPC resources under the project for the establishment of a support mechanism for poor women in centres for the advancement of women.

2. Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts (MINPMEESA)

With a view to promoting entrepreneurship among women, this department has created and brought into operation an entire policy for the mentoring and support of women heads of SMEs and microenterprises, and promoters of social economy structures (associations, NGOs, joint initiative groups (JIGs), economic interest groups (EIGs) and so forth) and handicraft groups.

For this purpose, there is a project to set up a surety fund to help provide the guarantees which are often required of entrepreneurs. Thus, promotional activities and incentives are offered to induce women to manage their associations more effectively and thus promote women's entrepreneurship.

On another note, the financial and/or technical support applications submitted by women are subject to privileged treatment as a means of encouraging them. For this reason, most such applications, if approved, are transmitted to the National Employment Fund (FNE).

It may also be noted that a draft training programme has been devised to enhance the managerial capacity of women heads of SMEs with the aim of enabling them to take charge of their businesses more effectively and to avoid bankruptcy. They will receive support prior to and during the management of the credits granted.

3. Ministry of Employment and Vocational Training

This Ministry has adopted a programme dealing with the strengthening of gender mainstreaming in policies and programmes for the promotion of employment.

The objective of this programme is to put in place a framework and mechanisms to incorporate gender mainstreaming more effectively in the promotion of employment and the fight against poverty. A project is in preparation on support for women's entrepreneurship (training, technical follow-up and funding), for the skills of women entrepreneurs and for women's organizations of an economic nature.

The overall objective of this project is to facilitate the creation of enterprises belonging to women. The technical partners are the International Labour Office, UNESCO and the Ministry of the Economy and Finance (MINEFI).

4. Ministry of Social Affairs

This Ministry grants substantial aid to associations and private charities for disabled women and marginal populations with a view to enhancing their capacities.

With regard to aspects of economic life in the field of the entitlement to family benefits, the right to bank loans and the right to participate in recreational and sporting activities, our approach is to draw attention to the measures taken by Government authorities.

II. Other aspects of economic life

Statistics on the rates of active employment and of unemployment among women as defined by the International Labour Office are set out in the annex, tables 48, 49, 50, 51 and 52.

A. Right to family benefits

It should be pointed out that the rate of family benefits is modest and is inadequate to attain the objectives for which the benefits are granted.

Furthermore, the policy on the matter does not allow both spouses to draw the benefits. In practice, where the regime of family benefits favours the woman rather than the man, a waiver of the rule preventing the overlapping of benefits, issued by the husband as head of the family, is required in order for the wife to be able to draw the related benefits together with her remuneration.

It would be desirable for benefits to be provided and paid as soon as the entitlement to them is established.

B. Right to bank loans

Bearing in mind the limitations of the traditional system of effectively funding the economic and commercial activities of women, the Government liberalized this sector, the immediate effect of which was the emergence of a large number of

microfinance institutions specializing in the provision of financial support to income-producing women's projects.

However, noting the shortcomings of this new situation and the consequential relative impact of action by credit cooperatives on behalf of women's economic activities, MINPROFF organized a forum attended by over 200 women participants together with national and international public and private stakeholders with a view to improving and facilitating the long-term access of women to bank loans and mortgage financing.

Five major issues were developed in the course of this work:

- The role of the State in the process of funding economic activities;
- The policy for funding women's economic activities by traditional banks, microfinance establishments and donors;
- The prerequisites for the success of a women's enterprise in an urban and rural environment;
- The experiences of bodies and projects supporting women's economic micro-activities;
- Promotion of the funding of women's economic activities.

At the present time, a targeted series of meetings has been launched by the Government in order to develop and implement an overall funding platform for women's economic and commercial activities.

C. Rights to recreational and sports activities

Within the framework of the strategies that have been implemented to promote women's recreational and sports activities, several actions should be noted:

- The continuous organization of national competitions and championships for women in all sports;
- The establishment throughout the country of specialized sports centres and facilities (fitness trails known as "Parcours Vita");
- The now traditional organization by the National Youth and Sports Institute (INJS) and the Ministry for the Promotion of Women and the Family (MINPROFF) of structured sports sessions called "INJS-Women-Sport-Leisure-Health" in the main urban centres;
- Regular organization by MINPROFF of sports events (handball and football matches) for all socio-occupational categories of women;
- The popularization of urban team sports for mixed groups supervised by physical education and sports instructors.

It should be emphasized that rural populations in general do not have sports infrastructures like those that might be found in urban areas. In addition, women are generally prevented from participating in these kinds of activities because of factors such as tradition, the above-mentioned unequal recreational opportunities, the onerous nature of their work, their modest standard of living and their level of education.

Women's representation within national sports federations is far from brilliant. Only one of the 40 national sports federations, the National University Sports Federation, is headed by a woman. There is thus an imbalance between women's qualifications and the few posts that they hold within these federations.

Response to Committee recommendations 52 and 65

Article 14

1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.

2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:

(a) To participate in the elaboration and implementation of development planning at all levels;

(b) To have access to adequate health-care facilities, including information, counselling and services in family planning;

(c) To benefit directly from social security programmes;

(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;

(e) To organize self-help groups and cooperatives in order to obtain equal access to economic opportunities through employment or self-employment;

(f) To participate in all community activities;

(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;

(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.

Rural women play an important role in the development of rural areas as a whole and in the area of food security in particular. Nevertheless, they are faced with numerous problems, including lack of access to basic social services (water, electricity, housing, health), few ways to obtain agricultural credit and loans and limited access to appropriate technology and land.

The Government is proposing to implement programmes and projects for the benefit of rural areas through the various ministries responsible for the rural sector (Ministry of Agriculture and Rural Development, Ministry of Livestock Fisheries and Animal Industries, Ministry of Energy and Water Resources, Ministry of Transport and Ministry of Post and Telecommunications). These programmes and projects will provide information, training, institutional support and financial

support to enable women to develop income-generating activities and have unlimited access to basic social services.

In order to address these difficulties, the following strategies have been adopted:

1. Promoting increased representation of women in management structures in rural areas and in occupational and inter-occupational organizations;
2. Ensuring the economic advancement of rural women;
3. Ensuring their social advancement.

The following actions have been proposed in order to meet the objectives:

- Preparation of a strategy paper (focusing on rural women, access to inputs and credit);
- Recruitment of 200 female extension workers within the framework of the second phase of the National Agricultural Research and Extension Programme (PNVRA);
- Review of land tenure with a view to promoting women's access to land.

Since 2000, the following specific actions have been taken by the Ministry of Agriculture and Rural Development within the framework of implementation of its sectoral strategy:

(a) Women's participation in the elaboration and implementation of development planning

The Government is aware of the difficulties encountered by rural women and has set up the following development projects to establish mechanisms and spaces for participatory planning that promote the participation of the most impoverished rural communities: the Community Development Support Programme (PADC) in the Centre and Extrême-Nord provinces, the National Community-Driven Development Programme (PNDP), the National Roots and Tubers Development Programme (PNDRT), the Village Palm Groves Development Programme (PDPV) and the Decentralized Rural Credit Project (PCRD).

The service responsible for women's agricultural initiatives at the Directorate for Community Development has also implemented specific actions for training women leaders in community development planning.

(b) Access to adequate health-care services

Community development workers have organized educational talks aimed at promoting hygiene, basic health care, family education and HIV/AIDS prevention.

(c) Access to all types of education and training

The Ministry of Agriculture and Rural Development has undertaken the following actions aimed at increasing the number of women leaders and strengthening their capacities and local leadership structures:

- In 2002, 200 contractual extension workers were recruited and trained under PNVRA and women community development leaders were retrained;

- Two women were appointed outreach officers for PADC, and several women directors of Community Education Action Centres (CEAC) (in the Sud-Ouest province) and others took specific training courses in Cameroon and overseas.

With regard to rural women, leaders of several groups have received training: of 25,717 leaders trained, 3,174 (12.34 per cent) were women. This number is low because rural women are called on to do several jobs (wife, mother, entrepreneur) but the figure is rising.

- In 2000, 40 women's groups were trained in Extrême-Nord province;
- In 2001, 30 women's groups were trained in Est province;
- In 2002, 30 women's groups were trained in Littoral province and another 30 in Ouest province.

It should also be noted that several non-governmental organizations and associations train women's groups to allow them to improve their technical and managerial capacities.

There are 58 Community Education Action Centres.

(d) Organization of self-help groups and cooperatives

Women are aware that all development initiatives that require funding from donors depend on the existence of a dynamic group. There has thus been an increase in the number of women's groups.

These groups benefit from aid in the following areas:

- Organizational support;
- Support for finding sources of funding;
- Technical support and equipment;
- Direct funding and support.

The revitalization, consolidation and professionalization of these groups must be carried out on a regular basis.

(e) Participation in community development activities

Rural women are more involved in community development projects (building access roads, wells/boreholes, community huts and meeting centres among other things) because of their position within families and because it is clear to all development partners that it is necessary to actively involve women in order to reduce poverty levels in rural areas.

(f) Women's access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes

Five per cent of the 11,296 clients of all banks are women, and they only receive four per cent of the bank credits granted. The poor supply of financial services to rural women clients is not the result of the misogyny found in traditional banks; it is due to the following constraints that rural women encounter in carrying out their activities:

- Low incomes;
- Lack of professionalism;
- Little or no savings or surety owing to the fact that they have limited access to property;
- Insufficient self-financing;
- Illiteracy;
- Lack of availability;
- Lack of self-confidence.

At the current stage, the supply of credit to women from traditional banks is not tailored to the real needs of rural women. However, financing is a tool for their emancipation and advancement.

Five years ago the Government decided to restructure the sector with the support of donors to enable it to effectively discharge its function of funding micro-enterprises. The following solutions have been found to support rural women's activities:

1. Lightening the burden of women's work and community tasks by acquiring collective and individual equipment (such as wheelbarrows, mills, carryalls, inputs, hoes and machetes). This funding is generally provided by the Government, bilateral and multilateral partners, decentralized local administrations and non-governmental organizations. For the past four years, several farming groups and private associations have benefited from government funding.
2. Professionalizing rural women's activities by giving women the means to develop income-generating activities (IGA):
 - Stricter regulations were put in place in 2005 with a view to strengthening and sustaining microfinance;
 - The State has facilitated the organization of a number of projects that have a microfinance component and offer preferential rates of interest:
 - Project on Poverty Reduction and Action on Behalf of Women in the Province of Extrême-Nord (PREPAFEN);
 - Programme to Increase Rural Family Income (PARFAR);
 - Community Growth Mutual Fund Network (MC2);
 - Cameroon Cooperative Credit Union League (CAMCCUL);
 - Savings and Loans Cooperative (COOPEC);
 - Self-Managed Village Savings and Credit Fund (CVECA). This project is part of PCRD and is funded by HIPC resources; 34.1 per cent of its members are women, and between 2000 and 2003 women held 32 per cent of the savings and received 21 per cent of the credits;
 - The following mechanisms are aimed at women in particular:

- Women Promoters' Savings and Credit Cooperatives (CEC-PROM Mature) provides funding exclusively for women's activities;
- The Private Enterprises Credit Agency (ACEP) in Cameroon pays special attention to female tenderers;
- The Gatsby Charitable Foundation;
- SOS Women;
- Mutual Financing Association for African Women (MUFFA).

The National Employment Fund (FNE) also provides funding for rural women's microprojects. In spite of the efforts that have been undertaken, these initiatives are precarious and limited in scope.

With regard to trade, rural women are actively involved in commercial activities and this allows them to resolve everyday household problems. Unfortunately, they encounter a great deal of difficulties in carrying out these activities owing to lack of access roads and the fact that the market is not organized.

Rural women have only limited access to appropriate technologies. The equipment and tools (short-handled hoes, machetes, carryalls and mills) provided to them through donations or purchased on the market are out of date and do not allow them to make their work profitable. There is only one appropriate technology centre (ATC) in the north of the country.

Although land reform has been one of the three priority actions of the sectoral strategy for five years, nothing has been done to make land more accessible to women. Women cannot inherit land, and very few women are land owners in rural areas. Nevertheless, they must develop these lands in order to ensure the survival of their families. There is an urgent need to establish regional land monitoring centres and form multidisciplinary think tanks on sustainable development and land use.

(g) *Living conditions for rural women, particularly in relation to housing, sanitation, electricity and water supply, transport and communications*

Water is essential to the development of human life. Cameroon has declared water to be part of its natural heritage and has ratified all relevant agreements, conventions and treaties.

According to a study carried out by the Sub-Directorate for Sanitation of the Ministry of Energy and Water Resources (which was formerly known as MINMEE and is now MINEE), waterborne diseases and illnesses caused by poor sanitation account for 63 per cent of health centre consultations.

Supplying water to populations and maintaining the quality of this resource are part of the mission of MINEE in the subsectors of water and sanitation.

There are numerous water and sanitation needs in both rural and urban areas. Rural women need water for their household and agricultural work and must travel kilometres to obtain supplies.

Supplying populations with drinking water has always been a priority for the Government. The administrations in charge of water have carried out massive village water-supply programmes. In rural areas, drinking water is distributed at

points (springs, wells and, increasingly, boreholes) and small-scale water supply systems for small and medium-sized villages.

In 2001, the following achievements were made:

- Wells equipped with pumps: 3,500;
- Boreholes equipped with pumps: 1,500;
- Developed springs: 1,000;
- Storage dams: 10;
- Untreated water supplies: 750;
- Treated water supplies: 450.

The total number of works is 7,130 at a cost of 88 billion CFA francs.

In 2005, 169 boreholes were drilled and another 113 are being drilled using HIPC resources. As part of the fourth phase of a project funded by Japan, 183 boreholes will be drilled in 183 villages in the Centre, Sud, Littoral and Adamaoua provinces in 2007.

One of the Millennium Development Goals is to reduce by half the proportion of people without sustainable access to safe drinking water.

Article 15

1. *States Parties shall accord to women equality with men before the law.*
2. *States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*
3. *States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.*
4. *States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.*

The principle of equality is enshrined in Cameroon's Constitution. The adoption of the Code of Criminal Procedure under Law No. 2005/007 of 27 July 2005 will undoubtedly have a significant impact on women with respect to the defence of their rights in the justice system.

A wide-ranging campaign to enhance awareness and understanding of the Code was launched in Yaoundé on 3 and 4 May 2006, and continued in the other nine provinces. It included a mock trial to illustrate women's key roles in the justice system, both as subjects of law and as legal professionals.

Women's role as legal professionals, as shown in annex table 54 giving sex-disaggregated data on court and tribunal judges, is still underdeveloped and nothing specific has been done to address this problem. The situation is no better with respect to the Prison Administration, which has just been placed under the authority

of the Ministry of Justice. Positive discrimination to favour women in recruitment and promotion processes should be considered (all the relevant statistics on judicial personnel disaggregated by entity, level and sex are given in annex tables 53, 54, 55, 56 and 57).

Despite the awareness-raising efforts carried out by Government authorities and civil society, customs and practices that discriminate against women are still in evidence.

As indicated in the conclusion of the initial report's section on article 15, the shortcomings observed in women's exercise of their rights are a consequence of women's insufficient information about their rights, sociocultural factors and the continued application of certain legal provisions unfavourable to women.

To remedy this situation, the Government has taken the following measures:

- Establishment of community radio stations in some parts of the country. These can be used to provide rural women with information about their rights in local languages;
- Revision of discriminatory legal texts.

Civil society is very active in raising women's awareness of their rights and spreading information about the legislation currently in force.

Article 16 — Rights in relation to civil status

1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:

- (a) The same right to enter into marriage;*
- (b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*
- (c) The same rights and responsibilities during marriage and at its dissolution;*
- (d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*
- (e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*
- (f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*
- (g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*
- (h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

2. *The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.*

While the situation in this respect is still as described in the initial report, it should be noted, with regard to the Convention's implementation, that two preliminary draft laws have been drawn up:

- The Code of Persons and the Family;
- A law on the prevention and suppression of violence against women and gender-based discrimination.

These two texts are aimed at correcting most of the problems arising from the current legislation.

Conclusion

The foregoing comments and analyses show that the Convention's implementation is a priority of the State of Cameroon.

Obstacles to the actions taken for the full implementation of this important legal instrument are related to cultural barriers, social and/or community practices arising from age-old traditions, certain flaws in legislation, the legacy of colonialism and the poverty that has resulted from the severe economic crisis in which the country has been mired since the 1980s.

In view of these challenges, the authorities of Cameroon have adopted a series of measures to increase the effectiveness of their efforts to promote women's rights. Specifically, these include:

- Grass-roots awareness-raising and advocacy with a view to changing practices and customs that discriminate against women and girls;
- Legislative improvements; one visible result of these efforts is the adoption of a new Code of Criminal Procedure and the establishment of an operational unit to develop proposals on how to make national law consistent with international legal provisions;
- The preparation and implementation of the Poverty Reduction Strategy Paper and the successful conduct of sectoral and cross-sectoral policies and programmes to reduce poverty among women and HIV/AIDS transmission within the family;
- The strengthening of the institutional mechanisms put in place since 2000;
- The strengthening of partnerships with development partners and civil society to create more synergies in the promotion of women's rights.

These efforts will be stepped up in the coming years, as Cameroon has qualified for assistance under the Heavily Indebted Poor Countries (HIPC) Initiative.

Annexes to the periodic report

Article 5

1. Percentage of executive positions in ministerial departments occupied by women

<i>Function</i>	<i>% accounted for by women (2002)</i>	<i>% accounted for by women (February 2006¹)</i>
Inspector-General	8.6	16.6
Inspector	18.8	18.2
Technical Adviser	15.6	21.4
Director	11.8	11.7
Deputy Director	—	—
Assistant Director ²	14.9	15.1
Chief of Service	21.9	23.6
Total	17.1	20.0

Source: MINPROFF.

¹ The sample included 19 ministerial departments encompassing 1,509 posts encumbered in February 2006.

² Including Deputy Directors.

2. Percentage breakdown of households by home ownership status, area and sex of head of household

<i>Ownership status</i>	<i>Rural areas</i>		<i>Urban areas</i>	
	<i>Male head of household</i>	<i>Female head of household</i>	<i>Male head of household</i>	<i>Female head of household</i>
Owner	85.6	74.4	55.7	61.2
Owner with title to the property	5.3	8.2	21.3	21.7
Owner without title to the property	80.3	66.2	34.5	39.5
Tenant	4.2	5.9	35.0	27.3
Provided with free lodging	10.1	19.7	9.3	11.2

Source: Second household survey (ECAM II) (2001), National Institute of Statistics (INS).

Article 7

3. Breakdown of slates of nominees (2002 legislative elections) showing women candidates and alternates, as well as slates headed by women

<i>Province</i>	<i>Number of slates</i>	<i>Number of slates with women candidates</i>	<i>Number of slates with women alternates</i>	<i>Number of slates with a woman as the head candidate</i>
Adamaoua	21	2	3	0
Centre	51	22	30	7

<i>Province</i>	<i>Number of slates</i>	<i>Number of slates with women candidates</i>	<i>Number of slates with women alternates</i>	<i>Number of slates with a woman as the head candidate</i>
Est	15	2	2	1
Extrême-Nord	54	4	4	3
Littoral	58	16	26	8
Nord	21	3	4	2
Nord-Ouest	25	3	6	0
Ouest	42	9	20	2
Sud	13	4	5	2
Sud-Ouest	31	7	6	4
Total	331	72	106	29

Source: MINPROFF (analysis using 2002 election documents).

4. Gender breakdown of all candidates and alternates nominated by political parties

<i>Province</i>	<i>Total women³</i>	<i>Grand total</i>	<i>Women as % of grand total</i>	<i>Women candidates</i>	<i>Total candidates</i>	<i>Women as % of total candidates</i>	<i>Women heading slates</i>
Adamaoua	6	88	6.8%	2	44	4.5%	0
Centre	78	336	23.2%	34	168	20.2%	7
Est	5	84	6.0%	2	42	4.8%	1
Extrême-Nord	9	232	3.9%	4	116	3.4%	3
Littoral	50	264	18.9%	17	132	12.9%	8
Nord	4	82	4.9%	3	41	7.3%	2
Nord-Ouest	9	122	7.4%	3	61	4.9%	0
Ouest	33	244	13.5%	11	122	9.0%	2
Sud	12	64	18.8%	4	32	12.5%	2
Sud-Ouest	13	96	13.5%	7	48	14.6%	4
Total	219	1 612	13.6%	87	806	10.8%	29

Source: MINPROFF, 2004 statistical yearbook.

³ Including both candidates and alternates.

5. Women as a percentage of total candidates in the 1997 and 2002 elections, by province

<i>Province</i>	<i>AD</i>	<i>CE</i>	<i>EST</i>	<i>EN</i>	<i>LT</i>	<i>NO</i>	<i>NW</i>	<i>OU</i>	<i>SUD</i>	<i>SW</i>	<i>Total</i>
% accounted for by women in 1997	4.1	19.0	5.2	5.0	20.8	8.3	7.6	12.2	20.4	7.7	12.9
% accounted for by women in 2002	6.8	23.2	6.0	3.9	18.9	4.9	7.4	13.5	18.8	13.5	13.6

Source: MINPROFF, 2004 statistical yearbook.

6. Number of women candidates and alternates in 1997 and 2002

<i>Province</i>	<i>Women candidates, 1997</i>	<i>Women candidates, 2002</i>	<i>Women alternates, 1997</i>	<i>Women alternates, 2002</i>
Adamaoua	2	2	3	4
Centre	36	34	51	44
Est	1	2	6	3
Extrême-Nord	6	4	9	5
Littoral	40	17	43	33
Nord	1	3	8	1
Nord-Ouest	4	3	7	6
Ouest	15	11	31	22
Sud	7	4	15	8
Sud-Ouest	4	7	6	6
Total	116	87	179	132
Total candidates	1 141	806	1 141	806
% accounted for by women	10.2%	10.8%	15.7%	16.4%

7. Outcome of legislative elections (candidates and alternates), by sex and province

<i>Province</i>	<i>Candidates</i>		<i>Alternates</i>	
	<i>Women</i>	<i>Men + women</i>	<i>Women</i>	<i>Men + women</i>
Adamaoua	0	10	0	10
Centre	4	28	11	28
Est	2	11	1	11
Extrême-Nord	1	29	1	29
Littoral	4	19	4	19
Nord	0	12	1	12
Nord-Ouest	0	20	0	20
Ouest	3	25	6	25
Sud	1	11	7	11
Sud-Ouest	4	15	2	15
Total	19	180	33	180
% accounted for by women	10.6%		18.3%	

Source: MINPROFF, 2004 statistical yearbook.

8. Number of women deputies since 1973

<i>Legislature</i>	<i>Total deputies</i>	<i>Number of women deputies</i>	<i>% accounted for by women</i>
1973-1978	120	7	5.8%
1978-1983	120	12	10.0%
1983-1988	120	17	14.2%
1988-1992	180	26	14.4%
1992-1997	180	23	12.8%
1997-2002	180	10	5.6%
2002-2007	180	20 ⁴	10.6%

Source: MINPROFF, 2004 statistical yearbook.

⁴ 19 women deputies were elected, but following the application of the law, the number rose to 20 in 2004 because 1 male deputy was replaced by a woman alternate.

9. Breakdown, by sex and province, of nominees for the 2002 municipal elections

<i>Province</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>% accounted for by women</i>
Adamaoua	1 014	105	1 119	9.4%
Centre	3 116	684	3 800	18.0%
Est	1 261	167	1 428	11.7%
Extrême-Nord	3 507	219	3 726	5.9%
Littoral	2 232	479	2 711	17.7%
Nord	1 613	145	1 758	8.2%
Nord-Ouest	2 226	243	2 469	9.8%
Ouest	2 691	528	3 219	16.4%
Sud	802	148	950	15.6%
Sud-Ouest	1 228	228	1 456	15.7%
Total	19 690	2 946	22 636	13.0%
Percentage	87.0%	13.0%	100.0%	

Source: MINPROFF, 2004 statistical yearbook.

10. Women elected officials, by province

<i>Province</i>	<i>Total councillors</i>	<i>Number of women councillors</i>	<i>% accounted for by women</i>
Adamaoua	503	46	9.1%
Centre	1 834	344	18.8%
Est	848	102	12.0%
Extrême-Nord	1 475	76	5.2%
Littoral	917	142	15.5%
Nord	647	48	7.4%

<i>Province</i>	<i>Total councillors</i>	<i>Number of women councillors</i>	<i>% accounted for by women</i>
Nord-Ouest	1 034	108	10.4%
Ouest	1 225	184	15.0%
Sud	665	105	15.8%
Sud-Ouest	815	147	18.0%
Total	9 963	1 302	13.1%

Source: MINPROFF, 2004 statistical yearbook.

11. Women on town councils

<i>Number of women</i>	<i>Number of town councils</i>	<i>Percentage</i>	<i>Cumulative percentage</i>
0	18	5.3%	5.3%
1	39	11.6%	16.9%
2	51	15.1%	32.0%
3	65	19.3%	51.3%
4-5	96	28.5%	79.8%
6-7	39	11.6%	91.4%
8-9	13	3.9%	95.3%
10-11	10	3.0%	98.2%
12-16	6	1.8%	100.0%
Total	337	100.0%	//

Source: MINPROFF, 2004 statistical yearbook.

12. Number of women on town councils, by province

<i>Province</i>	<i>Town councils with 0 women</i>	<i>Town councils with 1 woman</i>	<i>Town councils with 2 women</i>	<i>Town councils with 3 women</i>	<i>Town councils with 4 women</i>	<i>Town councils with 5 women</i>
Adamaoua	3	3	4	1	5	—
Centre	—	2	5	15	9	15
Est	1	4	8	10	4	1
Extrême-Nord	9	14	12	8	—	—
Littoral	—	2	3	4	8	6
Nord	1	5	5	3	3	1
Nord-Ouest	5	4	2	6	5	4
Ouest	—	2	3	12	9	6
Sud	—	1	3	3	8	5
Sud-Ouest	—	2	6	3	6	1
Total	18	39	51	65	57	39

Source: MINPROFF, 2004 statistical yearbook.

13. Elected mayors, by sex and province

<i>Province</i>	<i>AD</i>	<i>CE</i>	<i>EST</i>	<i>EN</i>	<i>LT</i>	<i>NO</i>	<i>NW</i>	<i>OU</i>	<i>SUD</i>	<i>SW</i>	<i>Total</i>
Mayors	17	68	32	45	31	19	32	41	25	27	337
Men	17	64	31	45	30	19	32	41	22	26	327
Women	—	4	1	—	1	—	—	—	3	1	10

Source: MINPROFF, 2004 statistical yearbook.

14. Distribution of municipal executive positions, by sex

	<i>Number of mayors</i>	<i>Number of first deputies</i>	<i>Number of second deputies</i>	<i>Number of third deputies</i>	<i>Number of fourth deputies</i>	<i>Total municipal executive positions</i>	<i>Sex of executive staff, %</i>
Men	327	301	257	59	1	945	87.3%
Women	10	36	80	11	1	138	12.7%
Total	337	337	337	70	2	1 083	100.0%
Women as %	3.0%	10.7%	23.7%	15.7%	50.0%	12.7%	//

Source: MINPROFF, 2004 statistical yearbook.

15. Number of women in municipal management since 1982

<i>Year</i>	<i>Total councillors</i>	<i>Number of women councillors</i>	<i>% accounted for by women</i>	<i>Number of women mayors</i>
1982	5 107	336	6.6%	—
1987	5 345	446	8.3%	1
1996	9 932	1 061	10.7%	2
2002	9 963	1 302	13.1%	10

Source: MINPROFF, 2004 statistical yearbook.

16. Women on staff and in permanent secretariat of the National Elections Observatory (ONEL)

	<i>Total staff</i>	<i>Number of women</i>	<i>% accounted for by women</i>
ONEL	11	3	27.3%
Permanent secretariat	57	19	33.3%
Total	68	22	32.4%

Source: ONEL.

17. Representation of women at the provincial, departmental and municipal levels in the National Elections Observatory (ONEL)

<i>Province</i>	<i>Total staff</i>	<i>Number of women</i>	<i>% accounted for by women</i>
Provincial representation	58	3	5.2%
Departmental representation	335	41	12.2%
Municipal representation	1 582	174	11.0%

Source: MINPROFF, 2004 statistical yearbook.

18. Women among polling-station staff (delegates) of the National Elections Observatory (ONEL)

<i>Province</i>	<i>Total staff</i>	<i>Number of women</i>	<i>% accounted for by women</i>
Adamaoua	925	49	5.3%
Centre	3 506	590	16.8%
Est	1 114	255	22.9%
Extrême-Nord	2 881	203	7.0%
Littoral	2 449	566	23.1%
Nord	1 300	113	8.7%
Nord-Ouest	1 669	123	7.4%
Ouest	2 137	279	13.1%
Sud	1 154	168	14.6%
Sud-Ouest	1 515	267	17.6%
Total	18 650	2 613	14.0%

Source: MINPROFF, 2004 statistical yearbook.

19. Women in selected senior posts

<i>Post</i>	<i>Number of women</i>
Minister	4
Secretary of State	2
Secretary-General in ministry or university	6
University rector	1
University vice-rector	2
Director-General of State company	3
Ambassador or consul	1
Plenipotentiary Minister	5
International Court of Justice	1
African Union Commissioner for Trade and Industry	1
Sub-prefect	3
Chef supérieur	2

<i>Post</i>	<i>Number of women</i>
Chief Superintendent of Police	3
Senior officer in the armed forces	2
Assembly member	20
Alternate member	33
Mayor	10
Deputy mayor ⁵	128

Source: MINPROFF (document-based analysis).

⁵ This includes first, second, third and fourth deputies.

20. Members of the Government, by sex, as at 8 December 2004

<i>Post</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Prime Minister	1	—	1
Minister of State, Secretary-General at the Presidency	1	—	1
Deputy Secretary-General at the Presidency	2	—	2
Deputy Prime Minister	1	—	1
Minister of State	5	—	5
Minister Delegate at the Presidency	3	—	3
Minister	23	4	27
Minister Delegate to the Ministers	9	—	9
Minister in charge of Missions at the Presidency of the Republic	3	—	3
Secretary of State	8	2	10
Secretary-General at the Prime Minister's Office	1	—	1
Deputy Secretary-General at the Prime Minister's Office	1	—	1
Delegate General for National Security	1	—	1
Total	59	6	65

Source: MINPROFF, 2004 statistical yearbook (analysis of information from decree).

Article 8

21. Breakdown of admissions to IRIC for the doctoral programme in international relations

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
1985-1986	06	01	07
1986-1987	16	01	17
1987-1988	05	01	06
1988-1989	07	01	08
1989-1990	10	00	10

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
1990-1991	10	00	10
1991-1992	16	02	18
1992-1993	10	01	11
1993-1994	02	01	03
1994-1995	07	01	08
1995-1996	07	01	08
1996-1997	05	01	06
1997-1998	10	02	12
1998-1999	02	01	03
1999-2000	06	02	08
2000-2001	07	02	09
2001-2002	02	00	02
2002-2003	06	02	08
2003-2004	07	03	10
2004-2005	01	01	02
Total	142	24	166

Source: Institute of International Relations, Yaoundé, Cameroon.

21 (bis). Breakdown of admissions to IRIC for the DESS programme in international relations

<i>Year</i>	<i>Sex</i>		<i>Total</i>
	<i>Male</i>	<i>Female</i>	
2002-2003	10	02	12
2003-2004	21	06	27
2004-2005	14	05	19
2005-2006	02	00	02
Total	47	13	60

Source: Institute of International Relations, Yaoundé, Cameroon.

22. Women in diplomatic posts at the Presidency of the Republic

<i>Posts</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Attaché	01	00	01
Chargé de mission	03	02	05
Technical Adviser	01	00	01

Source: Ministry of Foreign Affairs, General Affairs Department, 2006.

22 (bis). Women in diplomatic missions, by function

<i>Function</i>	<i>Total posts</i>	<i>Men</i>	<i>Women</i>	<i>% accounted for by women</i>
Plenipotentiary Minister	60	55	05	8.3%
Counsellor for Foreign Affairs	28	28	00	0.0%
Secretary for Foreign Affairs	123	90	33	26.8%
Total	211	173	38	18.8%

Source: MINPROFF, 2004 statistical yearbook (analysis using documents of the Ministry of Foreign Affairs).

23. Women in senior posts in the Ministry of Foreign Affairs

<i>Posts</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Minister	1	0	1
Deputy minister	2	0	2
Secretary-General	1	0	1
Inspector-General	3	00	03
Technical Adviser	4	00	04
Director	08	02	10
Assistant Directors	33	07	40
Chief of Service	45	36	81

Source: Ministry of Foreign Affairs, General Affairs Department, 2006.

Article 10**24. Literacy rate (as a percentage) of the population aged 15 years or over in 2001**

	<i>Men</i>	<i>Women</i>	<i>Total</i>
Yaoundé	96.3	92.5	94.4
Douala	97.2	90.5	94.0
Urban areas	92.4	83.1	87.8
Rural areas	66.5	46.6	55.7
Total	77.0	59.8	67.9

Source: ECAM II (2001), MINEPAT/INS.

25. Population aged six years or over, by highest level of schooling

<i>Sex</i>	<i>No education</i>	<i>Primary</i>	<i>Secondary</i>	<i>Higher</i>	<i>Total</i>
Male	17.0	51.4	27.8	3.2	100.0
Female	29.2	46.8	22.1	1.4	100.0

Source: EDSC III (2004).

26. Net school attendance rate of the population, by highest level of schooling

<i>Sex</i>	<i>Primary</i>			<i>Secondary</i>		
	<i>Male</i>	<i>Female</i>	<i>Total</i>	<i>Male</i>	<i>Female</i>	<i>Total</i>
Net attendance rate ⁶	79.2	76.4	77.8	34.2	31.4	32.8
Gross attendance rate ⁷	124.0	111.1	117.7	49.9	42.7	46.3

Source: EDSC III (2004).

⁶ The net attendance rate for the primary level is the percentage of the population aged 6-11 years that attends primary school. For secondary school it refers to children aged 12-18 years. By definition, it cannot be more than 100%.

⁷ The gross attendance rate for the primary level is the proportion of primary-level pupils of any age in the population of the official age for attending primary school.

27. Percentage of girl pupils, by level of schooling

<i>Level of schooling</i>	<i>% accounted for by girls</i>
Nursery school	49.5%
Primary	45.7%
General secondary	46.7%
Technical secondary	41.2%
Teacher training	61.6%
Total	45.9%

Source: MINEDUC, education statistics for Cameroon.

28. Percentage of girls at State universities

<i>University</i>	<i>Buea</i>	<i>Douala</i>	<i>Dschang</i>	<i>Ngaoundéré</i>	<i>Yaoundé I</i>	<i>Yaoundé II</i>	<i>Total</i>
Girls as %	49.9	38.1	36.1	26.7	39.1	42.1	38.8
Women as % of teachers	23.6	18.9	12.7	10.2	14.5	13.1	15.8

Source: MINESUP.

<i>University</i>	<i>2001/2002</i>	<i>2002/2003</i>
Buea	49.9%	50.0%
Douala	38.1%	36.2%
Dschang	36.1%	36.6%
Ngaoundéré	26.7%	27.8%
Yaoundé I	39.1%	40.1%
Yaoundé II	42.1%	38.0%
Total	38.8%	38.2%

29. Net enrolment ratio⁸ of children aged 6-14 years (as a percentage)

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Adamaoua	66.8	53.8	60.7
Centre	91.0	92.4	91.7
Est	79.2	79.4	79.3
Extrême-Nord	54.6	38.0	46.7
Littoral	94.7	94.1	94.4
Nord	60.7	42.2	51.5
Nord-Ouest	90.2	88.0	89.1
Ouest	93.5	93.5	93.5
Sud	94.6	90.0	92.3
Sud-Ouest	92.2	91.4	91.8
Total	81.3	76.2	78.8

	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Yaoundé	94.6	94.0	94.3
Douala	95.9	96.4	96.1
Urban areas	91.1	89.9	90.5
Rural areas	77.1	69.6	73.5

Source: ECAM II, MINEPAT/INS.

⁸ The net enrolment ratio here is the number of pupils aged 6-14 years enrolled in school as a percentage of the population of official school age for primary school.

30. Primary gross enrolment ratio,⁹ by province, in 2003/2004

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Adamaoua	113.83	80.87	97.26
Centre	114.48	112.24	113.37
Est	109.62	97.58	103.72

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>
Extrême-Nord	113.06	70.75	92.01
Littoral	93.37	89.18	91.27
Nord	117.28	74.94	96.66
Nord-Ouest	96.27	90.54	93.43
Ouest	129.65	119.26	124.41
Sud	105.49	105.35	105.42
Sud-Ouest	85.17	79.22	82.15
Total	108.14	92.05	100.14

Source: MINEDUC, education statistics for Cameroon.

⁹ The gross enrolment ratio here is the number of pupils enrolled in primary school, regardless of age, as a percentage of the population of official school age for the primary level. The rate is over 100% owing to grade repetition and, in particular, to early admissions (many children under 6 years of age attend primary school).

31. Number of pupils in MINEDUC establishments by level of schooling, in 2002-2003 and 2003-2004

<i>Level of schooling</i>	<i>2002-2003</i>			<i>2003-2004</i>		
	<i>Female</i>	<i>Total</i>	<i>Girls as %</i>	<i>Female</i>	<i>Total</i>	<i>Girls as %</i>
Nursery school	69 073	138 716	49.8%	87 181	175 970	49.5%
Primary	1 278 804	2 798 523	45.7%	1 329 106	2 906 732	45.7%
General secondary	311 230	669 129	46.5%	355 652	762 053	46.7%
Teacher training	4 150	6 739	61.6%	3 123	5 068	61.6%
Total	1 663 257	3 613 107	46.0%	1 775 062	3 849 823	46.1%

Source: MINEDUC, education statistics for Cameroon.

32. Number of pupils in MINEDUC establishments, by level of schooling, sector and gender, in 2003/2004

<i>Level of schooling</i>	<i>Public</i>			<i>Private</i>		
	<i>Girls</i>	<i>Total</i>	<i>Girls (%)</i>	<i>Girls</i>	<i>Total</i>	<i>Girls (%)</i>
Nursery school	31 073	62 773	49.5	56 108	113 197	49.6
Primary	1 002 723	2 222 051	45.1	326 383	684 681	47.7
General secondary	230 984	519 259	44.5	124 668	242 794	51.3
Teacher training	3 042	4 955	61.4	113	145	77.9
Total	1 267 822	2 809 038	45.1	507 272	1 040 817	48.7

Source: MINEDUC, education statistics for Cameroon.

33. Number of pupils at all levels in MINEDUC establishments, by province, in 2003/2004

<i>Province</i>	<i>Boys</i>	<i>Girls</i>	<i>Total</i>	<i>Girls (%)</i>
Adamaoua	91 956	64 571	156 527	41.3
Centre	383 702	367 334	751 036	48.9
Est	94 277	80 294	174 571	46.0
Extrême-Nord	326 604	188 206	514 810	36.6
Littoral	273 899	269 657	543 556	49.6
Nord	156 436	91 049	247 485	36.8
Nord-Ouest	226 995	216 154	443 149	48.8
Ouest	302 418	287 832	590 250	48.8
Sud	74 478	68 166	142 644	47.8
Sud-Ouest	143 996	141 799	285 795	49.6
Total	2 074 761	1 775 062	3 849 823	46.1

Source: MINEDUC, education statistics for Cameroon.

Article 11

34. Membership of trade unions

<i>Trade union</i>	<i>Women</i>	<i>Men</i>	<i>Total number of members</i>
Community	120	350	470
Agriculture	1 055	2 800	3 855
Forestry	475	2 500	2 975
Trade	120	350	470
Private education	200	400	600
Transport	515	15	530
Industry	184	1 586	1 770
Textiles and leather	70	30	100
Total	2 739	8 031	10 770

Article 12

35. Percentage of adolescents between the ages of 15 and 19 years who have had children or reached reproductive age

	15 years (%)	16 years (%)	17 years (%)	18 years (%)	19 years (%)	Total (%)
Teenage mothers	3.5	9.5	19.9	34.2	47.3	22.7
Girls of reproductive age	6.8	15.2	24.6	42.8	53.1	28.4

Source: EDSC III (2004).

36. Percentage of men and women using condoms, by category of partner

Category of partner	Women (%)	Men (%)
Spouse or cohabiting partner	5.7	7.3
Non-cohabiting partner	40.5	53.9
Any category of partner	14.9	29.5

Source: EDSC III (2004).

37. Fertility rate, by age

Age (Years)	Urban areas	Rural areas	Total
15-19	104	184	137
20-24	186	303	236
25-29	201	267	232
30-34	166	221	192
35-39	102	161	131
40-44	41	60	51
45-49	11	21	16

Source: EDSC III (2004).

38. Overall fertility index (OFI),¹⁰ overall general fertility rate (OGFR)¹¹ and crude birth rate (CBR),¹² by residential area

	Urban areas	Rural areas	Total
OFI	4.1	6.1	5
OGFR (per 1,000)	142	217	176
CBR (per 1,000)	35	40.5	37.9

Source: EDSC III (2004).

¹⁰ The overall fertility index (OFI) measures the average number of live children born to a woman during her reproductive years under current fertility conditions.

¹¹ Overall general fertility rate (OGFR): number of births divided by the number of women aged between 15 and 49, per 1,000 women.

¹² Crude birth rate (CBR) per 1,000 women.

39. Changes in the overall fertility index (OFI) since 1991

<i>Survey</i>	<i>Overall fertility index</i>
EDSC I (1991)	5.8
EDSC II (1996)	5.2
MICS (2000)	5.1
EDSC III (2004)	5

40. Access to the nearest health centre, by residential area

<i>Area</i>	<i>Average distance (km)</i>	<i>Average time taken to reach the centre (minutes)</i>	<i>Percentage of households served (%)</i>
Urban	1.13	13	82.5
Rural	5.26	39.7	65.1
Douala/Yaoundé			
Douala	0.99	12.1	72.1
Yaoundé	0.93	9.3	87.3
Total	3.86	30.6	69.3

Source: ECAM II, INS.

41. Percentage of married women using contraception by method currently used

<i>Contraception method</i>	<i>Usage rate (%)</i>
At least one method	26
A modern method	12.5
Modern method	
Female sterilization	1.2
Pill	1.6
IUD	0.3
Injections	1.4
Implants	0.3
Condom	7.6
Female condom	—
Mousse/gel	—
A traditional method	13.5
Traditional method	
LAM	0.6
Periodic abstinence	10.2
Withdrawal	2.1
Popular method	0.6
No method	74

Source: EDSC III (2004).

42. Percentage of women giving birth in health centres, by various socio-demographic characteristics

<i>Characteristics</i>	<i>Percentage of women attended by a health-care worker (%)¹³</i>	<i>Percentage of women giving birth in a health centre (%)</i>
Mother's age (years)		
Under 20	60.6	58.2
20-34	62.3	59.5
35 and over	60.6	57.4
Area		
Urban	84.3	81.2
Rural	44.2	41.7
Douala/Yaoundé		
Douala	97.2	95.3
Yaoundé	94	90.2
Province		
Adamaoua	37.1	34.1
Centre	74.5	65.3
Est	47.6	40.5
Extrême-Nord	26.5	25.7
Littoral	93.7	92.2
Nord	22.3	20.9
Nord-Ouest	87.5	87.8
Ouest	93.2	89.7
Sud	70.6	63.4
Sud-Ouest	77.8	76.9
Educational level		
No education	22.8	21.6
Primary	69.3	65.9
Secondary	91.6	88.2
Higher	98.6	96.4
Total	61.8	59

Source: EDSC III (2004).

¹³ Health-care worker: Either a doctor, nurse, midwife or care assistant.

43. Percentage of men and women who have heard of AIDS, by various socio-demographic characteristics

<i>Characteristics</i>	<i>Percentage of women who have heard of HIV/AIDS (%)</i>	<i>Percentage of women who believe that HIV/AIDS can be avoided (%)</i>	<i>Percentage of men who have heard of HIV/AIDS (%)</i>	<i>Percentage of men who believe that HIV/AIDS can be avoided (%)</i>
Age (years)				
15-19	97.4	82.9	98.6	91.2
20-24	98.2	83.2	99.5	93.4
25-29	98.4	83.2	99.9	96.6
30-39	98.2	82.2	99.2	94.8
40-49	96.7	76.4	99.2	92.5
50-59	—	—	98.8	90.8
Area				
Urban	99.4	89.4	99.4	94.8
Rural	95.9	72.8	98.9	91.4
Marital status				
Single	97.6	88	98.3	94.3
Married or cohabiting	97.8	79.6	99.3	93.4
Divorced/separated/widowed	98.6	83.1	99	92.3
Douala/Yaoundé				
Douala	99.8	92.5	99.4	95.9
Yaoundé	100	93	99.6	95.4
Province				
Adamaoua	96.4	83.2	100	92.4
Centre	97.9	84.3	98.6	96.5
Est	93.8	75.2	98.3	93.4
Extrême-Nord	96	72	98.9	89.7
Littoral	99.2	85.8	98.6	92.8
Nord	93.1	52.6	99.2	83.1
Nord-Ouest	99.9	87.7	98.8	96.7
Ouest	98.4	83.9	100	95.1
Sud	99.4	91.9	99.2	95.4
Sud-Ouest	99.4	91.1	99.3	94.5
Educational level				
No education	93.5	59.1	97.7	83.3
Primary	98.2	81.1	98.6	90
Secondary	100	95.6	99.9	97.8
Higher	100	98.8	100	99
Total	97.8	81.9	99.2	93.3

Source: EDSC III (2004).

44. Percentage of men and women using condoms, by category of partner

<i>Category of partner</i>	<i>Women (%)</i>	<i>Men (%)</i>
Spouse or cohabiting partner	5.7	7.3
Non-cohabiting partner	40.5	53.9
Any partner	14.9	29.5

Source: EDSC III (2004).

45. Percentage of women who used a condom during their most recent sexual contact with their husband, cohabiting partner, or any partner, by various socio-demographic characteristics

<i>Characteristics</i>	<i>With spouse or cohabiting partner (%)</i>	<i>With non-cohabiting partner (%)</i>	<i>With any partner (%)</i>
Age (years)			
15-19	6.3	47.5	28.6
20-24	7.8	45.4	20.8
25-29	6.9	39.9	13.3
30-39	4.4	31.3	8.2
40-49	3.5	17.5	5.3
Area			
Urban	9.1	47.1	22.8
Rural	6	23.6	5.9
Marital status			
Single	—	49.9	49.8
Married or cohabiting	5.6	34.7	8.9
Divorced/separated/widowed	6	32.7	27.1
Douala/Yaoundé			
Douala	9.6	47.7	25.5
Yaoundé	17.9	54.4	33.9
Province			
Adamaoua	2.5	53.7	7.4
Centre	5	31.3	15.1
Est	5.4	25.3	11.6
Extrême-Nord	0.5	27.8	1.3
Littoral	12.2	40.7	23.7
Nord	0.8	44.7	2.1
Nord-Ouest	7.4	32.7	15.2
Ouest	8.7	50	20.2
Sud	9.5	36.1	19.1
Sud-Ouest	3.8	23.9	11.9

<i>Characteristics</i>	<i>With spouse or cohabiting partner (%)</i>	<i>With non-cohabiting partner (%)</i>	<i>With any partner (%)</i>
Educational level			
No education	0.6	10.9	0.9
Primary	5.1	26.9	9.9
Secondary	12.3	47.9	28.4
Higher	13.1	64.3	41.1
Total	5.7	40.5	14.9

Source: EDSC III (2004).

46. Percentage of men who used a condom during their most recent sexual contact with their wife, cohabitating partner or any partner, by age, marital status, residence, province and level of education

<i>Characteristics</i>	<i>With wife or cohabitating partner (%)</i>	<i>With non-cohabitating partner (%)</i>	<i>With any partner (%)</i>
Age (years)			
15-19	4.3	55.8	53.9
20-24	8.7	58.4	50.6
25-29	8.8	60.2	35.0
30-39	9.8	50.5	21.5
40-49	5.7	40.9	12.1
50-59	2.7	32.9	5.6
Area			
Urban	10.1	62.2	39.2
Rural	4.6	37.6	16.4
Marital status			
Single	—	57.1	57.1
Married or cohabitating	7.2	51.9	15.9
Divorced/separated/widowed	7.2	49.1	43.9
Douala/Yaoundé			
Douala	8.9	65.8	43.1
Yaoundé	12.9	69.5	49.5
Province			
Adamaoua	2.1	50.5	21.0
Centre	8.8	47.9	29.7
Est	6.0	42.7	25.4
Extrême-Nord	1.8	35.0	8.2
Littoral	12.5	52.7	35.9
Nord	3.4	43.0	12.4
Nord-Ouest	8.5	41.6	24.8
Ouest	14.2	66.7	41.0

<i>Characteristics</i>	<i>With wife or cohabitating partner (%)</i>	<i>With non-cohabitating partner (%)</i>	<i>With any partner (%)</i>
Sud	7.4	49.6	30.3
Sud-Ouest	9.4	44.7	26.7
Level of education			
No education	2.1	26.9	5.6
Primary	4.7	38.7	19.5
Secondary	11.4	62.6	42.0
Higher	15.1	69.8	40.8
Total	7.3	53.9	29.5

Source: EDSC III.

47. HIV prevalence rate in men and women aged 15 to 49 years, by age, place of residence and province

<i>Characteristics</i>	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Age (years)			
15-19	0.6	2.2	1.4
20-24	2.5	7.9	5.5
25-29	5.1	10.3	7.8
30-34	8.3	9.4	8.9
35-39	8.6	7.8	8.2
40-44	5.6	6.0	5.8
45-49	3.8	5.5	4.7
Area			
Urban	4.9	8.4	6.7
Rural	3.0	4.8	4.0
Douala/Yaoundé			
Douala	3.7	5.5	4.6
Yaoundé	6.0	10.7	8.3
Province			
Adamaoua	4.1	9.8	6.9
Centre	2.2	6.8	4.7
Est	7.6	9.4	8.6
Extrême-Nord	1.7	2.2	2.0
Littoral	4.4	6.5	5.5
Nord	1.7	1.7	1.7
Nord-Ouest	5.2	11.9	8.7

<i>Characteristics</i>	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Ouest	5.2	4.3	4.7
Sud	4.5	8.4	6.5
Sud-Ouest	5.1	11.0	8.0
Total	4.1	6.8	5.5

Source: EDSC III (2004).

Article 13

48. Participation rate¹⁴ as defined by the International Labour Organization (ILO), by province

<i>Province</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Adamaoua	80.8	53.6	66.5
Centre	71.3	65.6	68.3
Est	77.6	64.9	70.9
Extrême-Nord	84.8	76.0	79.9
Littoral	72.1	64.4	68.0
Nord	83.8	72.5	77.8
Nord-Ouest	85.1	84.0	84.5
Ouest	74.5	75.6	75.1
Sud	77.2	66.0	71.4
Sud-Ouest	76.1	59.1	67.7
Total	77.5	66.9	71.9

Source: ECAM II (2001), INS.

¹⁴ The participation rate provides information on the labour force. It is the ratio of the economically active population to the working age population, i.e. the number of people aged 15 to 64 years.

49. Participation rate as defined by ILO¹⁵ in Douala and Yaoundé and places of residence

[Table missing.]

¹⁵ As defined by ILO, an economically active person is any employed person or any unemployed person actively seeking work. Unlike the ILO definition of employment, in the broader sense employment includes discouraged unemployed workers.

50. Distribution of employed persons in socio-economic groups,¹⁶ by sex

<i>Socio-economic group</i>	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Formal sector	25.8	8.7	17.4
Public sector managers and employers	4.2	1.5	2.8
Other public sector employees	5.5	2.3	3.9
Formal private sector managers and employers	6.5	2.7	4.7
Other formal private sector employees	9.6	2.2	5.9
Informal sector	74.2	91.3	82.6
Informal sector agricultural workers	48.4	66.3	57.2
Farmers	37.1	39.1	38.1
Informal sector agricultural dependent workers	11.2	27.2	19.1
Informal non-agricultural sector	25.9	24.9	25.4
Informal sector non-agricultural employers	1.1	0.8	0.9
Self-employed informal sector non-agricultural workers	12.6	18.8	15.7
Informal sector non-agricultural workers	12.2	5.4	8.8

Source: ECAM II (2001), INS.

¹⁶ The different socio-economic groups are as follows: public sector managers and employers, public sector employees, formal private sector managers and employers, other formal private sector employees, farmers, informal sector agricultural dependent workers, informal sector non-agricultural employers, self-employed informal sector non-agricultural workers and informal sector non-agricultural workers.

51. Distribution of economically active persons, by sector and sex

	<i>Men (%)</i>	<i>Women (%)</i>	<i>Total (%)</i>
Formal sector	25.8	8.7	17.4
Informal sector	74.2	91.3	82.6
Total	100	100	100

52. Unemployment rate

	<i>Unemployment rate as defined by ILO</i>	<i>Broad unemployment rate¹⁷</i>
Urban	18.9	32.2
Rural	2.3	8.6
Douala/Yaoundé		
Douala	25.6	38.3
Yaoundé	21.5	34.5
Total	7.9	17.1

¹⁷ Unemployment is referred to as broad when discouraged unemployed workers are added to the ILO definition of unemployed workers.

Article 15

53. Distribution of judges, by grade and sex, in 2003

<i>Grade</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Women (%)</i>
Highest judicial office (first group)	14	3	17	17.6
Highest judicial office (second group)	29	1	30	3.3
Fourth grade	103	21	124	16.9
Third grade	173	46	219	21.0
Second grade	103	21	124	16.9
First grade	215	87	302	28.8
Total	637	179	816	21.9

Source: Ministry of Justice.

54. Distribution of judicial officials in 2003

	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Women (%)</i>
Judges	637	179	816	21.9
Clerks of the court	877	519	1 396	37.2
Bailiffs	262	64	326	19.6
Notaries	25	18	43	41.9
Lawyers	1 081	255	1 336	19.1
Agents	29	—	29	0.0
Total	2 911	1 035	3 946	26.2

Source: MINPROFF/Division of Studies, Planning and Cooperation (DEPC)/(CEPSI), analysis using Ministry of Justice documents.

55. Distribution of prison staff, by sex and grade

<i>Central Prisons: function</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>	<i>Women (%)</i>
Senior administrator	6	1	7	14.3
Prison administrator	29	1	30	3.3
Superintendent of Prisons	2	—	2	—
Senior prison governor	58	6	64	9.4
Prison governor	193	19	212	9.0
Chief warden	333	65	398	16.3
Senior prison guard	836	149	985	15.1
Prison officer	685	137	822	16.7
Prison guard	336	141	477	29.6
Not declared	152	60	212	28.3
Total	2 630	579	3 209	18.0

Source: MINADT, August 2000.

56. Distribution of judiciary staff in courts and tribunals, by sex

<i>Jurisdiction</i>	<i>Function</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Supreme Court	President	1	0	1
	Public Prosecutor	1	0	1
	Advisers	20	2	22
	Lawyers and assistant trial attorneys	7	0	7
Court of Appeal	President	9	1	10
	Public Prosecutor	10	0	10
	Lawyers and assistant trial attorneys	56	13	69
Regional Courts (Tribunaux de grandes instances)	President	10	2	12
District Courts (Tribunaux de grandes instances)	President	52	3	55
	State Prosecutor	62	3	65

Source: Ministry of Justice.

57. Distribution of Ministry of Justice officials

<i>Function</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
Secretary-General	1	0	1
Inspector-General of Judicial Services	0	1	1
Advisers	0	2	2
Directors	5	0	5

Source: Ministry of Justice.



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Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Second periodic reports of States parties due in 2000

Cameroon

[3 April 2008]

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List of abbreviations used

CFAF	CFA franc/s
DPT	Diphtheria, pertussis, tetanus
IEC	Information-Education-Communication
ILO	International Labour Organization
IPEC	International Programme on the Elimination of Child Labour
MINAS	Ministry of Social Affairs
MINEDUC	Ministry of Education
MINESEC	Ministry of Secondary Schools
MINJEUN	Ministry of Youth
MINSANTE	Ministry of Health
NGO	Non-governmental organization
UNICEF	United Nations Children's Fund

Introduction

1. Cameroon signed the Convention on the Rights of the Child (hereinafter “the Convention”) on 27 October 1990 and ratified it on 11 January 1993. It produced its initial report (CRC/C/28/Add.16), which the Committee received on 4 April 2000 and considered at its twenty-eighth session (737th, 738th and 749th meetings) in October 2001.

2. In accordance with article 44 of the Convention, the present periodic report contains information on legislative, administrative, judicial and other measures taken to give effect to the provisions of that instrument. The concluding observations and recommendations adopted by the Committee following completion of its consideration of the initial report (CRC/C/15/Add.164) are also taken into account.

3. The report covers two five-year periods, 1996 to 2000 and 2001 to 2005. This is because several initiatives were being implemented at the time of its drafting, and also because Cameroon wishes to give an account of a number of measures whose implementation extended over the two periods. To cite one example, Act No. 2005/007 of 27 July 2005 on the establishment of the Code of Criminal Procedure contains important provisions in favour of children and is the result of work which began more than a decade ago.

4. This periodic report covers:

- Background information on Cameroon
- General measures of implementation
- General principles
- Definition of the child
- Civil rights and freedoms
- Family environment and alternative care
- Basic health and welfare
- Education, leisure and cultural activities
- Special protection measures

I. Background information on Cameroon

A. Territory and population

5. Located in the region of the Gulf of Guinea, Cameroon is bordered to the south by Equatorial Guinea, Gabon and the Republic of the Congo, to the east by the Central African Republic, to the north-east by the Republic of Chad, to the west by the Federal Republic of Nigeria and to the south-west by 400 km of Atlantic coastline. Triangular in shape, the country has a surface area of 475,442 km², with a population estimated at 15 million inhabitants according to the general population census of 1975. The population is relatively young, with 40 per cent below the age of 15.

6. Cameroon was placed under a dual mandate (1919–1946), which was followed by two separate trusteeships, resulting in a legal system with Roman and Germanic elements coexisting with common law.

7. “Africa in miniature”. Cameroon is characterized by a great diversity of the natural environments found in different parts of Africa. There are three main climate zones:

(a) The equatorial zone, with four seasons, more than 1,500 mm of annual rainfall and an average temperature of 25° C, with a variation of 2° C. This zone covers virtually the whole southern part of the country, including the coast and the mountainous western regions;

(b) The humid tropical zone, which receives 300 to 1,500 mm of annual rainfall. The average temperature is 28° C, with a variation of 6° C. With its humid tropical, or “Sudanese”, climate, this area is one of large savannahs where trees and shrubs grow. It stretches from the northern part of the East province to the south of the North province and the entire Adamaoua province;

(c) The third is the arid tropical zone, with a Sudanese-Sahelian continental climate characterized by between 300 and 900 mm of annual rainfall and an average temperature of 28° C, with a variation of 7° C. The harsh climatic conditions indicate the proximity of the Sahelian desert conditions of Sudanese Africa. This zone covers a large part of the North and Far North provinces.

8. The country has a number of permanent rivers, some of which have their source deep within the country and empty into the ocean, which is of great socio-economic importance.

9. The environmental and climatic differences condition the way of life of the various population groups and the way they care for their children.

10. Cameroon is made up of 230 tribes divided into four sociocultural groups: the Bantu, the Bantoid or semi-Bantu, the Sudanese and the Pygmies. Far from being a source of conflict or an obstacle to coexistence, this ethnic diversity is a factor of enrichment and development, thanks to the untiring efforts of the authorities and the determination of the populations themselves. Peace, both domestically and with Cameroon’s neighbours, constitutes one of the main pillars of the nation, and the individual is at the centre of the entire development process. It is against this background that Cameroon recently joined the Global Movement for Children, whose goal is to build a better world in the third millennium. Cameroon has set itself Millennium Development Goals (MDGs) and is actively participating in the establishment of the New Partnership for Africa’s Development (NEPAD).

11. There are an estimated 4 million foreigners in Cameroon, who live peacefully alongside the national population, Cameroon being a hospitable country in terms of African practices and traditions.

12. The Cameroonian economy is largely primary and rural, based on agriculture and livestock raising, which account for more than 21 per cent of GDP and employ 73 per cent of the working population. However, most of the production is commercialized in basic products without transformation and thus without added value. That situation, among others, has given rise to an embryonic industrial sector which employs 6.3 per cent of the population and accounts for 34 per cent of GDP. The industrial sector has recently witnessed considerable disruptions associated with the liberalization of world markets and the resulting competition, the harsh conditions attached to foreign capital and an insufficient energy supply. Unemployment, particularly among young people, is one of the country’s biggest social problems. It stands at between 17 and 25 per cent of the population, and is as high as 33 per cent in urban areas. There are many other social problems in various forms, including those brought about by evolving or growing phenomena such as children living or working on the streets (estimated at between 15,000 and 20,000 in the

biggest cities), economic and sexual exploitation of children, prostitution, trafficking and even slave trade in women and children.

13. The public authorities have been working continuously to reorganize the national economy. This has resulted in improvements in macroeconomic indicators, starting with the control of public expenditure. Approved for the decision point of the Heavily Indebted Poor Countries (HIPC) Initiative on 13 October 2000, Cameroon plans to pass the completion point in order to improve its social situation. The effect of this would be the definitive implementation of relief measures for 90 per cent of commercial credits and a debt rescheduling over 40 years, with a 16-year grace period for public assistance loans for development. The positive benefits of the completion point will be periodically allocated to social investments (construction of classrooms, health centres, hospitals, roads and other social infrastructure), all of which will help promote the realization of children's rights and thus the well-being of the population. Thus, an era of great promise has dawned in the country. It should be noted that in Cameroon, life expectancy at birth varies considerably by gender: it is 59 for women (51 per cent of the population) and 54.5 for men.

14. According to the Poverty Reduction Strategy Paper prepared by the Government, 4 out of 10 Cameroonians are living under the poverty line (less than 1 US dollar per day).

15. With regard to religion, reference is made to the secular nature of the State. Religious freedom is guaranteed (preamble to the Constitution: principle of religious affiliation, Act No. 6 of 18 January 1996 amending the 1972 Constitution). Catholic and Protestant Christians, along with Muslims, are the country's biggest religious groups. There are also a large number of so-called religious "revival" associations and movements, which are considered to be Pentecostals. Many Cameroonians remain attached to their ancestral religions.

B. Political structure

16. Cameroon is a unitary State with a semi-presidential regime. The executive, legislative and judicial branches are separate.

(a) The President of the Republic, who is the Head of State, embodies the executive power. Elected by the whole nation by direct universal suffrage for a seven-year term, he is the guarantor of national unity. He safeguards the Constitution and national institutions, defines national policy, appoints the Government, ensures the various functions of sovereignty and oversees the smooth running of government bodies. He is the guarantor of national independence, territorial integrity, the permanence and continuity of the State and compliance with international treaties and agreements which Cameroon has signed and ratified.

(b) Pursuant to article 14 of Act No. 06 of 18 January 1996 amending the 1972 Constitution, legislative power is vested in Parliament, which consists of two houses: the National Assembly and the Senate. The Parliament legislates and monitors government action. The Act of 9 July 2004 on decentralization and the Act on the organization of the Senate constitute a significant step towards setting up the institutions established by the Constitution.

(c) Justice is administered in the territory of the Republic in the name of the Cameroonian people. Judicial power is exercised by the Supreme Court, courts of appeal and lower courts. The judiciary is independent of the executive and legislative powers (article 37 of the Constitution).

17. Three basic administrative models exist side by side: centralization, devolution and decentralization. In accordance with article 55 of the Constitution, the regional and local

authorities of the Republic comprise regions and councils. The shift towards transforming the provinces into regions gradually began to take shape with the Decentralization Act of 9 July 2004.

C. Policies and programmes

18. In Cameroon, the situation of children in general and child labour in particular are taken into account in the overall framework of policy for the protection and promotion of childhood. Strategies based on this policy focus on:

- Raising awareness and mobilizing communities on questions relating to child labour
- Promoting classical and informal education and training
- Improving and strengthening child labour legislation
- Coordinating and monitoring activities to combat trafficking in children

19. These strategies were taken into account in the draft plan of action to combat child labour, the main obstacle to realization being financial constraints.

20. With regard to technical cooperation and international assistance, Cameroon is participating, with French cooperation, in the Bi-Multi project, in the Baka programme of assistance for economic and social development (PADES/Baka) with Belgian cooperation, and in initiatives in the area of basic education with Japanese cooperation. Also under way are cooperation programmes with UNICEF, with the United Nations Population Fund (UNFPA) as part of the national youth policy, with the International Labour Organization (ILO) to set up the International Programme on the Elimination of Child Labour (IPEC programme) and with the Global Fund to Fight AIDS, Tuberculosis and Malaria to provide assistance to orphans and vulnerable children.

21. Finally, Cameroon is cooperating with international non-governmental organizations such as Plan International to promote community development centred on children, with SOS Kinderdorf to provide care to orphans in Children's Villages and with the Hope for African Children Initiative (HACI), the Open Society Initiative for West Africa (OSIWA) and CARE Cameroon to help orphans and vulnerable children.

D. General legal framework for the protection of human rights

22. The protection of human rights in general and the rights of the child in particular is ensured in Cameroon through a legal arsenal consisting of protocols, charters and ratified international conventions and national laws and regulations. The ratified international instruments acquire superior legal force.

23. In this connection, it should be pointed out that Act No. 06 of 18 January 1996 amending the 1972 Constitution, proclaims in its preamble that the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights. It also reaffirms Cameroon's commitment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations, the African Charter on Human and Peoples' Rights and all other international instruments ratified on the subject.

24. At international level, reference is made to the following instruments:

- ILO Convention No. 138 concerning Minimum Age for Admission to Employment
- ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour

- The Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, instrument of accession dated 7 January 2005
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime of 15 November 2000, ratified by Cameroon at national level by the Decree of 18 November 2004
- The law transforming the National Committee on Human Rights and Freedoms into the National Commission on Human Rights and Freedoms in order to make this independent body more operational and efficient
- The School Act, which makes schooling compulsory until the age of 14
- The Labour Act and regulatory provisions relating to areas in which child labour is prohibited
- The Criminal Code and all penal aspects of offences against children and public morals
- The new Code of Criminal Procedure, which entered into force on 1 January 2007

E. Information and dissemination

25. Cameroon has an Official Gazette in which all laws and regulations are published in English and French. With the increasing liberalization, the country is witnessing unprecedented growth in the written, spoken and television media. A social communications act covers this sector, which, despite differences in tone, regularly informs Cameroonians about their rights and about events relating to the promotion and violation of those rights. Several FM radio stations, including at least 15 in Yaoundé, regularly provide information to the administration and bodies responsible for the promotion of the rights of children and to all sectors of the population. A number of radio stations also broadcast in rural areas.

26. Seminars and workshops are regularly held throughout the country on human rights and on the rights of children, persons with disabilities, the elderly and women. These seminars, such as the five training workshops in juvenile justice held in Kribi, Garoua, Ngaoundéré and Douala, are generally attended by civil servants (judges, social workers, law enforcement officials, prison staff, health-care workers, teachers, etc.) and representatives of organizations of civil society.

27. Following the example of the publication of more than 5,000 copies of a simplified version of the Universal Declaration of Human Rights, NGOs and associations have undertaken to publish, in the coming days, national and international legal texts on the rights of children in local languages. The public authorities are promoting this initiative.

28. The various religious denominations are involved in the dissemination of information on such rights. The illiteracy of a large part of the population and the inaccessibility of some areas are obstacles which must be borne in mind when information on the rights of children is disseminated.

II. General measures of implementation

29. Cameroon has made continuous efforts to create an environment propitious to children's development.

A. Legislative and administrative measures

30. In accordance with the recommendations of the Committee on the Rights of the Child, and bearing in mind local realities, during the reporting periods Cameroon has adopted a number of legislative and administrative measures of vital importance for the implementation of the rights of the child, and procedures set in motion for the introduction of others are at a very advanced stage. These measures are the following:

- The promulgation of Act No. 2005/015 of 29 December 2005 on combating child trafficking and slavery
- The promulgation of Act No. 2005/007 of 27 July 2005 on the Code of Criminal Procedure
- Decree No. 2004/320 of 8 December 2004 on the organization of the Government, which sets up several ministerial departments responsible for the promotion of the rights of the child, including the Ministry of Social Affairs (MINAS) (promotion of children's rights and child welfare), the Ministry of Basic Education (nursery school and primary school education), the Ministry of Secondary Schools (general education and vocational training), the Ministry of Public Health (prevention and health care for mothers and children), the Ministry for the Advancement of Women and the Family (education for responsible parenthood and promotion of family well-being) and the Ministry of Youth (promotion of leisure and after-school and extra-curricular activities)
- The imminent adoption of legislation establishing a code on persons and the family
- Completion of the preliminary draft code on the protection of children, bringing various domestic legal systems into line with ratified international legal instruments

B. Other measures

31. In addition to the above-mentioned legal framework, a number of initiatives with a direct impact have been conducted by the State and by other stakeholders. These are:

- The adoption of a cooperation agreement between Cameroon and UNICEF for the five-year period 2003–2007, comprising five main programmes (basic education, supervision and integral development of young children, participation and development of adolescents, special protection, and planning, assessment and communication). Drawing on the “*Approche droit*” (an initiative which makes use of local languages in the initial phases of literacy campaigns), and taking into account age groups, the programme is designed to contribute to the creation of an environment which ensures the rights of children to life, development, protection and participation. The relevant operational framework plan was signed on 5 November 2002.
- The promulgation of Act No. 97/009 of 10 January 1997 on combating torture.
- The promulgation of Act No. 98/004 of 14 April 1998 on educational guidance.
- Decree No. 2001/041 of 19 February 2001 on the organization of public schools and the powers of school administration officials, which in article 47 introduces an exemption from annual school fees for pupils at public primary schools to give effect to the presidential decision of 10 February 2000 making public school free.
- The circular on the organization of practical details for the supply of a “minimum kit” of teaching materials to public-sector primary schools.

- Circular No. 38/B1/1464 of 8 December 2000 on combating violence in schools.
- Circular No. 10/B1 of 13 May 2002 on violence and vandalism in schools.
- Circular No. 005/B1/1464 of 13 February 2002 on curbing occult practices in schools.
- Circular No. 006/B1/1464 of 4 March 2002 on the secular nature of public schools.
- The development of the International Programme on the Elimination of Child Labour (IPEC), whose protocol of cooperation was signed between Cameroon and ILO on 22 October 2004. Under this programme, two projects to combat child labour were conducted between 2004 and 2005, one to combat the exploitation of child labour in cacao tree plantations (West Africa Cocoa/Commercial Agriculture Project (WACAP)), and the other to combat the trafficking of children for labour exploitation in West Africa and Central Africa (LUTRENA). The latter project has given rise to an exploratory study which, drawing on the characteristics of trafficking, has identified the emergence of the phenomenon in Cameroon, in particular in the Northwest, East, Far North and South provinces. Subsequently, and at the same time as the promotion of awareness and the formulation of specific legislation, direct cooperation under the supervision of the Ministry of Social Affairs, ILO, Nkumu Fed-Fed and Associations ETA has made it possible to proceed with the rehabilitation of 103 child victims of trafficking in the Northwest and Centre provinces. In the north-west, 70 children, including 33 girls, were given shelter at the Gwan Multipurpose Centre in Bali Nyanga, several kilometres from Bamenda. In addition to the psychological counselling provided, all the children learned a trade, their parents were found and given assistance with a view to creating a private welfare agency, and the children were then reintegrated into society. Training courses on slavery and trafficking were provided for 60 rural communicators, with the support of the Embassy of the United States. Like clubs and associations of parents and children, the courses aim to make the benefits of the initiative durable and to combat the development of trafficking in children in the areas concerned.
- The joint MINAS/Belgian Red Cross project on the socio-economic reintegration of street children in Yaoundé. The aim is to raise awareness, identify, select and promote a durable reintegration of children living and working on the streets, encouraging them to abandon immoral behaviour by reunifying them with their families and promoting their schooling, vocational training or activities that enable them to earn a living. Between July 2003 and August 2005, this project reached out to nearly 15,000 children through various initiatives, and 480 children were rehabilitated. Unfortunately, the project was discontinued when funding dried up, although such children continue to be in need of protection.
- Cameroon-Japan cooperation on the building of primary schools.
- Cooperation with the Chantal Biya/Edicef Foundation, with whose help five primary schools were equipped and turned over to the State.
- The involvement of the Global Fund in identifying and assisting orphans and vulnerable children, an initiative under the authority of the Ministry of Social Affairs in the framework of the National Committee to Combat AIDS, which aims to provide access for 300,000 orphans and vulnerable children to basic social services by 2010.
- The France/UNICEF/Cameroon cooperation effort in the context of the Bi-Multi project, whose objectives are in keeping with the above-mentioned goal.

- The MINAS/Belgian technical cooperation partnership (PADES-BAKA) to assist pygmies, including children in Djoum and Mintom in the South province.
- The Cameroon/Plan International partnership to promote the rights of children (5,000 birth certificates issued in 2005, water conveyances and watering places built), education (several classrooms built and equipped) and health (promotion of health care) and to enhance community and agricultural capacities.
- Increased involvement of organizations of civil society in child advocacy and support initiatives: Chantal Biya Foundation, African Synergy against AIDS and Suffering, UN-HABITAT, Association for Children, Youth and the Future (ASSEJA), Coalition of Cameroonian NGOs for Children's Rights (COCADE), World Association for the School as an Instrument of Peace (EIP), DET, Cameroonian Association of Assistance for Families affected by AIDS (ACAFAS), AGIR International, Emmanuel Association of Cameroon (AECCM), as well as decentralized local authorities.
- References, in religious discourses and sermons, to the rights of children (apostolic letter of 9 October 2005 of Monsignor Paul Verdzekav, archbishop of Bamenda, to all Christians concerning trafficking in children), organization in Kribi in July 2004 by the Federation of Evangelical Churches and Missions of Cameroon (FEMEC) of a training seminar for church leaders on the rights of children, the appeal in August 2005 for the adoption of specific legislation on combating trafficking, and raising the awareness of the faithful and other listeners of Catholic, Protestant and Muslim programmes broadcast on national radio (CRTV), Canal 2 international, STV 2 and confessional radio stations. Memorandum of the national secretary of private Islamic education making Muslim nursery and primary schools free in the northern part of the country in order to combat the endemically low levels of school enrolment there. It should also be pointed out that in Cameroon, confessional schools are open to all children without any discrimination.

C. Measures to disseminate information on the Convention

32. Pursuant to the recommendation contained in paragraph 22 of the concluding observations of the Committee on the Rights of the Child (CRC/C/15/Add.164), Cameroon took the following measures to disseminate the principles and provisions set out in the Convention and to mobilize the public:

- Organization of information campaigns on the rights of children during Days of the African Child (16 June), National Youth Days (11 February) and other events.
- Organization of seven meetings of the Children's Parliament, with training of junior delegates on children's rights and distribution of material of various kinds.
- Printing of 15,000 comics on the Convention, distributed to children in schools and homes during campaigns.
- Printing of posters and leaflets to raise public awareness about violations of children's rights. The NGO Plan Cameroun and the Ministry of Secondary Schools (MINESEC) helped fund the production of some of the posters.
- Organization of several annual editions of Radio/Television Days for children, based on the dissemination and promotion of children's rights.
- Gradual introduction in school and university curricula of modules on the teaching of human and children's rights (education for citizenship, postgraduate degree (DESS) in human rights at Dschang University, targeted training in human rights at

the Catholic University of Central Africa, specialization at the Institute of International Relations of Cameroon).

- The translation of the Convention is encountering the problem of the many national languages and illiteracy.

33. In response to the recommendation in paragraph 16 of the Committee's concluding observations concerning budgetary allocations for children, reference is made to the following:

- The significant increase in public funding for ministries responsible for ensuring children's rights, namely the Ministry of Education (MINEDUC), the Ministry of Secondary Schools (MINESEC), the Ministry of Social Affairs (MINAS), the Ministry of Youth (MINJEUN) and the Ministry of Health (MINSANTE)
- The systematic formulation of ministerial and sectoral strategies, including the strategy of the social development sector, to better plan initiatives and the allocation of resources needed to improve the living conditions of the population, in particular children and other vulnerable persons
- The promotion, with national resources and the support of development partners, of programmes and projects with an immediate impact on children, for example the Integrated Management of Childhood Illnesses Strategy, the National Programme to Combat AIDS, the National Programme to Combat Malaria, the programme to assist orphans and vulnerable children (Global Fund and Bi-Multi), the IPEC (LUTRENA and WACAP) and Cameroon/UNICEF cooperation 2003–2007
- Outlook: expected impact of Cameroon's attaining the completion point; agreement with France in the context of the Debt Development Contract (C2D); introduction of national action plans to combat the sexual exploitation and trafficking in children

34. As to the recommendation contained in paragraph 16 (b), a systematic assessment has been started of the impact of budgetary allocations on programmes and projects carried out for the benefit of children. The halfway review of the Cameroon/UNICEF cooperation programme took place in December 2005, and the final assessment of the IPEC programme will be in 2006, after the periodic assessments.

35. The recommendation contained in paragraph 17 on indicators for children and women was taken into account, and basic information was gathered in this regard during the population census, for which data were collected in 2005.

36. Current practice in Cameroon is to systematically involve organizations of civil society in all State activities, including in the formulation of the preliminary draft code on persons and the family and the preliminary draft code on the protection of children.

D. Obstacles

37. The effective implementation of the Convention in Cameroon is encountering the following obstacles:

- Insufficient coordination of sectoral policies for assisting children
- The recession, which has led to limitations on State expenditure and has had an adverse impact on budgeting for social services, in particular for children
- The persistence of customs and traditions detrimental to the realization of children's rights

- The aggravation of the HIV/AIDS pandemic, which has resulted in an increase in parent mortality and in the number of orphans and vulnerable children

38. Cameroon is also experiencing practical difficulties in determining the nature of the operational mechanisms of the structure recommended in D.1., paragraphs 12 and 14, of the concluding observations. In the meantime, a child welfare unit has been set up pursuant to Decree No. 2005/160 of 25/5/2005 on the organization of the Ministry of Social Affairs. The National Commission for the protection of children whose moral well-being is in danger, juvenile delinquents and abandoned children (Decree No. 90/524) has been revitalized.

III. Definition of the child

A. Concept of the child

39. Cameroon subscribes to the definition of the child as enunciated in the Convention. Children are considered to be every human being below the age of 18 years.

40. The reform of legislation under way (preliminary draft code on persons and the family and preliminary draft code on the protection of children) aims to introduce a single age for the definition of the child in all areas and has made significant progress by defining the child as “a human person below the age of 18 years”.

B. Consent to marriage

41. In Cameroon, marriage is based on the free will of a man and a woman to join together as spouses. Thus, the free and solemn consent of the future spouses is essential to validate the marriage and must be indicated on the marriage certificate. Article 52, paragraph 4, of Order No. 81/02 of 28 June 1981 on civil status provides that “no marriage may be celebrated ... without the consent of the future spouses”. Cameroonian legislators have sought to be unequivocal on the importance of consent to marriage to make clear their strong opposition to forced marriage. Recognizing that marriage is a form of emancipation of the child, they have taken care, through the provisions of Title VI, Chapter III, of the above Order, to include the precaution of requiring that the parent(s), guardian(s) or person(s) customarily responsible give their consent for the marriage of a child (girls 15 years of age and boys 18 years of age).

42. This legal mechanism, which was enacted in 1981 before the ratification of the Convention, is in the process of being amended. The preliminary draft code on the protection of children will not permit the marriage of children. Consent to marriage, which is still one of the prerogatives of “parental power”, along with the concept of “parental authority over the person of the child” (Book I, Title IV), will thus disappear with the promulgation of the code on the protection of children. Parental power is defined as being “a set of rights and duties conferred on the father and the mother in the interest of the child”. The father and the mother have parental authority until the child reaches the age of majority or is declared to be of full age, the aim being to ensure the child’s safety, health, morals, education and harmonious development. The only rights and duties which parents have are those of care, supervision and education. Thus, the preliminary draft code on the protection of children, simply by prohibiting the marriage of children, automatically abolishes the right of parents to consent to such marriages.

43. It should be pointed out, however, that although the preliminary draft code aims to bring domestic legislation into line with international instruments in keeping with the

Committee's recommendation, it masks a reality which will have to be addressed: sexual precociousness. This is becoming a major problem, as seen in commercials which stress that HIV/AIDS can be curbed either by using condoms or by being faithful to one's partner. Among adolescents, who unanimously reject early marriage, this has led to promiscuity and immoral sexual behaviour.

C. Minimum age for admission to employment

44. Article 14 of Act No. 92/007 of 14 August 1992 on the Labour Code, which sets the minimum age for employment at 14 years, clearly stipulates that schooling is compulsory. No one under 17 years of age may be enrolled in the armed forces. However, there is still a category of age in which persons do not have a legal status and face a dilemma, because by law, they are children up to 18 years of age and adults as from 20 or 21 years of age. Thus, they need a legal status, which might be obtained through "ipso facto empowerment".

D. Access to education

45. The preamble to the Constitution of 18 January 1996 declares that the State shall guarantee the child's right to education, that primary education shall be compulsory and that the organization and supervision of education at all levels shall be the bounden duty of the State.

46. Article 47 of Decree No. 2001/041 of 19 February 2001 on the organization of schools, which defines the powers of school administration officials, provides that primary public schools are free in accordance with the presidential decision of 10 February 2000.

47. In an attempt to meet the rapidly growing demand, many schools are built and opened every year at all levels and for all forms of education, with the help of a number of development partners, including the African Development Bank, the *Éditions classiques d'expression française* (EDICEF), Japan and organizations of civil society. An ongoing effort is being made to improve quality through governance (four ministerial departments responsible for questions of education and training); the creation of numerous monitoring, supervisory and oversight bodies; training of instructors (support of schools for training teachers, recruitment of 1,700 part-time teachers to the civil service every year); and by making education more occupationally relevant in order to promote new talent and help ensure that skills taught in the educational system are consistent with the requirements of the labour market.

E. Consultation of a physician

48. Today, the permission or consent of a parent is not required for a child to see a physician. On the contrary, the administrative bodies responsible for health care and for the promotion of the rights of children, and society at large, promote access to medical care for all without any exception.

49. Regarded as a priority social sector, health care in general, and the health care of women and children in particular, is high on the list of political demands. Access of children to medical consultations and quality health care is an indicator of development and public well-being. The State is increasing the resources allocated for improving the health-care system and ensuring better access to quality care for all population groups:

- A framework law on public health has been passed.

- A health-care card has been introduced and has reached virtually the entire population.
- Access to medicine for all has been facilitated by public subsidies, multilateral support, the establishment of hospital dispensaries and the sale of generics.
- The training of physicians and other health-care personnel is continuing; these persons are assigned to posts throughout the national territory.
- The cost of medical consultation in public hospitals is CFAF 600. Exemptions are granted on a case-by-case basis for children receiving social assistance, once action is taken by a social worker.

50. There are, however, a number of basic obstacles to full access for all to medical consultations: the large-scale departure of physicians and other specialists because of problems finding employment and poor pay in the public sector; and the insufficient quantity and quality of health-care personnel, infrastructures and equipment, making it difficult to provide all children with medical care. The cost of medicine remains inaccessible to many poor families.

51. Nevertheless, thanks to the determination of decision makers, children are the main beneficiaries of all health-care programmes in Cameroon. Antiretroviral drugs are now free for all children living with AIDS up to the age of 15 years.

F. Drugs and alcohol consumption

52. It is no secret that children in Cameroon are exposed to drugs and alcohol. This concerns children who have dropped out of school, children who spend their time in bars and, above all, children who live on the streets. This situation is due to their vulnerable living conditions, dissolute and uncontrolled behaviour and a slavish imitation of role models in the mass media.

53. Although it has not been the subject of a specific study, empirical observations suggest that there is an urgent need to promote the protection of children. The Ministry of Social Affairs (department for combating social scourges), the Ministry of Health and the law enforcement authorities are timidly addressing the issue. To be efficient, it would be necessary to support these efforts by opening operational drug treatment centres and by making psychologists, sociologists and social workers available. It is hoped that initiatives will be approved to enable these children and adolescents to receive training in a skill and to have a chance to achieve lasting socio-economic reintegration.

IV. General principles

A. Non-discrimination

54. The principle of non-discrimination is inalienable and is enshrined and guaranteed in the preamble to the Constitution. The Government is implementing it in all areas concerning children.

1. At school level

55. Under existing regulations, there is no limit on the age of enrolment, and all children can go to school.

2. At the level of protection and social security

56. A number of texts have been added to existing ones. These are:

- Decree No. 2001/109/PM of 20 March 2001 on the organization and functioning of public institutions for the care of children and the rehabilitation of socially maladjusted minors. (This text provides for the creation of shelters, supervision centres, transit centres and hostels.)
- Decree No. 2001/110/PM of 20 March 2001 on the organization and functioning of public institutions for the care of infants.
- Circular No. 2002/9062/DAPG of 15 October 2002 on judicial procedures for juveniles who commit offences for which ordinary courts have jurisdiction.
- Decree No. 2005/160 on the organization of the Ministry of Social Affairs, creating a department of child welfare.
- A preliminary draft act on violence against women, approved in April 2004.
- The preliminary draft code on persons and the family provides that:
 - The rights enunciated in the code shall also benefit foreigners
 - Children, regardless of sex, both legitimate and born out of wedlock, shall have the same inheritance rights
- The preliminary draft code on the protection of children, which groups existing law applicable to children in a single document and includes the fundamental principles embodied in international legal instruments ratified by Cameroon.

57. A reform of the social security system has begun in order to provide for illness and unemployment, in addition to the risks already covered. A national forum is planned on this matter.

3. Rights of vulnerable groups

58. Legislation and programmes on the protection of vulnerable persons are to be improved. A forum on national solidarity was organized in June 2005 by the Ministry of Social Affairs. Discussions were subsequently held with a number of administrative partners and organizations of civil society to give effect to the recommendations adopted. The process of amending the act on the protection and promotion of persons with disabilities is nearing completion, and the elaboration of a policy of national solidarity has begun. This reform will focus on:

- Aid for education
- Medical coverage
- Assistance for special education for children with disabilities
- Support for rehabilitation and functional retraining
- Medical and social prevention measures

B. Best interests of the child

59. Several legal provisions in this area were set out in the previous report.

60. The preliminary draft code on persons and the family contains the following provisions with regard to civil matters:

- Custody to be assigned in the event of a marital crisis, following an investigation by a competent social worker and bearing in mind the best interests of the child
- This investigation must also take into consideration the financial situation of the parents in relation to maintenance payments for child support
- The best interests of the child must be taken into account in criminal, administrative and social matters

61. The preliminary draft code on the protection of children seeks to regulate the exercise of parental authority over the child and safeguard the child's inheritance rights.

C. The right to life, survival and development

62. The right to life is embodied in Cameroon's Constitution, which states in its preamble that every person has the right to life and to physical and moral integrity. That right is reflected in a range of criminal, civil and social provisions.

1. Health care in school

63. Creation, within the Ministry of Basic Education, of departments responsible for health care in schools and, within the Ministry of Secondary Schools, of medical inspectorates in all principal cities, as well as infirmaries in schools with more than 1,000 pupils and supervised pharmacies in the others.

2. Access to health-care services for juvenile detainees

64. Although the principle has been introduced, access to medical care for juvenile detainees is insufficient. Given prison overcrowding and the scarcity of funding for medical coverage for detainees, further support is clearly needed. The same is true for children placed in specialized institutions for supervision and rehabilitation.

3. Health care for children in need of special protection measures

65. Cameroon's health-care policy is heavily influenced by the cost-recovery system. All patients must contribute to the cost of treatment. Under the system, patients themselves, their guardians or persons responsible for their assistance must pay for their treatment. The budgeting of the Ministry of Social Affairs for child welfare is not, however, sufficient to cover all costs. Exemptions can be obtained only through negotiations or for humanitarian reasons. This is not always easy with regard to medicines which Cameroon does not manufacture. Increased funding and financial support are indispensable.

4. Access to education for detainees

66. Education for incarcerated juveniles continues to be informal. However, juveniles placed in rehabilitation and social reintegration institutions have schooling and/or vocational training.

5. Living conditions of detainees

67. Decaying prisons and overcrowding do not make for ideal living conditions. However, families are permitted to bring food to detained relatives to supplement prison rations.

68. Negotiations are being held with international organizations to find ways of meeting the needs of incarcerated children, including through the creation of separate prison wards for imprisoned boys and girls, the opening of schools in prison wards so that detained

children can attend classes and receive vocational training, the setting up of libraries, video collections and recreation areas and, in the city of Douala, the transformation of the shelter and observation centre in Bépanda into a pilot institution at which children in need of special protection measures (orphans, vulnerable children, street children, children in conflict with the law and children who have been victims of slavery and trafficking) can be cared for at a single location. If it takes shape, this project, which is backed by the UNICEF special protection programme, would serve as a model for the entire central African area. However, funding for its effective implementation needs to be mobilized.

69. Incarcerated children have access to leisure activities such as dance, television, cinema, parlour games, cultural weeks, etc.

D. Respect for the views of the child (art. 12)

70. The preamble to the Constitution of Cameroon enshrines freedom of opinion for all citizens and affirms that freedom of communication, expression, the press, assembly and association, as well as the right to organize and to strike, shall be guaranteed under the conditions fixed by law.

71. By annually celebrating the Day of the African Child, Cameroon allows children to express their views at sessions of the Children's Parliament on education, health, the fight against corruption, the phenomenon of street children, etc.

72. In accordance with recommendation D.3., paragraph 31, of the concluding observations, 24 information, education and crisis centres have been set up in secondary schools with the support of UNICEF in the framework of the Adolescent Development and Participation Programme. There has also been a proliferation of health clubs in primary and secondary schools working to combat HIV/AIDS. "Schools – friends of children, friends of girls" pilot projects have been drawn up to ensure their right to participation. Children's governments and municipal councils of children and young people have been set up in Douala, Yaoundé, Ngaoundéré and Bertoua with the support of UNICEF.

V. Civil rights and freedoms

A. Name, nationality and preservation of identity (arts. 7 and 8)

1. Legal declaration of birth

73. In addition to existing legislation (Order No. 81/02), the preliminary draft code on persons and the family and the preliminary draft code on the protection of children define aspects relating to the declaration of birth, which has become obligatory for all parents or any persons with knowledge of a birth. Traditional and religious chiefs and other opinion makers have been made aware of the issue.

74. With regard to marginal and disadvantaged population groups (Bororos, Pygmies, Mafa, border creek groups), Cameroon began promoting birth registration two years ago in collaboration with international partners to help children from these marginalized groups have access to citizenship and schooling.

75. To support the Government's efforts, UNICEF (special protection programme) has opened nearly 300 birth registries throughout the province of Adamaoua, where the rate of registration of births is lowest. More than 3,000 children have benefited from this initiative, following awareness campaigns conducted in the context of the June 2003 Day of the African Child, which focused on the theme of birth registration.

76. Steps have been taken to ensure that all births are registered. In this connection, a project for the issuance of birth certificates is under way for children in marginalized population groups (Bororo and also Baka and Bakola, commonly known as pygmies, in the Adamaoua, East and Northwest provinces) with the support of UNICEF and the NGO Plan Cameroun.

77. The aim of the project is to issue more than 20,000 birth certificates between 2000 and 2005 in the above regions with the help of awareness campaigns and the mobilization of resource persons.

2. Name of the child

78. Article 8 (b) of the preliminary draft code on the protection of children, in conformity with the relevant provisions of international legal instruments ratified by Cameroon, recognizes that all children have the right to an identity and a nationality from birth. The constituent elements of this identity are the child's name and age (date and place of birth) and the names of the parents.

79. Although it has not yet entered into force, this mechanism is already applied, and all children living in Cameroon have a name that takes their honour and dignity into account.

3. Nationality

80. There are many legal documents relating to the nationality of children. The preliminary draft code on persons and the family will constitute a major innovation, because it regards as a Cameroonian:

- Any child one of whose parents is Cameroonian
- Any underage child adopted by a Cameroonian parent
- Any child born in Cameroon (if it is established that the child's parent is a foreigner)
- Any abandoned newborn child found in Cameroon, until proof of the contrary

81. Cameroonian nationality is also automatically acquired by the sole fact of having been born in Cameroonian territory for persons who cannot claim to have another nationality.

4. Preservation of identity

82. Article 12 of Order No. 81/02 of 29 June 1981 on the organization of acts of civil status, in force, provides that such documents must indicate the date of the facts which they establish and the date on which they are issued, as well as the family name, given name, occupation, domicile and residence of the persons concerned. They thus contain information on the identity of the person.

83. In addition to the legal provisions in force, international (Plan Cameroun, Belgian technical cooperation) and national NGOs support the Cameroonian Government in promoting access to citizenship through campaigns for the elaboration of national identity cards. This is the case for 5,000 Pygmies in the East province, for whom national identity cards were issued and distributed with the support of Plan Cameroun.

B. Freedom of expression, thought, conscience and religion, association and peaceful assembly (arts. 13, 14 and 15)

84. The Cameroonian State is secular. Religions can be worshipped freely, and religious instruction and socio-religious activities are permitted.

85. The Constitution guarantees freedom of thought, conscience and religion. All citizens have the right to profess or not to practise a religion, to choose their religious convictions and to manifest their religion or beliefs, provided they respect other religions. Children are educated in the religion of their parents.

C. Protection of privacy (art. 16)

86. Protection of privacy for all is provided for and guaranteed by the Constitution. However, article 300 of the Cameroonian Criminal Code, which punishes violations of the privacy of correspondence, gives parents, guardians or persons customarily responsible the right to open and even to stop the correspondence of their children if they have not reached the age of majority.

87. A report which analyses Cameroonian legislation on children in the light of the Convention proposes that, in the best interests of the child, this breach of article 16 of the Convention should be corrected by differentiating on the basis of the age of the child and the possible nature and probable origin of the correspondence.

D. Access to appropriate information

88. Several changes have been observed in the activities and programmes aimed at enabling children to have access to appropriate information. This concerns oral communication and the proliferation of FM radio stations broadcasting programmes for children and disseminating provisions of the Convention. For the school year 2004/05, CRTV has launched educational programmes focusing on preparations for examinations for children in remote areas, where there are not enough teachers and specialized documents are inaccessible. It also has programmes for, and with the participation of, young people, such as “*jeunesse parlons-en*” (Young people, let’s talk about it). The press has special publications for young people which address educational themes, such as “*100 % Jeune Programme*” (100 per cent Youth Programme). Television stations also broadcast programmes and spots targeting children and adolescents.

89. The sole problematic area concerns the uncontrolled use of the Internet by adolescents and young people, who have access to programmes of all kinds.

E. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37, para. (a))

90. Law enforcement officials, prison staff and judicial personnel have regularly attended training seminars in humanitarian law since 2004.

91. Teaching modules on combating all forms of violence, elaborated by the Ministry of Education, will be taught as from the beginning of the 2006 school year. Studies are also under way on violence against children.

92. However, no measure has been taken to date to investigate cases of torture or abuse of children, to compensate and rehabilitate the victims or to set up a complaints mechanism. Cases are reported in an informal manner, and the State always takes action.

VI. Family environment and alternative care (arts. 5; 9-11; 18, paras. 1 and 2; 19-21; 25; 27, para. 4; and 39)

A. Parental guidance and parental responsibilities

93. The preliminary draft code on persons and the family and the preliminary draft code on the protection of children, which are in the course of completion, will strengthen legislation on the family and on the protection of children in the family and the community.

94. Modules on family life education and on the population, elaborated by the Ministry of Education, will be taught as from the beginning of the 2006 school year to give greater attention to children's rights.

B. Separation from parents (art. 9)

95. The preamble to the Constitution of 18 January 1996 declares that the State shall protect and promote the family, which is the natural foundation of human society. Cameroon's social policy is essentially based on protection of the family. Everyone has the right to have a family and to flourish in it.

96. In that connection, article 8 of the preliminary draft code on the protection of children specifies that, in accordance with the relevant provisions of the international legal instruments ratified by Cameroon, all children have the right not to be separated against their will from their parents and family.

97. Apart from the traditional practice of "*confiage*", in which, for various reasons and in the interest of the child, children are temporarily cared for by a close relative, friend or relation, Cameroonian children are officially separated from their parents only in order to punish an offence or to place them in a care or rehabilitation facility.

98. These two measures are decided by a judge acting in conformity with the provisions of the Decree of 1935 or article 80 of the Criminal Code. A social worker is always consulted.

99. An additional effort was made in 2005 to introduce legislation in response to the growing number of cases of children who are victims of trafficking and are thus illegally separated from their parents. Perpetrators of such acts are now severely punished, and the State, with the participation of organizations of civil society, is taking steps to identify, care for and protect such children in shelters pending their social reintegration.

100. These new bodies will require assistance in order to be set up and operated.

C. Family reunification, illicit transfer and non-return (arts. 10 and 11)

101. Cameroon retains the right to guarantee the protection of all children in the family. All policies, programmes and projects on the special protection of children are designed to ensure that children remain in their families or are returned to them.

102. Order No. 81/02 on civil status contains provisions on the determination and recognition of paternity and punishes the abandonment of a child by a parent by imposing the payment of maintenance.

103. Social centres attempt to settle marital and domestic conflicts as part of their assistance to individuals and families. In so doing, they ensure the preservation of family unity and the functioning of the family system. Special attention is given to cases in which

children would suffer psychological and emotional distress from the break-up of the family unit.

104. The preliminary draft code on persons and the family and the preliminary draft code on the protection of children provide for equality of inheritance rights for all children, both legitimate and born out of wedlock, whose parents have been legally identified.

105. Illicit transfer and/or non-return are severely punished. This applies to slavery and trafficking, concerning which legislation was enacted in December 2005.

D. Recovery of maintenance for the child

106. As noted earlier, a parent who abandons the family or loses divorce proceedings is usually sentenced to pay maintenance for children cared for by the other parent or a specialized childcare institution.

107. Ignorance of this arrangement and of procedures for the recovery of maintenance is the primary obstacle to making this child protection measure effective. The relevant administrative bodies and organizations of civil society have been working to disseminate information in that regard. Legal handbooks published by the Ministry for the Advancement of Women and the Family are simply worded and contain practical details on such topics as marriage, divorce, child maintenance, labour contracts, etc. Field workers, who serve as the local arm of the Ministry in rural areas, have used these handbooks for outreach, awareness and functional literacy initiatives for women and communities in order to encourage women, the main victims of family abandonment, to turn to the courts.

108. The Cameroonian Association of Women Lawyers (ACAFEJ) has pursued this action, focusing on practical aspects and efforts to resolve pending cases in order to give effect to the initiative, from which all 10 provinces in the country have benefited.

109. However, child maintenance has encountered two major obstacles:

- *Payment proportional to the needs of the child.* Maintenance is usually understated and does not cover basic needs (food, health care, housing, costs of schooling, etc.). It is even lower when a large number of children are recipients.
- *Recovery procedures.* Although it is relatively easy to recover maintenance payments from a parent who earns a salary, by attaching payment at the source, the process is more laborious when the parent works in the rural sector. Current legal provisions stipulate that maintenance is to be recovered by a bailiff. Unfortunately, indigent women do not have the resources to pay the bailiff's fees.

E. Children deprived of a family environment (art. 20)

1. Child abandonment: a growing phenomenon

110. Child abandonment is a growing phenomenon in Cameroon. The problem is the result of uncontrolled sex among adolescents, parental irresponsibility and poverty in the context of a deterioration of ancestral ties of solidarity, and recently it has become more severe with the impact of HIV/AIDS and the new phenomena of child trafficking and slavery.

111. Nearly 300,000 orphans and vulnerable children are at risk of finding themselves without support or a family because of HIV/AIDS and its stigma.

112. The public authorities, in conjunction with development partners (the Global Fund and Bi-Multi) and with the participation of organizations of civil society, are seeking solutions to the problem.

113. Current initiatives focus on identifying these children and ensuring that they have access to basic social services, but appropriate mechanisms must also guarantee their physical protection and provide for their integration.

114. Initiatives are planned for opening shelters like those in Yaoundé and Garoua, hostels and other facilities for children in distress. Financial support will be vital in this regard. The introduction of the status of “public welfare child” is also envisaged in order to define the conditions of eligibility for a full adoption of such children.

2. Alternative measures

115. Two types of alternative care are currently provided in Cameroon: interim alternative care and permanent alternative care.

(a) *Interim alternative care*

116. Interim care usually applies to an emergency situation in which a child’s physical safety calls for an immediate response. In such cases, and in accordance with the provisions of Decree No. 109 of 20 March 2001, the departmental delegate for social affairs, acting on a report by the head of a shelter for children in distress or any other person concerned, places the child in such a facility on an interim basis. The centre replaces the parents of the child until the parents are found.

117. Although already operational in Yaoundé and Garoua, this measure awaits the establishment and opening of suitable facilities throughout Cameroon in order to be applicable in all parts of the country. Insufficient budgeting from the Ministry of Social Affairs is the main obstacle to meeting this need, which is perceptible in Douala, Bafoussam, Maroua and Bertoua, to mention only the main cities.

118. This measure, which for the moment only targets infants and street children in Yaoundé, must also address cases of children who are victims of slavery, trafficking, abuse and exploitation of various kinds and must make provision for alternatives to the imprisonment of children in conflict with the law.

(b) *Permanent alternative care (adoption, art. 21)*

119. Adoption is the permanent form of alternative care in Cameroon. Basically, it seeks to address a dual family tragedy, that of a person or family unable to have children, and that of a child with no parents.

120. Adoption is currently governed by a judicial arsenal which draws on both national and international legal instruments. It exists in two forms: simple adoption (by mutual consent) and full adoption. In order to harmonize and modernize the legal framework, Cameroon has made adoption one of the main points to be included in the preliminary draft code on the protection of children, which aims to regulate both domestic and international adoption.

121. Outlook: a campaign is to be launched to promote the ratification of the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

F. Periodic review of placement (art. 25)

122. Pursuant to Decree No. 110/PM of 20 March 2001 on the organization and functioning of public institutions for assisting minors and rehabilitating socially maladjusted and/or delinquent juveniles, institutional placement is the subject of periodic review, which takes place in the framework of educational meetings, case counselling or house counselling and whose purpose is to assess the evolution of the case in order to modify action or terminate a child's stay in an institution.

123. Medical examinations are systematically conducted upon admission and in the event of an epidemic, and are carried out case by case as a function of the child's medical problem.

G. Neglect or negligent treatment (art. 19), including physical recovery and social reintegration (art. 39)

124. In addition to the implementation of the recommendation contained in paragraph 41 (a) of the Committee's concluding observations, Cameroon, with the assistance of UNICEF and ILO, has carried out studies on the sexual exploitation of children, child labour in the informal sector and trafficking in children.

125. These preliminary studies have confirmed that children in Cameroon are victims of such forms of violence. National plans of action to address the problem focus on prevention, assistance and reintegration. Further studies are also envisaged to gauge the extent of the phenomenon and to identify areas in which it is most likely to occur.

126. In the meantime, a workshop held in Bandjoun in December 2005 formulated a code of conduct for persons active in the protection of children and guides on prevention of sexual exploitation of children, to be used by children so that they know how to protect themselves, by parents so that they know how to protect their children and by teachers so that they know how to prevent the phenomenon.

VII. Basic health and welfare (arts. 6; 18, para. 3; 23–24; 26; 27, paras. 1–3)

A. Children with disabilities (art. 23)

1. Social assistance

127. There are no reliable statistics on the exact number of disabled children in Cameroon. However, the general population census of 2005 took account of the category of disabled persons, and its results will provide data on their current situation. Public awareness campaigns on the problem of disabled persons have been conducted at community level. The situation of children with disabilities has witnessed the following developments since 2001:

- Legislation on the protection of disabled persons is being reviewed and is near completion
- Three meetings of the National Committee on the Rehabilitation of Disabled Persons (CONRHA) were held in 2002, 2003 and 2005
- The Congress of the World Blind Union was held in 2004 in Yaoundé
- Disabled pupils have been provided with school aid and wheelchairs

- A partnership agreement with the Italian NGO AIAS di Afragola was signed in July 2004
 - The Centre for Rehabilitated Blind Young People was opened in 2003
 - The plan of action designed to serve as a basis for a partnership agreement between Cameroon and the international NGO Emmaüs Suisse (ALES) is nearing finalization
 - The National Centre for the Rehabilitation of Persons with Disabilities in Yaoundé and the Rehabilitation Institute for the Blind in Buéa have been audited
 - Private promoters have been authorized to open special education institutions and have received operating subsidies
 - Young Cameroonians registered in national and foreign institutions have been granted a special education allowance, which usually serves to defray the costs of schooling and purchase artificial aids
128. These initiatives have encountered a number of difficulties, including:
- The scarcity of State funding, owing to which it has not been possible to meet the many needs of children with disabilities
 - The continuing qualitative and quantitative shortage of specialized bodies and staff

2. Health care for children with disabilities

129. Health care for disabled children will be improved through the imminent construction of a National Centre for the Rehabilitation of Persons with Disabilities in Maroua and the training of specialized staff in the framework of cooperation with the NGO AIAS di Afragola.

130. The construction of a centre for the manufacture of prosthetic and orthotic devices is planned in Garoua with the support of an international NGO.

131. These facilities will take the pressure off the National Centre in Yaoundé.

132. The ENNAS retraining project, which aims to train specialists in various areas of social service, will address the current shortage of specialist staff in a reasonable length of time.

133. Together with the international community, Cameroon annually celebrates the International Day of Persons with Disabilities, which provides an opportunity to raise public awareness of the fundamental rights of such persons, in particular children.

B. Health and health services (art. 24)

1. Availability of health-care services

134. The Cameroonian public authorities, through the Ministry of Public Health, have strengthened programmes for primary health care by linking the health-care structures of the beneficiary population (health districts and integrated health centres).

135. Thanks to steps taken in this regard, in 2005 there were 2,521 health-care units in 267 hospitals for all categories and 2,254 health centres throughout the country. It is planned to build another 1,000 health centres over the next five years, including 150 already programmed for this year. Despite the severe shortage of staff, due in particular to the public sector recruitment freeze, ratios are about 1 physician per 10,000 inhabitants and 1 nurse per 2,000 inhabitants. In 2002 and 2003, a special recruitment took place of 1,800 staff members (148 physicians and related professionals and 1,652 health personnel).

136. The sectoral strategy of the Ministry of Public Health is focusing on the elaboration of programmes to combat illnesses (Expanded Programme on Immunization, programmes to combat malaria, tuberculosis and AIDS, etc.), with the establishment of permanent secretariats.

137. Access to drinking water and adequate sanitation is essential to a healthy existence and was one of the commitments of the Copenhagen World Summit for Social Development (1995). However, most Cameroonians living in extreme poverty or in rural areas must usually make do with surface water from rivers, springs and wells, which is often insalubrious.

138. Consequently, three programmes have been identified to guarantee access to drinking water. These are:

- Strengthening programmes for the construction of infrastructures for access to drinking water
- Setting up mechanisms so that the population concerned can operate the infrastructures
- Improving mechanisms for monitoring the quality of drinking water

139. The proportion of households with access to drinking water rose from 51 per cent in 2001 to 63 per cent in 2004.

2. Maternal and child health

140. The health and well-being of children continues to be a concern of the public authorities. Progress has been made, but major challenges remain. The high rate of mortality among newborns and children under 5 years of age and the high percentage of mothers who die in childbirth and of AIDS, malaria, tuberculosis and polio constitute serious threats to the survival and development of children.

(a) Child health

141. The implementation of the Integrated Management of Childhood Illnesses Strategy is continuing, the objective being to reduce morbidity and mortality due to common child illnesses, in particular acute respiratory infections, diarrhoeal diseases and malaria, as well as malnutrition.

142. Vaccination coverage has improved, thanks to the increased capacities of the Expanded Programme on Immunization and the free distribution since 2003 of vaccines and syringes at public health units.

143. The following developments are worth noting:

- The DPT 3 vaccination coverage rate rose from 43 per cent in 2001 to 72 per cent in December 2004.
- Measles morbidity has been reduced by 90 per cent, and measles mortality by 98 per cent.
- Very significant progress has been made towards attaining the global objective of eradicating polio. Cameroon has not registered any cases of wild poliovirus since 1999, and it reached the pre-certification stage of eradication in 2002 after three consecutive years without any case being reported. Unfortunately, this process was interrupted in 2003, when two cases of wild poliovirus originating in a neighbouring country were registered. This resurgence continued in 2004, with 13 new cases. Efforts to attain the objective of eradication are being intensified.

144. New antigens, hepatitis B and yellow fever have been included in the Expanded Programme on Immunization.

145. Implementation of the national programme recently adopted in the area of nutrition will improve the nutritional situation of children. Infants between 6 and 59 months of age regularly receive vitamin A supplements. Cameroon has made significant progress towards eradicating illnesses associated with iodine insufficiency by introducing universal iodination of cooking salt. This has eliminated these illnesses as a public health problem, thereby protecting children. More than 90 per cent of households use iodized salt, and the prevalence of goitre has declined sharply.

146. A slight improvement has been noted in the mortality rate of children under 5 years of age, which fell from 150.7 per thousand in 1998 to 142.0 per thousand in 2004. The mortality rate for children under the age of 1 declined from 77.0 per thousand to 74.0 per thousand over the same period.

(b) *Maternal health*

147. The health of the mother is one of the action priorities of the health-care sector. The launching of the recently adopted national health and reproduction programme and the ongoing introduction of emergency obstetric and neonatal care units in a number of health-care facilities are major steps towards improving the health of this target group.

148. The proportion of deliveries assisted by qualified medical personnel increased from 54.3 per cent in 1998 to 59.0 per cent in 2004, as did the percentage of women who benefited from prenatal visits, which rose from 78.8 per cent in 1998 to 83.3 per cent in 2004. Although maternal mortality remains high, monitoring capacities for pregnant women and women in labour have increased considerably.

Table 1

Evolution of indicators of maternal and child health

<i>Indicator</i>	<i>1991</i>	<i>1998</i>	<i>2004</i>
Maternal mortality		430*	669*
Probability of death per 100,000 live births	-	(1989–1998)	(1995–2004)
Prenatal visit	78.8%	78.8%	83.3%
Delivery in a health-care centre	62.4%	54.3%	59%
Use of modern contraception	4.2%	7.1%	12.5%
Infant mortality			
Probability of death under the age of 1 per 1,000 live births	65	77	74
Infant and child mortality			
Probability of death under the age of 5 per 1,000 live births	126.3	150.7	142
Chronic malnutrition	24.4%	29.3%	31.7%
Acute malnutrition	43%	6%	5%

Source: Demographic and health surveys in 1991, 1998 and 2004.

* The method used makes it possible to assess the situation which prevailed between birth and age 9 before the survey.

(c) *Female genital mutilation*

149. As to the concern expressed by the Committee about female genital mutilation (FGM), the practice has declined considerably in the remaining pockets (Far North, East and Southwest provinces). In 1998, Cameroon formulated and implemented a strategic plan to combat FGM, which has three main areas of focus:

(a) Prevention, by making women who practise FGM aware that they are violating the rights and physical integrity of their victims, and by holding seminars for opinion makers (traditional and religious authorities) to alert them to the issue;

(b) Care for victims through psychological and social assistance, and reconversion support for the perpetrators through financial or material aid to help them find another income-generating activity to replace the practice of FGM;

(c) Punishment of perpetrators of FGM. To this end, the Ministry of Justice has proposed an amendment to the Criminal Code to introduce measures to punish the practice; the amendment has not been adopted yet.

3. The National Programme to Combat AIDS

150. In Cameroon, HIV/AIDS has been identified as a problem for development, and combating the pandemic is a priority in the country's Poverty Reduction Strategy.

151. The Government has set up a national multisectoral strategy plan 2000–2005 to combat the scourge.

152. In the period 2001–2004, Cameroon made considerable progress towards providing access to treatment and improving the prevention of new infections so as to reverse the course of the epidemic.

153. A special effort has been made to combat AIDS, childhood diseases (malaria and diarrhoea) and malnutrition.

154. These actions have been strengthened through strategies formulated in related sectors. Reference is made in particular to:

(a) The approval of the sectoral plan (social affairs, education, etc.) to combat HIV/AIDS;

(b) The formulation and implementation of Bi-Multi projects, the component of the Global Fund to Fight AIDS, Tuberculosis and Malaria that focuses on orphans and vulnerable children, the Hope for African Children Initiative (HACI) and the Open Society Initiative for West Africa (OSIWA), which are made up of the following elements:

(i) Combating stigmatization and promoting recognition of the rights of HIV/AIDS orphans;

(ii) Enhancing the capacities of communities and local support structures for caring for orphans and vulnerable children;

(iii) Promoting access for orphans and vulnerable children in the context of HIV/AIDS to basic social services (health care, education and nutrition);

(iv) Drawing on the results to elaborate a global strategy on the protection of HIV/AIDS orphans.

155. Between 2003 and 2005, the Global Fund provided assistance to 20,000, the Hope for African Children Initiative (HACI) and African Synergy against AIDS and Suffering to 1,000, and Bi-Multi to 3,200 orphans and vulnerable children.

156. The aim of the fourth focal point of the National Plan of Action to Combat AIDS 2006–2010 is to provide care for 75 per cent of Cameroon's 122,000 orphans and vulnerable children.

157. Children are involved to a certain extent in formulating and implementing preventive policies and programmes, notably in the phases of the analysis of the situation and the collection of data, through networks of children's associations and NGOs. In this connection, under the Bi-Multi project it is planned to have children join a steering committee.

(a) *Situation of the pandemic in Cameroon*

158. The rate of HIV seroprevalence in the general population went from 11.8 per cent in 2001 to an estimated 5.5 per cent in 2004, 6.4 per cent for women and 4.1 per cent for men. The most common mode of transmission is still by unprotected heterosexual contact, but mother-to-child transmission also gives cause for concern. The number of infections of children was estimated at 69,000 cases at the end of 2001 and 43,000 at the end of 2003 (UNAIDS 2003). According to UNAIDS estimates, the number of persons living with HIV/AIDS in 2005 stood at 470,000 adults (15 years of age and older) and 35,000 children (aged 0 to 14), and the total number of HIV/AIDS-related deaths since the start of the epidemic is estimated at 48,700 (40,000 adults and 8,700 children). In 2005, Cameroon had 122,670 AIDS orphans.

159. The groups most at risk are prostitutes, military personnel, police and related persons, lorry drivers, prisoners, youths and children.

Table 2

Basic statistics on the impact of HIV/AIDS in Cameroon in 2005

<i>Number of persons living with HIV</i>	<i>2005</i>
Men	183 300
Women	286 700
Children	35 000
Total	505 000
Number of persons living with HIV in need of therapy	75 750
Number of orphans	122 670

(b) *Strategy to combat the epidemic*

160. The various components of the fight against AIDS are discussed in the following paragraphs:

i. Prevention

161. Prevention is the lynchpin of the strategy. The core element, originally called Information-Education-Communication (IEC), is now known as Communication to Change Behaviour and aims to raise the awareness of the general public, and especially of risk groups, with regard to the following areas:

- Channels of transmission.
- Preventive methods focusing on responsible sexual behaviour and the use of one-time or sterile medical equipment.
- Transfusion safety, i.e. minimizing the number of blood transfusions, which should be administered only when the case warrants and after the blood designated for use

in the transfusion has been screened. To this end, it is planned to establish a network of laboratories to conduct HIV serological testing in all health districts. A blood transfusion guide has been formulated.

- Voluntary testing free of charge.
- Prevention of mother-to-child transmission.

162. With regard to the latter point, the approach chosen is global and systematic. The number of women who benefit from this service has been rising constantly, with an average rate of consent to testing of nearly 63 per cent. Nevirapine is provided free of charge to women who are HIV-positive as well as to their newborns.

ii. Effective care for AIDS patients, orphans, relatives and persons infected by HIV

163. Initially, such assistance encountered difficulties due to the exorbitant cost of antiretrovirals (CFAF 300,000). The Government has opted for universal access to treatment. In 2003, it began to subsidize antiretrovirals, and this led to a sharp decline in costs (to CFAF 15,000), which were further reduced in 2004 (between 3,000 and CFAF 7,000, depending on the protocol). Treatment is free for children up to the age of 15.

iii. Epidemiological surveillance

164. In addition to systematic disease control, sentinel surveillance remains the principal source of information.

165. Various surveys and studies are used to provide a very detailed picture of the pandemic.

166. Sentinel surveillance targets pregnant women.

iv. Research

167. Research focuses on:

- Viral forms
- Vaccines
- Treatment in collaboration with practitioners of traditional medicine

168. The increasing exposure to the disease of certain social and occupational categories had led to the identification of five main groups in Cameroon, namely:

- Prostitutes
- Military personnel, police officers and related personnel
- Lorry drivers
- Prisoners
- Young people, including girls, who have the highest rate of prevalence

169. With a view to providing a comprehensive community care programme, the campaign against HIV/AIDS and sexually transmitted diseases (STDs) forms part of the minimum programme to be implemented by hospitals and health units. The IEC programme also attaches importance to this campaign.

170. The following principles have been laid down for the care of HIV-positive pregnant women undergoing treatment at a hospital or health unit:

- Practise contraception

- Regularly attend antenatal clinics to term and post-natal clinics thereafter
- Regular check ups of the newborn, comprehensive care and successive tests

171. In certain rare cases, a disappearance of HIV infection has been noted due to a spontaneous and natural seroconversion.

v. Combating sexually transmitted diseases

172. This focuses on three areas:

- Attendance at a hospital or health unit at the first sign of disease in order to avoid self-medication
- Procedures enabling personnel to deal expeditiously with cases of STDs
- Promotion of responsible sexual behaviour through the IEC programme

173. Prior to 1997, the National Programme to Combat AIDS operated exclusively with external funding. The five-year plan of action, budgeted and implemented with funding from the State budget and the contribution of donors, has been in effect since the budget year 1998/99.

4. Combating malaria and tuberculosis

(a) *Malaria*

174. Malaria is endemic in Cameroon. Forty-five per cent of persons who go to health units do so because of malaria, and 35 per cent of cases of mortality of children under the age of five are attributed to it.

175. At the summit in Abuja (Nigeria) on 25 April 2000, the heads of State and Government of 46 African countries agreed to take appropriate measures to reduce the burden of malaria by 50 per cent by 2010. Following this regional commitment, the Government started a process to reform the fight against malaria. A national strategy plan to combat malaria for the period 2002–2006 was adopted which focused on prevention through the use of treated mosquito nets. The two most vulnerable target groups, pregnant women and children under 5 years of age, receive special attention, including through the free distribution of mosquito nets.

176. Of the 610,000 mosquito nets acquired for pregnant women, 250,000 have been distributed. Another 800,000 nets were acquired for 2005.

177. Of the 150,000 mosquito nets acquired for children under 5 years of age, 40,000 have been distributed. Another 1,100,000 nets were acquired for 2005.

178. In order to improve access to treated mosquito nets for the rest of the population, in 2004 the price was reduced from CFAF 5,000 (US\$ 9) to CFAF 3,500 (US\$ 6).

(b) *Tuberculosis*

179. There has been a resurgence of tuberculosis in recent years due to the difficult living conditions of a large part of the population and to the progression of the HIV/AIDS pandemic, for which tuberculosis still constitutes the primary opportunistic infection. The National Programme to Combat Tuberculosis has 173 diagnostic and treatment centres around the country.

180. After reducing the cost of treatment of tuberculosis to CFAF 5,000 in 1997, the Government decided that treatment would be free as from 1 October 2004.

5. Disadvantaged population groups

181. Most of the programmes set up for children in disadvantaged population groups have been carried out on site with the institutional assistance of United Nations bodies and bilateral cooperation with national and international NGOs.

C. Social security and childcare services and facilities (arts. 26 and 18, para. 3)

182. Article 26 of the Convention recognizes for every child the right to benefit from social security, including social insurance.

183. In Cameroon, social security is administered by:

(a) The National Social Contingency Fund (CNPS) in the case of workers subject to the Labour Code, i.e. the employees of private and semi-public enterprises;

(b) The Ministries of the Civil Service, Administrative Reform, the Economy and Finance, as well as all ministerial departments concerned, in the case of civil servants and non-civil servant staff.

184. It may thus be seen that the right to social security benefits continues to be, in the first place, the right of salaried workers and, in the second, that of their children and those regularly under their care.

1. Normative framework

185. There has not been any major change in the normative framework since 2001. The old measures (laws and regulations) continue to govern social security at the level of the National Social Contingency Fund and the civil service. Even at this level, however, the following problems remain:

- Unwieldy procedures
- Structural and organizational weaknesses
- The complexity of the arrangements
- Disparities between the two systems
- Lack of computerization of benefits
- Irregularly supplied database
- Arrears in contributions owing to economic difficulties experienced by private enterprises and the State where staff subject to the Labour Code are concerned
- Accumulated arrears in benefits owed to beneficiaries of the Contingency Fund because of arrears in contributions and the decline in funding resources, on the one hand, and the contraction of salaried employment, on the other
- Restricted categories of social security beneficiaries: children of non-wage earners, workers in the informal sector, independent farmers and the unemployed are excluded
- Low amount of benefits, which are purely symbolic
- Limited scope of social security: the health insurance and unemployment insurance branches are not covered
- Adverse effects of the economic crisis

2. Outlook

186. Consideration is being given to the rehabilitation of the National Social Contingency Fund and to the reform of social security in Cameroon.

187. It is clear from these different indicators that children's access to social security benefits deserves attention from the authorities.

188. Since they are interrelated, any improvement in these social security benefits can be achieved only by improving those of the parents.

189. The Government is furthering the creation of mutual health insurance funds to address the lack of sickness insurance benefits in Cameroon.

D. Standard of living

190. Measures under the Poverty Reduction Strategy focus on the development and promotion of young children through preschool education, encouragement of on-site community initiatives and enhancing individual and family capacities.

191. To that end, the Government is working to ensure:

(a) The establishment of additional assistance facilities, particularly in rural areas;

(b) The involvement of local authorities, NGOs, communities and families in the financing of preschool education;

(c) The diversification of shelters through flexible comprehensive programmes;

(d) The training of supervisory staff;

(e) The effective follow-up and supervision of the functioning of preschool facilities.

192. A framework document is being elaborated on national policy for the integrated development of young children as part of the Cameroon/UNICEF cooperation programme 2003/2007.

193. With regard to private welfare agencies, steps are being taken to amend Decree No. 77/495 of 7 December 1977, which sets the conditions for their creation and functioning. A draft text on cooperation is being elaborated with associations and NGOs. The Ministry of Social Affairs has also signed partnership agreements with these bodies which define the responsibilities of both parties and give the Ministry a right of oversight.

VIII. Education, leisure and cultural activities

A. Education, including vocational training and guidance (arts. 28 and 29)

194. Laws and regulations governing education are to a large extent in conformity with the Convention. Cameroon recognizes the right of all citizens to education and instruction without discrimination. The measures taken by the public authorities to guarantee to all equality of opportunity for access to education are of a permanent nature. The crude rate of enrolment for girls is 71 per cent and 81 per cent for boys. One of the measures taken in this regard was the launching by the Ministry of Education of a national campaign to promote education for girls and the elaboration of a document on a strategy to be implemented.

195. The Ministry of Social Affairs deals with school placement and provides school aid to destitute children and children from indigent families. Children with disabilities or whose parents have disabilities receive the same benefits, in keeping with Act No. 83/013 of 21 July 1983 on the protection of disabled persons and Decree No. 90/116 of 28 September 1990 on the procedure for the implementation of the Act, which is still in force.

196. The State has also undertaken to improve mechanisms for assisting children by:

(a) Creating, in 2002, a State Secretariat for Youth within the Ministry of Youth and Sports and, in 2004, a Ministry of Youth;

(b) Working on the elaboration of a framework document on national policy for the integral development of young children in the context of the Cameroon/UNICEF cooperation programme 2003/2007;

(c) Providing public primary schools with minimum packages.

197. For this initiative, Cameroon is relying on both domestic resources and international cooperation.

(a) *Domestic resources*: These consist in the State budget, which, thanks to the economic recovery, has been growing for the social sectors; allocations envisaged under the implementation of the Poverty Reduction Strategy, HIPC funds, subsidies and customs exemptions are part of this increase, as are contributions from national NGOs.

(b) *International cooperation*: This concerns contributions from United Nations bodies and multilateral and bilateral cooperation agencies through jointly funded programmes and projects.

1. Availability of education

198. The availability of education has grown significantly with the increase in the number of classrooms and teachers. To cite one example, many primary schools were built in the framework of Cameroon/Japan cooperation and are now in operation.

199. At the nursery school and primary school levels, 3,562 schools were in operation in 2002/03, with 138,716 pupils in nursery schools and 2,798,523 pupils in primary schools.

200. The crude preschool and primary school enrolment rates improved steadily between 1997/98 and 2002/03, increasing from 10.5 to 13.5 and 83.4 to 105.4, respectively (cf. table 3.2 TBS2 P57).

2. Improving the quality of education

201. Decree No. 2001/041 of 19 April 2001 concerns the organization of school councils at nursery, primary, post primary, secondary and technical levels. These bodies are responsible for deliberating on, supervising and assessing the functioning of schools.

202. With regard to the improvement of the quality of education, the State has undertaken reforms to harmonize the educational system. New teaching methods have been introduced which focus on children and ensure that each child receives quality education. The introduction of innovative experiences which enhance children's sense of worth, the adoption of comprehensive and flexible curricula and the teaching of life skills reflect the commitment to provide quality education.

203. The contribution of the State to the financing of education is relatively modest, namely CFAF 182 billion in 2001 (15.7 per cent of public expenditure as against 20 per cent in the indicative framework of the accelerated initiative for universal primary school enrolment), whereas that of parents is very high (CFAF 239 billion, or 57.3 per cent, in 2001 as against 182 billion, or 43.3 per cent, for the State).

3. Guaranteeing fairness

204. The adoption in 2002 of the sectoral education strategy has helped facilitate access to education for young girls through numerous programmes and projects. One example of this is the “Basic Education” project, whose activities are aimed at reducing the repeater and drop-out rates of young girls. In order to promote and protect young girls and women through literacy campaigns and informal education, the number of centres for the advancement of women grew from 27 in 1998–2000 to 35 in 2000–2005 (source: MINPROFF). The Act on educational guidance was passed in 1998, making public primary school compulsory and free of charge. Steps have been taken to overcome obstacles to formal education for young girls.

205. Reference is also made to the “Schools – friends of children, friends of girls” initiative, which is designed to increase the enrolment of girls and promote the right of children to participate. It was introduced by the Ministry of Education in conjunction with UNICEF.

4. Outlook

206. With a view to pursuing its efforts to include classes on peace and tolerance and on children’s and other human rights in primary and secondary school curricula and to promote equality of opportunity for access to education, the Ministry of Education plans to:

- Improve school curricula by introducing classes in civics and humanitarian law
- Identify priority areas of children from poor backgrounds in order to provide them with textbooks

B. Leisure and cultural activities (art. 31)

207. The Government has carried out a number of initiatives to promote recreational, sports and cultural activities:

- (a) The creation in 2004 of a State Secretariat responsible for youth within the Ministry of Youth and Sports and the establishment of a Ministry of Youth;
- (b) Revitalization of the national committee of youth and adult education;
- (c) Formulation of a national youth policy;
- (d) Financing of a national literacy campaign through the HIPC fund;
- (e) Implementation of a project for the creation of a youth reintegration fund;
- (f) Article 31 of Decree No. 2001/041 of 19 February 2001 on the organization of public schools creates a general assembly of clubs and associations of pupils, and article 44 provides for an after-school and extra-curricular activities service in each public secondary school to coordinate the school’s vacation camps, construction projects for young people and cultural activities.

IX. Special protection measures (arts. 22, 38, 39, 40, 37 (b) and (d), 32 (a) and 36)

A. Children in conflict with the law

1. Administration of juvenile justice

208. Concerns about the administration of juvenile justice are taken into account in the framework of the preliminary draft code on the protection of children, which is in the course of being approved. Studies have already been conducted in order to provide better guidance for the drafters of this important text. The recent publishing of a work on juveniles and criminal justice in Cameroon and the formulation of a compendium of texts and a comparative analysis of legislation applicable to children have also offered guidance.

209. Training sessions with stakeholders involved in the administration of children in conflict with the law were held in 2002, 2003, 2004 and 2005; 150 experts received training in juvenile justice and the protection of the rights of children.

210. In March 2004, a study tour was organized to Senegal in order to share experience.

2. Treatment of children deprived of liberty, especially child detainees and prisoners or those in establishments under supervision

211. The improvement of the system of caring for children deprived of liberty is a priority for the Government. In this connection, concern about the proper monitoring and assessment of the relevant public facilities has led to the signing of Decree No. 2001/109/PM of 20 March 2001 on the organization and functioning of public institutions for the care of children and the rehabilitation of socially maladjusted juveniles. The work of these bodies has thus been harmonized and is more closely monitored, thereby significantly limiting inconsistent actions and abuses.

212. The recent creation of an annex to Yaoundé Central Prison, the reform of the penitentiary system and the formulation of a new prison policy are part of a strategy designed to make prisons more humane and to address overcrowding.

213. A study on children in conflict with the law was conducted in 2002 by the Association AGIR with the support of UNICEF.

214. *Outlook:* There is a firm political determination to protect the rights of children, a commitment demonstrated by the draft code on persons and the family and the approval under way of the preliminary draft code on the protection of children.

3. Exclusion of torture or cruel, inhuman or degrading treatment or punishment

215. There has been no major change with regard to existing measures.

4. Physical and psychological recovery and social reintegration

216. Major action to improve infrastructure includes the creation in 2001 of the Crisis Centre in Mfoundi and the Shelter and Social Rehabilitation Centre for street children in Yaoundé. Similar facilities are planned in other regions.

B. Children subjected to exploitation or victims of violence

1. Economic exploitation, including child labour

217. The exploitation of child labour is a growing phenomenon in Central and Western Africa. Relying on existing structures and resources, the Government, in conjunction with the international community, has taken measures to eradicate the practice. Recommended administrative measures will be based on a number of prior actions.

218. Cameroon ratified the United Nations Convention against Transnational Organized Crime and its supplementary Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, in 2004.

219. In addition, two preliminary studies were conducted with the support of ILO and UNICEF to obtain a better understanding of the phenomenon and to confirm its existence. The results of the study are available.

220. A study on child labour in the informal sector carried out by the Ministry of Social Affairs in conjunction with UNICEF has been submitted and approved.

221. Admittedly, the lack of precise statistical data continues to be a shortcoming and a challenge to efforts in favour of children subjected to economic exploitation. More specific quantitative studies are envisaged to measure the extent of the phenomenon and to improve understanding.

222. The programmes of cooperation between Cameroon, UNICEF and ILO have made the fight against child labour and trafficking one of their priorities. A national plan of action to combat child labour and trafficking in children was elaborated in October 2005. The second regional conference on trafficking and exploitation of children in Western and Central Africa was held in Yaoundé in August 2005.

223. A plan of action to combat sexual exploitation of children was drawn up in October 2005, and guidelines for the prevention of exploitation were approved and adopted in December 2005, along with a code of conduct for children, parents and the community.

224. In November 2005, a subregional session was held to train instructors in the fight against child slavery and trafficking.

225. At legislative level, on 29 December 2005 the President of the Republic promulgated the Act on combating child trafficking and slavery.

226. The preliminary draft code on the protection of children takes the question of protecting children against exploitation into account.

2. Sexual exploitation

227. The following provisions were introduced as part of the implementation of policies and programmes to prevent sexual exploitation of children in Cameroon:

- Adoption and dissemination of the Global Code of Ethics for Tourism, in particular the provisions prohibiting the use of tourism for sexual exploitation, above all with regard to children
- Organization of awareness-raising seminars and training sessions throughout the country for officials in the Ministry of Tourism, educators and private tour operators (hotels, tourist agencies, recreational centres) on the need to combat sex tourism involving children
- Promotion of responsible tourism
- Participation in programmes of the World Tourism Organization on the subject

- Conducting of a study on “Sexual Exploitation of Children in Cameroon: Yaoundé, Douala, Limbé, Ngaoundéré”, by Frédéric Boursin and Séverin Cécile Abega (April 2004), as part of Cameroon’s contribution to the United Nations Study on Violence against Children

228. At the level of the judicial system, criminal sanctions for the sexual exploitation of children are severe: article 344 of the Criminal Code (corruption of youth), article 345 (children whose moral well-being is in danger), article 346 (indecent assault on a minor below the age of 16), article 347 (indecent assault on a minor aged between 16 and 21), article 347 bis (homosexuality), article 356 (forced marriage) and article 296 (rape).

229. *Outlook:* The following recommendations, adopted at the close of awareness sessions, will soon be implemented, including through regulatory provisions (for example, circulars issued by the Ministry of Tourism):

- Prohibition of all forms of sexual exploitation of children in tourist centres and at tourist locations
- Close collaboration with the administrative and law enforcement authorities, and reporting of suspicious behaviour to the competent authorities
- Organization of training sessions for hotel receptionists, and creation of special training centres
- Continuous awareness-raising of tourists through the production of a logo to be affixed to travel documents or displayed at tourist locations, and production of leaflets for distribution at all places frequented by tourists
- Informing tourists about the laws and regulations in force at the time they make their reservation for a trip
- Creation of telephone hotlines
- Appeal for a prohibition on all forms of suggestive advertising
- Introduction of a training module for judges, police officers and social workers in seminars organized on their behalf
- Awareness-raising of teachers and pupils, with a pilot initiative in one of the northern provinces
- The Ministry of Education and the Ministry of Secondary Schools are producing modules on family life education and on the population which focus on combating all forms of violence against children, and sexual exploitation in particular

3. Protection against abuse and neglect

230. The following initiatives have been carried out:

- A study on violence against children is in the approval process.
- Violence at school is prohibited pursuant to article 35 of Act No. 98/004 of 14 April 1998 on educational guidance.
- It is customary in judicial procedures, in particular those concerning violence against children, to take into account the testimony of the child and, above all, the best interests of the child. Measures are taken to ensure that children can express themselves freely in private interviews held in the presence of a social worker.

231. This assistance is provided by certain NGOs and associations active in combating violence against children.

232. In the absence of a programme for psychological and social assistance for children who are victims of violence and other abuse, physical and psychological rehabilitation and social reintegration are ensured by local social workers, including the personnel of social assistance centres and welfare services at police stations, courts and hospitals.

C. Children living or working on the streets

1. Data

233. A study on street children in Cameroon carried out in Maroua, Garoua, Ngaoundéré, Douala and Yaoundé by Marie Thérèse Mengue in August 2003 shows the initial evolution of the phenomenon. Whereas in 1999 there were an estimated 4,000 street children, 10,000 children now live and/or work on the streets around the country.

234. The number of children found to be members of groups established in 1999 gives an idea of the evolution of the phenomenon.

235. The problem is most noticeable in cities such as Yaoundé, Douala and Ngaoundéré.

236. The break-up of families and the destabilization of the family environment are the main causes identified in the study.

237. Two itineraries have been pinpointed:

(a) The itinerary of rural origin, in which the child leaves his or her village to go to the city, with the resulting school failure, wasted occupational training and the search for ways to feed one's family. Here the village is perceived as a place of conflict which in a sense impedes the young person's development;

(b) The itinerary of urban origin, characterized by an unstable economic context which leads to the financial insecurity of the displaced families and unstable and random employment.

238. This eventually results in separation, divorce and remarriage, which destabilize children and disturb their development.

239. In addition to these factors, the study notes that street children live in vulnerable conditions and are at risk of exploitation and abuse.

2. Improving the living conditions of these children

240. A crisis centre and a shelter and reintegration centre for street children were set up in Yaoundé under a joint project conducted by the Ministry of Social Affairs and the Belgian Red Cross. As part of this initiative, 1,052 street children were assisted between 2002 and 2005, of whom 355 were returned to their families, 74 received school aid, 155 were given vocational training and 11 were placed in an institution.

241. Since 2003, the Ministry for Youth has given new impetus to activities for young people by:

- Launching a national project to promote the reintegration of young people (PRONAIIS)
- Working to formulate a national youth policy with the assistance of the United Nations Population Fund and UNICEF
- Reactivating the national civil service for participation in development

X. Children belonging to minorities

242. Cameroon is taking steps to implement programmes for the socio-economic integration and protection of children belonging to so-called marginalized groups by:

(a) Improving their legal status (acquisition of nationality) through a programme for the registration in the population registry of Bororos children of the Northwest and Adamaoua provinces and Baka and Bakola (pygmy) children in the East province, and organizing special campaigns for providing young adults with national identity cards. In the area that received UNICEF assistance (Adamaoua province), some 3,850 substitute birth certificates were issued;

(b) Promoting income-generating activities (NGO Plan Cameroun);

(c) Raising awareness of the problem of HIV/AIDS.

243. Surveys have been conducted in a number of locations in these regions in order to obtain a better understanding of the vulnerable situation of these population groups in general, and children in particular. As part of programmes and projects for caring for orphans and vulnerable children, the Global Fund to Fight AIDS, Tuberculosis and Malaria, the Hope for African Children Initiative (HACI) project, the Bi-Multi project and the Open Society Initiative for West Africa (OSIWA) project are working to identify and analyse the needs of this growing category of vulnerable children.

Conclusion

244. Efforts to implement the Convention have continued, with emphasis being placed on the formulation and enactment of legislation and regulations and the implementation of an institutional framework in conformity with the provisions of the Convention.

245. Studies have been conducted to arrive at a better understanding of the various categories of vulnerable children, such as street children and children who are victims of sexual or economic exploitation.

246. The data collected have served to formulate plans of action and prepare laws and regulations.

247. With the help of international cooperation, effective steps have been taken to care for orphans and vulnerable children, a category of growing importance.

248. Efforts to provide services for children must be intensified.

249. Poverty in Cameroon has had an adverse impact on the functioning of specialized institutions, but the establishment of a legislative, regulatory and institutional framework for children augurs well for the protection of their rights in the future.



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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION**

Initial reports of States parties due in 1995

Addendum

CAMEROON

[4 April 2000]

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SOME ABBREVIATIONS USED IN THE REPORT OF CAMEROON

CAB/PR	Cabinet of the President of the Republic
CAO	Care and Observation Centre
CNPS	National Social Contingency Fund
CNRH	National Centre for the Rehabilitation of Disabled Persons
DAJS	Department of Judicial Affairs and Justice
DDS	Social Welfare Department
DJA	Youth and Community Activities Department
DPIF	Department for the Protection of Individuals and the Family
ECAM	Cameroonian Household Survey
EMO	Community Education
EPR	Education for Responsible Parenthood
FENAMCAM	Cameroonian National Federation of Disabled Persons
ICE	Cameroonian Juvenile Institute
LF	Federal Act
MINAS	Ministry of Social Affairs
MINASCOF	Ministry of Social Affairs and the Status of Women
MINEDUC	Ministry of National Education
MINEFI	Ministry of the Economy and Finance
MINFOPRA	Ministry of the Civil Service and Administrative Reform
MINJES	Ministry of Youth and Sports
MJS	Ministry of Youth and Sports
MSAP	Ministry of Health and Public Welfare
MTLS	Ministry of Labour and Social Legislation
RGDH	General Population and Housing Census
SDPF	Sub-department for the Promotion of the Family

Introduction

1. Cameroon ratified the Convention on the Rights of the Child on 11 January 1993. It thus demonstrated its political will to work for the best interests of children and protect them from the many dangers to which they are subjected and confirmed its commitment to respect and fully implement the relevant provisions of the Convention. Well before that ratification, it had expressed its determination to promote and protect human rights.

2. The present initial report, submitted under article 44 of the Convention, contains information on the legislative, administrative, judicial and other measures taken to give effect to the provisions of the Convention. It was prepared, insofar as possible, on the basis of the general guidelines regarding the form and contents of periodic reports to be submitted by States parties under article 44, paragraph 1 (b), of the Convention, adopted by the Committee at its thirteenth session on 11 October 1996 (CRC/C/58).

3. The core document forming part of the reports submitted by States parties to the human rights treaty monitoring bodies (HRI/CORE/1/Add.109, dated 19 June 2000) contains basic data on Cameroon and general information on its geographical, economic and political structure and the general legal framework within which human rights are protected.

I. GENERAL MEASURES OF IMPLEMENTATION

4. The Convention on the Rights of the Child forms the basis for the rights of the child and is the highest-ranking legal provision that takes precedence, in the hierarchy of rules of law, over any relevant domestic legislation, as stressed by article 45 of the Constitution of Cameroon, which provides that “duly approved or ratified treaties and international agreements shall, following publication, take precedence over national laws”. Cameroon, for which the well-being of children is a basic and ongoing concern, has adopted a set of legislative and institutional measures designed to protect and promote the rights of the child. The sections which follow give a general picture of these legislative, regulatory, administrative and other measures, deal with the measures taken to make the principles and provisions of the Convention widely known and briefly describe the obstacles to the implementation of the Convention.

A. Legislation and regulations

5. The list of measures, some coming before and some after the Convention, takes account of the hierarchy of legal provisions.

1. Legislation

6. The main legislation in this regard is the following:

(a) The Constitution of 2 June 1972, as amended by Act No. 96/06 of 18 January 1996;

(b) The 1804 Napoleonic Civil Code, as subsequently amended;

- (c) The Code of Criminal Investigation;
- (d) Act No. 58/203 of 26 December 1958 simplifying criminal procedure;
- (e) The Penal Code: Acts of 12 November 1965 and 12 June 1967, as subsequently amended;
- (f) The Labour Code: Act No. 92/007 of 14 August 1992;
- (g) The Act of 22 July 1867 on imprisonment for debt, as amended by Act No. 58/203 of 26 December 1958 adapting and simplifying criminal procedure;
- (h) The Act of 24 July 1889 of the protection of ill-treated and abandoned children;
- (i) The Act of 19 April 1898 on the punishment of violence, assault, acts of cruelty and offences against children;
- (j) The Southern Cameroons High Court Law 1955;
- (k) Act No. 67/LF of 12 June 1967 establishing the Family Benefits Code;
- (l) Act No. 68/LF/3 of 11 June 1968 establishing the Nationality Code;
- (m) Act No. 69/LF/18 of 10 November 1969 establishing a pension scheme (old age, disability and survivors);
- (n) Act No. 69/LF/3 of 14 June 1969 governing the use of first and last names and aliases;
- (o) Matrimonial Causes Acts 1973;
- (p) Act No. 83/013 of 21 July 1983 on the protection of disabled persons;
- (q) Act No. 84/04 of 4 July 1984 on conditions for the adoption and guardianship of orphans;
- (r) Act No. 88/016 of 16 December 1988 governing advertising in Cameroon;
- (s) Act No. 88/017 of 15 December 1988 on film-making guidelines;
- (t) Act No. 90/042 of 19 December 1990 establishing the new national identity card and Decree No. 99/154 of 20 July 1999 on the characteristics of the card and procedures for its preparation and issue;
- (u) Act No. 90/043 of 19 December 1990 on conditions for entry into, stay in and departure from Cameroonian territory;

- (v) Act No. 90/045 of 19 December 1990 simplifying criminal procedure for some offences and amending Ordinance No. 72/17 of 26 December 1972 on serious crime;
- (w) Act No. 90/046 of 19 December 1990 repealing Order No. 62/OF/18 of 18 March 1962 on action to combat subversion;
- (x) Act No. 90/047 of 19 December 1990 on the state of emergency;
- (y) Act No. 90/052 of 19 December 1990 on freedom of social communication, as amended by Act No. 96/04 of 4 January 1996 on administrative censorship;
- (z) Act No. 90/053 of 19 December 1990 on freedom of association;
- (aa) Act No. 90/054 of 19 December 1990 on the maintenance of law and order;
- (bb) Act No. 90/55 of 19 December 1990 on public meetings and demonstrations;
- (cc) Act No. 90/056 of 19 December 1990 on political parties;
- (dd) Act No. 92/022 of 14 August 1992 on conditions for the election of municipal councillors;
- (ee) Act No. 91/20 of 16 December 1991 on conditions for the election of deputies to the National Assembly, as amended by Act No. 97/13 of 19 March 1997;
- (ff) Act No. 92/10 of 17 September 1992 on conditions for the election and temporary replacement of the President of the Republic, as amended by Act No. 97/020 of 9 September 1997;
- (gg) Act No. 96/03 of 4 January 1996 containing the health framework law;
- (hh) Act No. 97/019 of 7 August 1997 on the control of narcotic drugs, psychotropic substances and precursors and on extradition and judicial assistance in connection with trafficking in children, psychotropic substances and precursors;
- (ii) Act. No. 98/004 of 14 April 1998 on education guidelines in Cameroon;
- (jj) Act No. 98/006 of 14 April 1998 on tourism;
- (kk) Act No. 99/014 of 22 December 1999 on non-governmental organizations.

2. Ordinances

7. The second tier of legal provisions is composed of ordinances:

- (a) Supreme Court (Civil Procedure) Rules, CAP 211, and the Magistrates Court Ordinance 1948;

- (b) Children and Young Persons Ordinance, CAP 132 of the 1958 Revised Laws (applicable in the former western Cameroon);
- (c) Criminal Procedure Ordinance of the 1958 Laws of the Federation of Nigeria, chapter 43;
- (d) Juveniles Courts Rules, CAP 32 of the 1958 Laws of the Federation of Nigeria;
- (e) Ordinance No. 72/4 of 26 August 1972 and later amendments on the organization of the judiciary;
- (f) Ordinance of 23 December 1958 on the protection of children and young people at risk;
- (g) Ordinance No. 81/02 of 29 June 1981 on the organization of the civil register and various provisions on the status of natural persons;
- (h) Ordinance No. 72/05 of 26 August 1972 on judicial and military organization, subsequently amended.

3. Decrees

8. Decrees come next:

- (a) The Decree of 30 November 1928 establishing special courts and the probation system for minors;
- (b) The Decree of 30 October 1935 on the protection of children;
- (c) The Decree of 23 September 1954 on the family record book;
- (d) Decree No. 61/94 of 21 June 1961 establishing the High Commission for the Protection of Children at Risk;
- (e) Decree No. 68/DF/253 of 10 July 1968 on general conditions for the employment of domestic and household workers, as amended by Decree No. 76/162 of 22 April 1976;
- (f) Decree No. 69/DF/287 of 30 July 1969 on apprenticeship contracts;
- (g) Decree No. 71/DF/343 of 22 July 1971 on the control of cinematographic films and sound recordings;
- (h) Decree No. 72/461 of 2 September 1972 on the organization and operation of the Minors' Care and Observation Centre (CAO) in Douala;

- (i) Decree No. 73/115 of 22 March 1973 on the organization and operation of the Buéa Borstal Institute;
- (j) Decree No. 73/333 of 25 June 1973 on the organization and operation of the Cameroon Juvenile Institute (ICE) in Betamba;
- (k) Decree No. 77/495 of 7 December 1977 on conditions for the establishment and operation of private welfare agencies;
- (l) Decree No. 82/412 of 9 September 1982 on the procedure for granting State relief to indigent and needy persons;
- (m) Decree No. 85/25 of 26 February 1985 on the organization and operation of home-workshops for young women in Douala;
- (n) Decree No. 87/1115 of 17 August 1987 on the procedure for the establishment and operation of special civil register centres;
- (o) Decree No. 89/141 of 27 January 1989 reorganizing the National Centre for the Rehabilitation of Disabled Persons;
- (p) Decree No. 90/524 of 23 March 1990 establishing the National Commission to Protect Children at Risk, Juvenile Delinquents and Abandoned Children;
- (q) Decree No. 90/1516 of 28 September 1990 on the procedure for the implementation of Act No. 83/013 of 21 July 1983 on disabled persons;
- (r) Decree No. 90/1516 of 26 November 1990 on the procedure for the implementation of Act No. 83/13 of 21 July 1983 on the protection of disabled persons;
- (s) Decree No. 90/1483 of 9 November 1990 on conditions and procedures for the operation of drinking establishments;
- (t) Decree No. 90/462 of 9 November 1990 on applications for permission to engage in film-making activities;
- (u) Decree No. 92/052 of 27 March 1992 on the prison system in Cameroon;
- (v) Decree No. 92/456/PM of 24 November 1992 establishing and organizing the National Committee to Combat Drug Abuse;
- (w) Decree No. 95/040 of 7 March 1995 organizing the Ministry of Public Health;
- (x) Decree No. 96/379 of 14 June 1996 establishing the National Committee for the Social and Economic Rehabilitation and Reintegration of Disabled Persons;

(y) Decree No. 98/069 of 4 May 1998 on the organization of the Ministry of Social Affairs;

(z) Decree No. 98/109 of 8 June 1998 establishing the Technical Committee to Monitor the Implementation of International Human Rights Instruments;

(aa) Decree No. 98/153 of 24 July 1998 organizing the Ministry for Urban Affairs.

4. Orders

9. Many orders relate to the rights of the child:

(a) Order No. 3945 of 4 August 1953 on assistance for blind persons in Cameroon;

(b) Order No. 16 of 27 May 1969 on female labour;

(c) Order No. 17/MTLS/DEGRE of 27 May 1967 on child labour;

(d) Order No. 16/MTLS/DEGRE of 27 May 1967, annex, listing work prohibited to children and women;

(e) Order No. 2/CG/JS/EP of 15 February 1977 on the organization and operation of school holiday facilities;

(f) Interministerial Order No. 242/L/729/MINEDUC/MJS of 25 October 1979 organizing after-school and extracurricular activities (under review);

(g) Order No. 477/CAB/PR of 22 September 1986 establishing the Douala home-workshop;

(h) Order No. 89/003/A/MINASCOF of 2 April 1989 establishing social welfare offices in the external departments of some ministries and public bodies (prisons, police stations, universities, high schools, hospitals and medical and social welfare centres);

(i) Order No. 002/MJS/DJA/SA of 12 July 1990 organizing and operating youth and community activity centres in Cameroon;

(j) Order No. 018/A/MJS/DGA of 27 December 1990 establishing youth and community activity centres throughout the national territory;

(k) Joint Order No. 00001/MINEFI/MINAS of 7 March 1991 giving effect to article 13 of Finance Act No. 90/001 of 29 June 1990 on the budget assessment and allocation of MINASCOF specialized agencies and determining how the share of these agencies is to be used;

(l) Interministerial Order No. 040/AI/MSP/SG/DSPM/SDSF/SN/BCDA/060/AI/MINDIC/DC/SDDC/SD of 6 October 1993 on the marketing of mothers' milk substitutes;

(m) Order No. 0153/A/MSP of 15 February 1996 establishing and organizing a [word omitted] at Yaoundé Central Hospital;

(n) Joint Order No. 99/0012/MINEFI/MINFOPRA/MINAS of 8 June 1999 opening education spaces and social welfare services in the Ministry of Social Affairs.

5. Ministerial instructions

10. A number of ministries publish instructions relating to various activities:

(a) Ministerial Instruction No. 83/0026/I/MINAS/DDS/SPIS of 29 September 1983 on specifications for community education (EMO);

(b) Instruction No. 87/000085/I/MINAS/SG/DDS/STDJ of 14 July 1987 on vocational training programmes in residential rehabilitation centres;

(c) Ministerial Instruction No. 001/IM/MJS/DGA/S2 of 8 April 1988 on the teaching functions of youth and community activity centres;

(d) Ministerial Instruction No. 001/IM/MJS/DGA of 23 January 1990 on the administration and management of youth and community activity centres;

(e) Ministerial Instruction No. 002/IM/DJA/SA of 16 July 1990 on the operation of mobile community development teams;

(f) Ministerial Instruction No. 91/00114 of 8 July 1991 on the new management policy of specialized establishments;

(g) Ministerial Instruction No. 92/193/I/MINASCOF/SG/DPIF/SDDS/SEMO of 30 December 1992 on the functions of specialized community education instructors;

(h) Ministerial Instruction No. 93/00723/MINASCOF/SG of 1 April 1993 determining the functions of prison social welfare officers;

(i) Ministerial Instruction No. 93/00723/MINASCOF/SG of April 1993 determining the functions of court social welfare officers;

(j) Ministerial Instruction No. 93/00739/MINASCOF/SG of 2 April 1993 determining the functions of medical and social services social welfare officers;

(k) Ministerial Instruction No. 93/00739/MINASCOF/SG of 2 April 1993 determining the functions of Mother and Child Protection Centres (PMI) social welfare officers;

(l) Ministerial Instruction No. 93/00740/MINASCOF/SG of 2 April 1993 determining the functions of the school social welfare service;

(m) Ministerial Instruction No. 93/00770/MINASCOF/SG of 7 April 1993 determining the functions of hospital social welfare officers.

6. Circulars

11. Circulars are the last type of legislative text:

- (a) Circular No. 9062/AAJS of 8 April 1965 on pre-trial detention;
- (b) Circular No. 9062/DAJS of 12 May 1965 on supervision of pre-trial detention;
- (c) Circular No 9062/DAJS of 5 December 1966 on supervision of pre-trial detention;
- (d) Circular No. 9062/DJAS of 15 July 1967 on pre-trial detention of minors;
- (e) Circular No. 300018/DJAS/of 8 July 1968 on juvenile delinquents and runaway children;
- (f) Circular No. 66/5435/PGY of 30 June 1969 on juvenile delinquency and placement in the Cameroonian Juvenile Institute in Betamba;
- (g) Circular No. 522/MSAP/DAS/BDI of 27 June 1974 on methods of investigation in relation to the adoption of children;
- (h) Circular No. 10/A/562/MINEDUC/ESG/DETP/DEPE/DDP of 19 January 1980 on student pregnancies in public and private schools in the Republic;
- (i) Circular letter No. 81/0018/LC/MINAS/SPFI of 18 September 1981 on the authorization of temporary child custody;
- (j) Circular letter No. 80/L/658/MINEDUC/CT2 of 13 January 1986 on admission of disabled children and children of disabled parents to public and private schools;
- (k) Circular No. 17/B1/1464/MINEDUC/ESG/SCP of 20 April 1987 on the student dress code of conduct;
- (l) Circular letter No. 15/B1/2928/MINEDUC/DESG/SGP/BF of 2 February 1989 on raising awareness of drug problems in schools;
- (m) Circular No. 9062/MINJUSTICE/DAJS of 18 October 1989 providing for the reduction of pre-trial detention for minors to a minimum;
- (n) Circular letter No. 90/02759/LC/MINASCOF/SDPF of 5 December 1990 containing a reminder on procedures for the temporary custody of abandoned children;

- (o) Circular letter No. 91/01047/LC/MINASCOF/SG/DPIF/SDPF on supervision of private welfare agencies;
- (p) Circular letter No. 005/LC/MJS/DJA/SJL of 30 March 1992 on conditions for the opening, rules and regulations and operation of school holiday facilities in the Republic of Cameroon;
- (q) Circular No. 21/B1/10251/MINEDUC/CAB of 27 April 1993 on the monitoring of health and hygiene conditions in schools;
- (r) Circular No. 9471/DAJS of 16 September 1993 on the implementation of civil register legislation;
- (s) Circular No. 7128/DAJS of 27 January 1995 on pre-trial detention of minors.

B. Other measures

12. Institutional and administrative measures in support of the above-mentioned legislation and the promotion of the well-being of children are referred to below. In the context of the institutional structure of the State, responsibility for the protection of the rights and the promotion of the well-being of children is vested primarily in the Ministry of Social Affairs, as organized by Decree No. 98/069 of 4 May 1998 and entrusted, *inter alia* with the tasks of preparing and monitoring the implementation of the relevant policies and programmes. The central services of the Ministry of Social Affairs thus include the Department for the Well-being of Families and Children, which has a sub-department for the protection of children that is composed of:

The Residential Rehabilitation Service;

The Probation and Community Education Service; and

The Infant Protection Service.

13. In accordance with article 23 of the above-mentioned Decree, the State also deals with the situation of disabled children in planning and implementation facilities. The National Solidarity Department and, in particular, the Rehabilitation Service thus coordinate and monitor the implementation of policies and programmes on behalf of disabled children at the central level. These core facilities supervise and coordinate external services, such as the provincial and departmental social welfare offices, social welfare centres and operational technical units, which include child welfare services and offices (arts. 42 *et seq.* of the above-mentioned Decree).

14. The all-important task of promoting the well-being of children is not the sole responsibility of the Ministry of Social Affairs, which also interacts with the other ministerial departments concerned, including the Ministries of Local Government, Communication, Culture, Economy and Finance, National Education, Public Investment and Regional Planning, Youth and

Sports, Justice, Foreign Affairs, Public Health, Labour, Employment and Social Welfare, Town Planning and Housing and Urban Affairs. Studies are also being carried out on the institutionalization of the Children's Parliament.

15. What is involved is thus a multisectoral approach. The former Ministry of Social Affairs and the Status of Women (MINASCOF) prepared a "framework-document" entitled "Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s". Its implementation dates back to July 1995. The 1990 National Population Policy Declaration is part of this approach.

16. Other strategic measures that have been taken include:

(a) The National Education Strategy for Responsible Parenthood (EPR), which has been implemented since 1990 and consists of three volumes containing the Strategy Declaration, the Education Programme and Teaching Profiles. The Strategy has four main components: sex education, childbirth education, family life education and community life and development education;

(b) The establishment, by Decree No. 90/524 of 23 March 1990, of the National Commission to Protect Children at Risk, Juvenile Delinquents and Abandoned Children.

The Ministry of Social Affairs (MINAS) also oversees private welfare agencies and other associations involved in the protection of the rights and the promotion of the well-being of children.

C. Measures to disseminate information on the Convention

17. Although ignorance of the law is not an excuse, measures have to be taken to disseminate information on legislation creating rights and obligations. With regard to the Convention on the Rights of the Child, measures were taken by the authorities after its ratification to ensure that information on it was provided systematically or at least sporadically. In addition to publication in the Official Gazette, information is disseminated in the following ways:

(a) Communication by the media through lecture notes, summaries and radio broadcasts and programmes, such as: "Church and development", "For women", "My friend Babel", "Women's rights", and "Social development". There are also television programmes, such as: "For young people", "The verdict", "For kids" and "The law situation";

(b) Advocacy and mobilization during events such as National Youth Day, the Day of the African Child, the International Day of Disabled Persons, the International Day for Natural Disaster Reduction and the International Day of Families, which are opportunities for raising awareness of the importance of the rights of the child;

(c) Action by MINAS officials through information and education activities and communication with youth associations in schools by means of lectures, educational talks and the distribution of illustrated pamphlets, booklets, posters and banners, as well as copies of the Convention on the Rights of the Child;

- (d) Use of rural radio broadcasts to disseminate information on human rights in local languages;
- (e) Translation and dissemination of information on the Universal Declaration of Human Rights in simplified terms;
- (f) Organization of seminars and workshops, such as:
 - (i) The Seminar on Children in Conflict with the Law (1993);
 - (ii) The National Seminar on the Rights of the Child in Cameroon (1995);
 - (iii) The Seminar on Ill-Treatment of Minors in Cameroon (1995);
 - (iv) The Subregional Seminar on Children in Particularly Difficult Situations, which led to the establishment of a four-year national programme of action for the benefit of 6,000 children (1996);
 - (v) The Seminar on “Legislation on children in conflict with the law in Cameroon”, which was held in Yaoundé from 28 July to 1 August 1997 and one of the recommendations of which was the implementation of a strategy on the review and harmonization of legislation;
 - (vi) The International Seminar on Child Labour, which was held in Yaoundé in October 1997 and which led to the adoption of the National Plan of Action for the Elimination of Child Labour;
 - (vii) The first National Symposium on the Family and the Social Rehabilitation of Children as a Strategy for Street Survival in Cameroon, held from 1 to 3 July 1993;
 - (viii) Seminars on street children held in Douala and Garua, from 1 to 12 and from 14 to 20 December 1997, which led to the adoption of a plan of action for street children;
 - (ix) Workshops on school attendance by girls and non-formal education, held in Ngaoundéré and Garua;
 - (x) The International Round Table on the Eradication of Female Sexual Mutilation through the Use of Community Approaches, held from 11 to 13 May 1998 in Yaoundé. The Round Table was followed by a seminar on the adoption of a national plan of action to combat female sexual mutilation, held in Marua in December 1998;
 - (xi) The MINAS-UNICEF programme to raise the awareness of opinion leaders of the promotion of and respect for the rights of the child.

As may be noted, efforts of all kinds are being made to provide specific information on the Convention on the Rights of the Child in Cameroon, even though there are still many obstacles which it should be possible to overcome.

D. Obstacles to the implementation of the Convention

18. The obstacles to the full implementation of the Convention on the Rights of the Child in Cameroon include:

- (a) Insufficient coordination of sectoral policies relating to children;
- (b) The existence of widely varying legislation, some of which is unsuitable and some outdated;
- (c) The economic recession, with the resulting reduction in government spending and the adverse impact on funding for social services and for children, in particular;¹
- (d) The continued existence of backward customs and traditions, especially the perception of the child simply as a human being in the making without any rights in a gerontocratic society, on the one hand, and discriminatory gender practices in the education of girls and boys, on the other.

II. DEFINITION OF THE CHILD

19. In ratifying the Convention on the Rights of the Child, Cameroon endorsed the definition of the child given therein. A child is thus “Every human being below the age of 18 years, unless, under the law applicable in the country, majority is attained earlier.” The fact that there may be more than one age of majority, depending on circumstances or activities, is a legal derogation from this definition.

20. In civil law, the age of majority is 21 years, according to article 488 of the Civil Code (legal capacity, consent, medical counselling without parental consent, sexual consent). A minor may, however, be emancipated by court order or automatically by marriage. With regard to marriage and according to article 52-1 of Order No. 81/02 of 29 June 1981 on the organization of the civil register, “No marriage may be celebrated if the girl is below the age of 15 years or the boy below the age of 18 years, except under an exemption granted by the President of the Republic for serious reasons.” A young woman may thus be emancipated by marriage as of age 15, but, in order to protect her, particularly from fraud, the prior authorization of her parents or guardians is required.

¹ Public funding for layettes for newborns of indigent families dropped from CFAF 23 million in 1985/1986 to CFAF 3.5 million in 1990/1991, i.e. from 100 per cent to 14 per cent (MINASCOF, General Inspection Department, 1991 inspection report).

21. In electoral law, article 11 of Act No. 91/020 of 16 December 1991 on conditions for the election of deputies to the National Assembly and article 12 of Act No. 92/010 of 17 September 1992 on conditions for the election and replacement of the President of the Republic provide that the age of majority is 20 years.

22. In social matters, according to article 1 of Order No. 17 of 27 May 1969 on child labour, “Any person of either sex, whether a wage earner or an apprentice, who is below the age of 18 years shall be regarded as a minor.” However, the annex to Order No. 16 of 27 May 1969 contains a list of work prohibited to minors. According to article 86-1 of the Labour Code, moreover, “Minors may not be employed in any enterprise, even as apprentices, before the age of 14, except as otherwise provided by order of the Minister of Labour in the light of local circumstances and the work that may be required of them.” On 14 April 1998, Cameroon adopted a law authorizing the President of the Republic to ratify ILO Convention No. 138 on the Minimum Age for Admission to Employment and thus considers that the minimum age for admission to employment or work is 14 years, in accordance with its domestic legislation. According to the regulations in force, no minor below the age of 18 may be recruited into the armed forces and the police, except as otherwise decided by the parents. Article 13, paragraph 1 (b), of Decree No. 94/199 of 7 October 1994 containing the staff rules of the Government civil service provides that “No one may be recruited as a civil servant if he is not at least 17 years old.”

23. As far as schools are concerned, the provisions of the Constitution and of article 9 of Act No. 98/004 of 14 April 1999 on education guidelines in Cameroon provide that primary education is compulsory, but do not refer to any age limit for school attendance.

24. In criminal law, the age of majority is 18 years, according to article 80 (4).

III. GENERAL PRINCIPLES

A. Non-discrimination (art. 2)

25. The principle of non-discrimination is embodied in the Constitution, the preamble of which reads:

“All human beings, without distinction as to race, religion, sex or beliefs, possess inalienable and sacred rights.

All human beings are equal in rights and in duties.

The State guarantees all citizens the necessary conditions for their development.

The State guarantees the protection of minorities and preserves the rights of indigenous peoples in accordance with the law.”

26. This non-discrimination extends to education, where there is no segregation between boys and girls. Thus, according to article 7 of Act of No. 98/004 of 14 April 1998 on education guidelines in Cameroon: "The State shall guarantee everyone equal opportunities for access to education without discrimination as to sex, political, philosophical or religious opinion and social, cultural, linguistic or geographical origin."

27. With regard to social protection and security, there is legislation designed to prevent the marginalization of the vulnerable category of children, such as:

(a) The Decree of 30 October 1935 on the protection of children, which emphasizes guidance for children neglected or abandoned by their parents and for orphans by placing them in special institutions or in State care;

(b) Act No. 83/013 of 19 July 1983 on the protection of disabled children, especially with regard to educational and medical and social welfare assistance;

(c) Article 61 of the Labour Code, which embodies the principle of equal pay for equal work, regardless of sex, age, status or religion;

(d) The Ordinance of 29 June 1981 on the organization of the civil register, articles 43, 45 and 46 of which facilitate the recognition of children born out of wedlock.

In addition to these general provisions, specific measures have been taken in favour of certain population groups, such as girl children, disabled children, minorities and marginal population groups (Pygmies, Bororos, Mafa).

28. Factors such as social prejudices, customary and religious practices and early marriages create an imbalance in the school enrolment of girls and boys. To remedy this situation, the State has adopted incentive-based measures for girls, particularly with regard to the age of admission to industrial and commercial technical education schools (CETIC), which is 14 years for girls and 13 years for boys. Some legislation which excluded girl children from school on account of pregnancy has also been repealed. Curricular No. 10/162/MINEDUC/ESG/DERP/DEPF/DDP of 19 January 1980 on pregnancy of students in public and private schools in the Republic of Cameroon allows a girl to be suspended during pregnancy and readmitted after she has given birth.

29. A set of institutional measures has also been adopted to provide guidance for girl children:

(a) The UNICEF-MINEDUC-MINAS education programme for girls, consisting of the following:

(i) Non-formal basic education;

(ii) Programme on guidance for girl children through the Centres for the Advancement of Women;

- (iii) Identification of factors affecting the school enrolment rate of girls;
 - (iv) Progress report on school attendance by girls and their performance in scientific subjects;
 - (v) Focus on girl children in the national policy document entitled “Women and development”.
- (b) The establishment of “social welfare-home management” centres at the neighbourhood level;
- (c) The establishment of “home-workshops”, specialized institutions for the rehabilitation and reintegration of young women who are socially maladjusted, at risk or from needy families; because of financial problems, only one home-workshop is in operation in Douala; it was established by Order No. 477/CAB/PR of 22 September 1986;
- (d) The establishment of youth and community activity centres and non-formal education institutions operating on the basis of alternative training and personalized teaching offering participants the possibility of developing their creativity and business sense with a view to fuller socio-occupational integration; the target groups are young school dropouts aged at least 12 years; there are about 318 youth centres (11 provincial, 56 departmental and 251 district centres).
30. Action has also been taken on behalf of disabled children, including:
- (a) Care of children with special educational needs and school assistance for disabled children with destitute parents;
 - (b) Medical assistance for medicines, surgery and medical evacuation;
 - (c) Facilitation of access by disabled children to education, sports and recreation.
31. There are two types of sports associations for disabled children:
- (a) Sports and cultural associations for the disabled, such as Handisport-Cameroon;
 - (b) The Cameroonian Sports Federation for Disabled Persons (FECASH), which has just been established.
32. The State guarantees the school enrolment of children from marginal groups by granting special educational assistance in cooperation with NGOs.
33. The above-mentioned action by the State nevertheless encounters certain obstacles, such as:
- (a) Problems in settling nomad populations, which make it difficult to keep track of them;

(b) Customary types of resistance which are contrary to the law and perpetuate discriminatory practices, especially against girls;

(c) Unsuitable programmes and approaches which do not always take account of the real needs of the people for whom they are intended;

(d) The job crisis resulting from economic problems, which have contributed, inter alia, to the growth of the problem of the exploitation of child labour as a result of poverty; this particular category of workers is not supervised by the labour inspector because of the informal nature of the activities involved.

An appropriate solution to these problems requires the strengthening of institutional and technical capacity and an increase in the human resources of the institutions responsible for designing and implementing State policy and monitoring conditions of employment.

B. Best interests of the child (art. 3)

34. On the basis of the provisions of article 3 of the Convention on the Rights of the Child, the preamble of the Constitution states, in general terms, that “The nation shall protect and promote the family as the natural foundation of society. It shall protect women, young people, the elderly and the disabled.” A set of criminal, civil, social and administrative provisions reflects the fact that the best interests of the child are taken into account at the national level.

35. These measures take the form both of substantive and procedural criminal laws.

(a) As to substantive laws, chapter V of book II of the Penal Code makes offences against children and the family punishable. It covers a wide range of offences: abortion (art. 337); slavery and bondage (art. 342); prostitution (art. 343); corruption of minors (art. 344); public indecency in the presence of a minor aged under 16 (art. 346); homosexuality (art. 347); public access to and consumption of alcohol beverages (art. 348); abuse of weaknesses (art. 349); child abuse (art. 350); kidnapping of minors (art. 352); kidnapping involving fraud and violence (arts. 353 and 354); forced marriage (art. 356); excessive dowry requirements (art. 357); desertion of the home (art. 358); incest (art. 360);

(b) With regard to procedure, special measures have been adopted to protect children, both during the preliminary investigation and during trial and sentencing. Article 27, paragraph 2, thus provides that “If a woman who has been sentenced to a term of imprisonment is pregnant or has just given birth, she shall start serving her sentence only six weeks after the child is born.” Article 27, paragraph 4, states that “A husband and wife sentenced to less than one year’s imprisonment and not imprisoned as of the day of the trial may, at their request, not serve their sentences at the same time, if, having proved that they have the same domicile, they have responsibility for and custody of a minor below the age of 18 years.” When a minor is being prosecuted, Ordinance No. 58/1301 of 23 December 1958 provides that he may be tried in chambers or behind closed doors so that the public nature of the proceedings will not be prejudicial to him.

36. In civil matters, the best interests of the child are an ongoing concern. For example, the custody of the child when a marriage is in crisis (separation or divorce) is awarded to the parent who is best suited to assume such custody; alimony is ordered for the maintenance of children; parents are liable in civil law for any loss or injury caused by their children (art. 1384-1 of the Civil Code); adoption may take place only if it is in the interests of the adoptee; and the reserved portion has the effect of keeping three quarters of the estate of the deceased exclusively for the children.

37. In social matters, specific measures have been taken to protect the best interests of the child. They relate primarily to conditions for the hiring of children and the nature of the work to be performed. With regard to hiring, Ministerial Order No. 171/MTLS/DEGRE of 27 May 1969 on child labour provides that the working day in industry is eight hours at most, with a rest period of at least one hour a day for minors below the age of 16. Order No. 16/MTLS/DEGRE of 27 May 1969 also contains a list of types of work that may not be performed by children. Under article 82 of the Labour Code, children are excluded from night work in industry between 10 p.m. and 6 a.m. The annual leave of minors below the age of 18 is increased from one and one-half days to two and one-half days per month (art. 90 of the Labour Code). The above-mentioned Ministerial Order No. 17 prohibits children from performing work for which they are not strong enough, as well as work that is unhealthy or dangerous or likely to undermine their morals. Women who are pregnant or who are breastfeeding have special leave to take care of their infants.

38. These are all specific public policy measures. The penalties for anyone who does not comply with the provisions of articles 82, 86 and 90 of the Labour Code on child labour are the following:

(a) Article 167 of the Labour Code provides for a penalty of CFAF 100,000 to CFAF 1 million for failure to comply with the provisions of articles 86 and 90 on the minimum age and paid leave;

(b) Article 168 increases this fine from CFAF 200,000 to CFAF 1.5 million for failure to comply with article 82 on night work;

(c) Article 190 provides for a penalty of six days to six months' imprisonment in the event of repeated violations of these articles.

39. In administrative matters, the following bodies have been established to ensure that the best interests of the child are taken into account: the National Committee to Combat Drug Abuse; the National Committee for the Social and Economic Rehabilitation and Reintegration of Disabled Persons; the National Commission for the Protection of Children at Risk, Juvenile Delinquents and Abandoned Children; the National Commission on Health and Safety at Work; the National Prison Administration Commission; and the Technical Committee to Monitor the Implementation of International Human Rights Instruments.

40. With regard to health, the reorganization of primary health-care services gives priority to maternal and child health through the introduction in the minimum activities package of maternal and child health activities involving health training and the improvement of health and nutritional education for mothers. Emphasis is also being placed on preventive medicine, including the monitoring of pregnancies, vaccinations, the improvement of conditions of hygiene, action to combat transmissible diseases and AIDS and the use of traditional medicine.

41. It may, however, be noted that these measures do not always achieve the desired results because material and financial resources are lacking.

C. The right to life, survival and development (art. 6)

42. The right to life is provided for in the Constitution, the preamble of which states that: "Every person has the right to life and to physical and moral integrity." This is reflected in a set of criminal, civil and social provisions.

43. In terms of criminal law, there are legislative texts which protect the child from conception until birth and throughout childhood. Reference may be made to: the non-application of the death penalty to a pregnant woman prior to childbirth (art. 22, para. 3); the refusal to pay alimony (arts. 180 and 181); arbitrary arrest and detention (art. 291); forced labour (art. 292); procuring (art. 294); abortion (art. 337); violence against a pregnant woman (art. 338); slavery and bondage (art. 342); infanticide (art. 350); and forced marriage (art. 356).

44. Although there are no specific provisions to punish female genital mutilation, persons responsible for such an act may be prosecuted on the basis of article 277 of the Penal Code, which reads: "Anyone who causes another person to be permanently deprived of the use of all or part of a member, an organ or a sense shall be liable to 10 to 20 years' imprisonment."

45. In civil and social welfare terms, legislative and institutional measures have been taken to protect the life, survival and development of children, including:

(a) Article 301, paragraph 1, of the Civil Code and article 76 of Ordinance No. 81/02 of 29 June 1981 on alimony awarded to a woman abandoned by her husband and on behalf of the children;

(b) Article 38 of the Ordinance requires any person who finds an abandoned newborn child to make a statement to that effect to the police or the gendarmerie. At the request of the Attorney-General, moreover, the registry official prepares a provisional birth certificate;

(c) Article 26 of Act No. 67/LF/7 of 12 June 1967 establishing the Family Benefits Code, which provides for five types of benefits to guarantee the well-being of children:

(i) Antenatal allowances;

(ii) Maternity allowances;

- (iii) Medical costs which have been incurred as a result of antenatal medical examination and which are reimbursed;
- (iv) Family allowances;
- (v) Daily allowance for women wage earners who are on maternity leave.

46. In addition to these legislative texts, many facilities have been established to protect the life, survival and development of children, such as:

- (a) Facilities for infants and children in distress (nurseries, homes);
- (b) Facilities for children in difficult situations: public and private rehabilitation institutions, youth and community activity centres;
- (c) Social centres, sections and sectors, home management centres, home-workshops, centres for the advancement of women, education spaces;
- (d) Health work, which includes health training at the central, provincial and district levels;
- (e) Specialized centres for disabled persons, which include functional rehabilitation, special education and vocational training institutions.

47. With regard to the registration of the death of children, articles 78 to 80 of Ordinance No. 81/02 of 29 June 1981 require any person with knowledge of the death of an individual to make a statement to that effect to the competent authorities.

D. Respect for the views of the child (art. 12)

48. According to article 12 of the Convention, “States parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child.” The preamble of the Constitution generally provides for the right to freedom of expression of all citizens, stating that: “Freedom of communication, freedom of expression, freedom of the press, freedom of assembly, freedom of association, trade union freedom and the right to strike shall be guaranteed under the conditions determined by law.”

49. The following legislation has been adopted to protect and guarantee the exercise of these freedoms: Act No. 90/53 of 19 December 1990 on freedom of social communication; and Act No. 90/53 of 1990 on freedom of association.

50. In specific terms, the views of the child are often taken into account, either directly or by representation (parent, guardian, legal representative), in legal and administrative proceedings, as in the case of the award by the court of custody of the child in divorce or separation proceedings, in marriage (art. 52, para. 1, and art. 64, para. 1, of Ordinance No. 81/02 of 19 June 1981; art. 238 of the Civil Code) and in hearings in the Council Chamber.

51. In addition, administrative measures have been adopted to enable children to express their views. For example, children presented the Convention at the ordinary session of the National Assembly in June 1991 to request its ratification, which took place in 1993. On 2 September 1993, Yaoundé street children, who had the support of various associations, submitted their case to the Prime Minister in order to draw the Government's attention to their situation.

52. Similarly, the children of Cameroon, together with other African children, were offered a platform and addressed the African Heads of State meeting in Yaoundé at the thirty-second ordinary session of OAU in July 1996 in order to express their views on the armed conflicts decimating the continent. Cameroon also tried out two meetings of the Children's Parliament in June 1998 and 1999, during which "parliamentary" children put oral questions on matters such as education, health, action to combat corruption and street children. Studies are under way to institutionalize this forum for the expression of views by children. Various other opportunities are offered to children, either in schools or in the media, for the expression of their views, including the presence of students in school management committees.

53. It should nevertheless be pointed out that these efforts to guarantee respect for the views of children may go against the tide of certain traditions which regard children merely as human beings in the making who must, until they reach maturity, submit to the gerontocratic law of the community.

IV. CIVIL RIGHTS AND FREEDOMS

A. Name, nationality and preservation of identity (arts. 7 and 8)

54. According to article 7 of the Convention, "The child shall be registered immediately after birth and shall have the right from birth to a name and to acquire a nationality." This concern is fully reflected in Cameroonian legislation.

1. Legal recognition of births

55. Ordinance No. 81/2 of 29 June 1981 organizing the registry office and containing provisions on the status of natural persons governs the legal recognition of births, marriages and deaths. Article 30 makes it an obligation to declare a birth to the registry official in the place of the birth within 30 days following childbirth. Article 31 reads: "When a child is born in a hospital, the head of the hospital or, in his absence, the doctor or any person who assisted the woman is required to declare the birth of the child within the following 15 days." If the birth has not been declared within this time limit, the parents of the child have an additional 15 days in which to make the declaration to the registry official in the place of the birth.

56. With regard to abandoned children, the Ordinance provides that anyone who finds an abandoned newborn child is required to make a statement at the nearest police or gendarmerie station (art. 38, para. 1), which will prepare a detailed report indicating not only the date, time, place and circumstances of the discovery and the apparent age of the child and its sex, but also any particular information which might help identify the child and the person to whom his

custody is temporarily entrusted (art. 38, para. 2). At the request of the Attorney-General, the registry official draws up a temporary birth certificate under the conditions provided for by law (art. 38, para. 3).

57. With a view to these operations for the registration and legal recognition of births, article 10, paragraph 1, of the Ordinance provides that “A registry centre shall be opened in each commune and in each diplomatic or consular mission of Cameroon abroad.” In order to bring the administration closer to its customers, moreover, an order of the Minister of Local Government may establish “one or more special registry centres in a commune when warranted by the size of the commune, the density of its population and communication problems” (art. 10, para. 2).

58. Registry officials and secretaries are appointed on the proposal of the local administrative authorities. Refresher courses on how the centres operate and civil registers are kept are organized for such staff in the main towns of departments and provinces.

59. Despite these legal and administrative provisions, there are still problems with the registration of births because of the lack of facilities, the remoteness of some areas, the high cost of medical fees for childbirth, certain customary practices and the ignorance of some parents.

2. Naming

60. Naming and the use of names are governed by Act No. 69/LF/3 of 14 June 1969 governing the use of first and last names and aliases and Order No. 81/02 of 29 June 1981 on the organization of the registry office. The first and last names of children are freely chosen by the parents. In the case of a foundling, the first and last names are chosen by the person who has found him or by the registry official who receives the statement (art. 35 of the above-mentioned Ordinance of 29 June 1981).

61. In order to protect the dignity and honour of the child, giving him a first or last name which is improper and plainly ridiculous under the law and according to public morals, customs and beliefs is prohibited. In such a case, the registry official is required to refuse to put the first or last name in the record and the person making the statement is invited to propose another first or last name or to bring the matter before the president of the competent court within the time limit provided for by law (art. 35, para. 3). The following may be included in birth certificates: names used in tradition, religious names and names of historical figures (art. 36).

3. Nationality

62. Nationality is governed by Act. No. 68/LF/3 of 11 June 1968 containing the Cameroonian Nationality Code. According to article 6 of the Act, the following are Cameroonian: legitimate children born of Cameroonian parents and natural children, when the two parents in respect of whom descent is established are Cameroonian. Article 7 of the Act provides that the following are also Cameroonian: legitimate children one of whose parents is Cameroonian and children born out of wedlock, when the parent in respect of whom descent was first established is Cameroonian. In any event, when one of the parents of the child is Cameroonian, the child acquires Cameroonian nationality ipso facto.

4. Preservation of identity

63. Article 12 of Ordinance No. 81/02 of 29 June 1981 on the organization of the registry office provides that “Civil register records give the date of the events recorded, the date on which they have been prepared and the last and first names, occupation, domicile and residence of the persons to whom they relate.” Such records thus contain some indications of the identity of the person in question. Act No. 90/043 of 19 December 1990 establishing the new national identity card and Decree No. 99/154 of 20 July 1999 on the characteristics of and procedures for the preparation and issue of the national identity card are designed to protect the nationality and the identity of individuals.

64. There are penalties for anyone who commits acts designed to deprive a child of its descent, such as:

(a) Article 162 of the Penal Code, under which anyone who makes an untruthful statement during the establishment of a birth certificate is liable to three months to three years’ imprisonment;

(b) Article 341, under which anyone whose action has the effect of depriving a child of proof of his descent is liable to 5 to 10 years’ imprisonment;

(c) Article R 370, paragraph 1, which penalizes the failure of the persons present during the childbirth to make a statement. This provision also punishes anyone who has found a newborn and does not turn it over to the registry official or, if he wishes to assume responsibility for the child, does not make a statement to the registry official in the commune concerned.

B. Freedom of expression, thought, conscience and religion association and peaceful assembly (arts. 13, 14 and 15)

65. Articles 13 to 15 of the Convention on the Rights of the Child guarantee the exercise of the public freedoms of children. These public freedoms are formally embodied in the preamble of the Constitution.

66. Freedom of expression is governed by Act No. 90/052 of 19 December 1990 on freedom of social communication; in this connection, many opportunities are offered to young people both by the audio-visual media and by the written press.

67. Although the principle of freedom of thought, conscience and religion is clearly accepted, parents educate their children according to family religious values.

68. Freedom of association and freedom of peaceful assembly are governed by Act No. 90/055 of 19 December 1990 on public meetings and demonstrations, article 3, paragraph 1, of which provides that “Public meetings, whatever their purpose, shall be free”, subject to a statement made in advance to the administrative authorities. In this connection, there are many sports and sociocultural associations in schools.

C. Protection of privacy (art. 16)

69. Article 16 of the Convention on the Rights of the Child provides that: “No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.” Similarly, the preamble of the Constitution states that “The home shall be inviolable and searches may take place only in accordance with the law.” It also states that “The secrecy of correspondence shall be inviolable. Interference with correspondence may take place only in accordance with decisions taken by the judicial authorities.”

70. The Penal Code provides for penalties for the following violations of the privacy, honour and reputation of children: procuring (art. 294); indecent behaviour in private (art. 295); rape (art. 296); trespass on domestic premises (art. 299); insults (art. 306); interference with correspondence (art. 300); indecent assault on a minor below the age of age 16 (art. 346); indecent assault on a minor aged between 16 and 21 (art. 347); defamation (art. 305); incest (art. 360).

71. In addition to these provisions involving penalties, measures have been taken in connection with judicial proceedings to protect the privacy of children. A judicial investigation is compulsory for any offence committed by a minor. It is conducted secretly. Article 198 of the Code of Criminal Investigation prohibits the publication of any decision convicting a minor, as well as any means of identifying him. Article 226 punishes anyone who, without the written authorization of the Attorney-General, makes the suicide of a minor under age 18 public by any means whatever. It also punishes anyone who, except as requested in writing by the investigating magistrate, reproduces, in pictures or in any other form, all or part of the circumstances of violent offences and all offences committed against minors.

72. According to article 2 of the Decree of 13 November 1928, decisions concerning minors aged between 10 and 14 years are not included in the court records. Article 28 of the Decree reads: “Court clerks shall keep a special non-public register in which all decisions concerning minors below the age of 18 are recorded. Decisions of the Council Chamber and excerpts from the file may be communicated only to the judicial authorities and only during the period while the persons concerned are still minors. However, an excerpt of a decision provisionally or definitively entrusting a minor to an individual or to a charitable institution shall be notified to the individual or institution concerned by the justice of the peace or the prosecutor, who shall take all the necessary measures to turn the child over.”

D. Access to appropriate information (art. 17)

73. Article 17 of the Convention stresses that States parties recognize the importance of ensuring that children have access to appropriate information aimed at the promotion of their social, spiritual and moral well-being and physical and mental health. Cameroon shares this concern and efforts are being made to ensure that young people have access to educational information, *inter alia*, through specific programmes for children in the audio-visual media, the promotion of school and municipal libraries and public reading centres, the preparation of pamphlets and brochures on topics of social benefit, the establishment of schools in prisons and the provision of audio-visual equipment in prison wings where minors are detained.

74. It should be noted that 5 provincial libraries and 17 municipal libraries are in operation.

75. Film-making activity is governed by the following legislation:

(a) Act No. 88/017 of 16 December 1988 containing guidelines for film-making activity;

(b) Decree No. 90/1462 of 18 November 1990 determining conditions for the authorization and exercise of film-making activities;

(c) Decree No. 90/1462 of 9 November 1990 establishing the National Film and Sound Recording Control Commission, which carries out prior censorship of films in order to ensure that films which might jeopardize the social, spiritual, moral or physical well-being of children are not shown;

(d) Decision No. 58/CAB/DPAV/SEE of 18 October 1995 prohibiting the operation of cinemas in video clubs.

E. The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment (art. 37 (a))

76. Under article 37 (a) of the Convention, States parties must ensure that “No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment.” The preamble of the Constitution emphasizes the fundamental protection of the human person, providing that “Every person has the right to humane treatment in all circumstances. Under no circumstances may any person be subjected to torture or to cruel, inhuman or degrading treatment or punishment.”

77. In order to ensure compliance with this provision, the State has adopted measures to punish anyone who jeopardizes the physical integrity or dignity of another person by means, for example, of: murder (art. 276); torture (art. 132 bis of Act No. 397/009 of 10 January 1997 amending the Penal Code); grievous bodily harm (art. 277); aggravated assault (art. 279); simple battery (art. 280); slight bodily harm (art. 281); involuntary manslaughter and injury (art. 289); arbitrary arrest and detention (art. 291); forced labour (art. 292); slavery (art. 293); slavery and bondage (art. 342); child abuse (art. 350).

V. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

**A. Parental guidance and parental responsibilities
(arts. 5 and 18, paras. 1-2)**

78. The upbringing of children was traditionally the responsibility of the whole community in Cameroon. The modern concepts of uncle, aunt and cousin, in the sense that these terms are understood in the West, were essentially meaningless. Mindful of this fact, the drafters of the Penal Code took the view that, in different circumstances, a child could be under the

authority of his father, mother, guardian or the person responsible for him in customary law. Such is the tenor of articles 48 (preventive authority) and 358 (abandonment of the family home).

79. As customs have developed, however, the family has tended to become more nuclear. The responsibility of bringing up children falls almost exclusively to the parents. This is clearly expressed in statutory provisions which speak of paternal authority (arts. 371 to 387 of the Civil Code and art. 47 of Order No. 81/02 of 29 June 1981) and presumption of paternity (art. 312 of the Civil Code), which implies a connection between a child and its legal father and raises the possibility of filing a paternity suit.

80. The economic crisis, which has resulted in unemployment and a reduction in purchasing power, has considerably eroded paternal authority to the advantage of women since they are more active in this sphere. This is especially true considering the increase in the number of single-parent families in which the head of household is always female. Article 81 of the Order referred to above specifies that the mere act of giving birth implies recognition by the mother. A child born out of wedlock is therefore linked to his mother, who assumes responsibility for him. The child may, however, be recognized by his biological father through administrative or judicial channels, as provided for by articles 43 and 44 of the above-mentioned Order.

81. Just as a mother may bring a paternity suit in respect of an under-age child within the statutory time-limit, so a child may bring a similar suit as soon as he attains the age of majority or within one year of attaining the age of majority.

82. In order to ensure that a child is protected within the family environment, articles 179, 180, 355 and 358 of the Penal Code make it a punishable offence to fail to hand over a child to a person who has been granted custody pursuant to a court order, to refuse to pay child maintenance or to abandon the family home.

83. As regards the family structure, Government policy has promoted two areas, namely, the promotion and protection of population quality through the family circle (Education for Responsible Parenthood) and the provision of assistance through the Family Benefits Code and targeted benefits. The programme of parental guidance and responsibility espoused by the Cameroonian Government aims to promote family cohesion and avoid the separation of children from their parents.

B. Separation from parents (art. 9)

84. Article 9 of the Convention stipulates that a child has the right to live with his parents unless separation is in the child's best interests. The child also has the right to maintain personal relations with both parents in the event of separation from either parent. Article 203 of the Civil Code states that "By entering into marriage, spouses undertake to feed, maintain and bring up their children."

85. In certain circumstances, however, it may be desirable for a child to be separated from his parents. Grounds for separation may be marital breakdown, forfeiture of parental authority, placement of a delinquent child pursuant to an institutional care order or foster care for children

at risk. Potential foster families are identified by the Ministry of Social Affairs following a careful screening process. In all cases, when the situation has returned to normal, the child goes back to live with his own family.

86. Judicial custody and placement of children are subject to a court order and any such decision must be in the child's best interests. When one of the parents is granted custody, the other is normally allowed to see the children during the holidays or at weekends, in accordance with the right of access. If such access is not granted, the aggrieved parent may take legal action pursuant to articles 179 and 355 of the Penal Code. Despite the provisions in force, some parents are reluctant to abide by the decisions of the courts.

87. Administrative placement with a foster family or in an institution is authorized by a social worker specializing in family matters and employed by the Ministry of Social Affairs.

88. Government policy conforms to article 9 of the Convention. Action in this field is geared towards maintaining family cohesion; strengthening indigent parents' capacity to care for their children and encouraging them to do so by providing material assistance and education for responsible parenthood; and promoting and organizing the reintegration of children at risk into their families. The search for family stability and cohesion is reflected in the preventive implementation of programmes to prepare young people for marriage, spousal education for married couples and marriage counselling for couples experiencing problems. Additionally, the community education programme is designed to cater for street children and reintegrate them into their families.

C. Family reunification, illicit transfer and non-return (arts. 10 and 11)

89. The childhood protection programme aims to keep the child in his family environment, where he can receive a basic education, support and a moral upbringing conducive to his mental and physical development. Exceptionally and for various reasons, a child may be separated from his family, whence the existence of applications for family reunification.

90. The Government, acting through the Ministry of Social Affairs and the Ministry of Foreign Affairs, pays special attention to applications regarding entry into or exit from the country, whether they originate from a child, relatives or non-governmental organizations (NGOs) and associations. Such applications involve an assessment of whatever information is relevant or necessary to form a view of the best interests of the child, in addition to the social inquiry report and input from other experts, as required.

91. When inquiries have been completed and applications considered, the Ministry of Foreign Affairs may follow one of two procedures, depending on the case:

(a) It may routinely issue entry-exit visas to requesting children or relatives through Cameroonian consulates and embassies;

(b) It may facilitate the procedure for obtaining a visa for children or relatives, resident or otherwise, through representations to accredited diplomatic and consular missions in Cameroon.

However, such applications may be rejected or subject to legal proceedings if they undermine national security, public order or public health or morals.

92. In order to combat the illicit transfer of children, the Ministry of Local Government has issued a circular prohibiting the establishment of “marriage bureaux”, which are allegedly a springboard for the exploitation of young people. Likewise, in the Penal Code, article 179 (custody of a minor) and 282 (abandonment of a person lacking legal capacity) specify penalties for any breach of the provisions in force.

93. The various mechanisms provided for when an office of the International Social Service (ISS) was established in the Ministry of Social Affairs facilitate the transmission of information aimed at curbing reported instances of illicit transfer and non-return. The following statistics were recorded in 1996-1997, for example:

Nature of reported case	Number of cases	Requesting country
Action to obtain administrative, judicial or social welfare documentation in support of a threat to repatriate	18	Germany, France, Netherlands
Search for biological family by adopted child	2	France
Search for family following separation from parents	5	France, United Kingdom
Search for parents by a child abroad and vice versa	4	France, Belgium
Intercountry adoption request	12	France, Switzerland
Total	41	6

The table above indicates a preponderance of cases necessitating intervention or action by the Ministry of Social Affairs in connection with the transmission of administrative, judicial or social welfare documentation enabling a decision to be taken on the illicit transfer or non-return of an adopted child or a child living abroad.

D. Recovery of maintenance for the child (art. 27, para. 4)

94. In Cameroon, questions concerning the payment of maintenance to an abandoned child are decided on by the courts. Maintenance may be recovered amicably or by coercion. It should be noted, however, that maintenance payments are frustrated by psychological and technical factors.

(a) At the psychological level, difficulties arise because some parents are reluctant to pay maintenance to their children, as they have been ordered to do so. They cannot understand why they should concern themselves with a child who is not in their custody;

(b) At the technical level, maintenance is recoverable from the assets of the individual liable to pay. In some cases, these assets are limited to take-home pay and the maximum amount recoverable is one third of a person's earnings. However, enforced recovery is frustrated by considerable problems connected with the execution of judicial decisions in Cameroon.

Where it is absolutely impossible to recover maintenance and the child's situation necessitates urgent acceptance of responsibility, emergency assistance may be provided by the Ministry of Social Affairs. This allowance is paid to the spouse who has custody of the child.

95. In all cases, failure to pay child maintenance is a criminal offence. Article 180, paragraphs 1 and 2, of the Penal Code states that:

“Anyone who neglects for over two months to pay in full the maintenance which he has been ordered to remit to his spouse, ascendants, or descendants, shall be liable to a term of imprisonment ranging from one month to a year and/or a fine ranging from CFAF 20,000 to CFAF 40,000. Failure to pay shall be considered intentional unless it can be proved otherwise. But insolvency resulting from habitual conduct, for example drunkenness, shall in no case be a valid excuse for the person liable.”

96. This stipulation of the criminal law strengthens the provision contained in article 76 of Order No. 81/02 of 29 June 1981, which states that:

“(1) A wife who has been deserted by her husband may take appropriate legal action to secure maintenance for children left in her charge and for herself.

(2) The registrar shall summon both spouses to appear before the court within one month by means of a registered letter indicating the subject matter of the proceedings. The parties are obliged to appear in person unless they can indicate a valid reason for non-attendance.

(3) The court shall reach a decision according to the needs and resources of both parties and, where appropriate, the wife may be authorized to attach a portion of her husband's earnings, the product of his work or his income.

(4) Once the judgement has been handed down and registered without costs, it becomes immediately enforceable notwithstanding objections or appeals and legal aid is automatically available to pursue such appeals.

(5) By the same token, pursuant to a request by the husband, a woman with an independent livelihood or personal income may be compelled to contribute to household costs.”

It should be noted that the time limit fixed for appearance before the court referred to in paragraph (2) demonstrates that it was the wish of the lawmakers that proceedings should be set in motion as quickly as possible, it being assumed that payment of maintenance is a matter of some urgency.

97. In the light of the foregoing, it must be pointed out that recovery of maintenance is possible only for lawful marriages which end in divorce or judicial separation. In contrast, the situation of unrecognized children born out of wedlock is a matter of concern since there are still no legal provisions or regulations specifying that such children are entitled to maintenance.

E. Children deprived of their family environment (art. 20)

98. The main situations in which children may be deprived of their family environment are: death or separation of the parents (divorce or living apart); institutional placement; imprisonment of the parents; mental illness; forfeiture of parental authority; family dysfunction; disasters; wars; behavioural problems; and recruitment into a religious sect. Children in this category are placed under an alternative care order, either on a full-time or an interim basis.

1. Interim care

99. Interim care takes two forms, temporary custody and temporary institutional placement. Both measures are administrative in nature. Departmental circular No. 9002759/LC/MINASCOF/DPIF/SDPF of 5 December 1990, which outlines the procedures for the temporary custody of abandoned children, establishes mechanisms to protect very young children (i.e. up to three years old) who have been abandoned. Only the Minister has the power to grant temporary custody of abandoned children to an approved family.

100. Given the administrative difficulties of dealing with foundlings in Yaoundé, it is admitted that, in emergencies, the local authorities in the district where the child is found have the power to order that the child should be cared for by an approved foster family. Temporary administrative placement is decided upon by the social worker handling the case. Legally speaking, placement is part of a strategy to deal with juvenile delinquency or it is resorted to in the event of forfeiture of parental authority.

101. There exist special public bodies responsible for children under three years of age and institutions which aim to re-educate and resocialize maladjusted children aged between 10 and 18. Their function is to ensure that the various placement measures are effectively enforced. The Nkomo shelter for young children in need has room for 40 children. For socially maladjusted children, there is the Buéa Borstal Institute (120 places), the Cameroonian Juvenile Institute in Betamba (120 places), the Douala Care and Observation Centre (120 places), the Cameroonian Juvenile Institute in Marua (60 places), the Bertua Juvenile Reception Centre (60 places) and the Douala home-workshop (180 places). In the past five years, these institutions have received grants totalling CFAF 200 million.

102. Despite the best efforts of the Government, institutions such as these are scattered unevenly around the country and are currently facing operational difficulties owing to the economic recession. Fortunately, NGOs and international organizations are also supporting Government efforts by undertaking private welfare work subject to official approval.

2. Full-time care

103. This means long-term institutional placement or adoption, which are administrative and judicial measures. Institutional placement is provided for under two draft decrees. The first deals with early childhood institutions, i.e. day-care centres, childcare facilities and occasional care centres, and the second focuses on institutions for maladjusted children or juvenile delinquents, namely, re-education centres, care and observation centres, home-workshops, reception and transit centres and accommodation centres.

F. Adoption (art. 21)

104. Before commenting on the matter of intercountry adoption, we present here an overview of the legal framework with regard to adoption in Cameroon.

1. Legal framework within which adoption takes place

105. Adoption in Cameroon is regulated by a number of texts within the framework of the Civil Code, which is cited in Ordinance No. 81/02 of 29 June 1981 on the organization of the registry office and various provisions on the status of natural persons. The Ordinance lays down the categories and consequences of adoption, as well as the procedures to be followed and the conditions to be fulfilled by the adopter.

(a) Categories and consequences of adoption

106. Two categories are distinguished, namely simple and full adoption. Simple adoption may be revoked; full adoption is final. The significance of this nuance becomes more apparent when the respective consequences are taken into account.

107. In simple adoption, not only does the adopted child acquire the same inheritance rights as the children or legitimate descendants of the adopter (art. 356 of the Civil Code) but it remains a member of its original family and retains all rights therein. However, all rights of paternal authority over the adoptee are vested in the adopter (art. 351 of the Civil Code). In the case of full adoption, by contrast, the adoptee ceases to belong to his or her original family. Henceforth, the child has the same rights and duties in respect of his or her adoptive parents as would a child issuing from their marriage (art. 370 of the Civil Code). It should be noted that full adoption is permitted only in the case of children aged under five who have been abandoned by their parents or whose parents are unknown or deceased (art. 368 of the Civil Code).

(b) Procedure

108. Adoption is essentially a matter for the courts and follows defined procedures which differ slightly according to whether simple or full adoption is envisaged. As a first step, the court handling the application by the interested party meets in private on receipt of information pertinent to the case. The Attorney-General then makes a submission before the court decides whether or not there is a case for adoption. Subsequently, the decision regarding the application is announced in open court following a private inquiry and hearing (art. 369 of the Civil Code).

109. It should be noted, especially with regard to full adoption, that, in practice, the social services play a very important role prior to the judicial phase. During this pre-adoption phase, the social services responsible for young people in care undertake various activities, such as registration of prospective adopters; social inquiries; selection of foster families; issuance of consent to adoption; acceptance of responsibility for and/or family placement of children in temporary care; and referral of adoption cases to the courts. Follow-up mechanisms still need to be established to ensure that, after the social services have placed a child with a family or when an individual has found an abandoned infant and wishes to assume custody of it, the child's development is monitored and any abuses are avoided.

(c) Qualifications required of prospective adopters

110. Both couples and single persons are legally capable of adopting a child. Single persons of either sex who wish to adopt a child must be over 40 years old. Couples must have been married for more than 10 years, not be judicially separated and at least one of the spouses must be aged over 35. In all cases, the adopters must be 15 years older than the child they are thinking of adopting. In addition, at the time of adoption, they must not have any children or legitimate descendants, although the existence of children legitimized by adoption is not an obstacle to adoption.

(d) The interests of the child

111. The need to take account of the best interests of the child in matters relating to adoption runs like a connecting thread through certain legal requirements. First of all, article 343 of the Civil Code stipulates that adoption may take place only if there are reasonable grounds for proceeding and if it offers advantages for the adoptee. Furthermore, in order to ensure better integration of the child into its surroundings, various forms of consent are sought to ensure that all the parties involved agree without reservation to the arrangements. These include:

- (a) The consent of the father and mother of the underage child, if they are alive;
- (b) The consent of the Family Council when the parents are unknown or if they are incapable of expressing their will;
- (c) The consent of both adopting spouses;
- (d) The consent of the individual or charitable association having custody of the child, or the child's legal representative;
- (e) The consent of the minor, if he or she has attained the age of 16.

The need to protect the child is also reflected in the opportunity granted to the child, in simple adoption cases, to revoke the adoption decision. However, the situation with regard to intercountry adoption is more complicated.

2. Intercountry adoption

112. Cameroonian law makes provision for the possibility of recourse to intercountry adoption. However, this form of adoption presents a number of shortcomings which necessitate certain adjustments in practice.

(a) The state of legislation regarding intercountry adoption

113. Article 345 of the Civil Code states that “a Cameroonian national may adopt a foreigner or be adopted by a foreigner. Adoption has no effect on nationality.” The law thus paves the way for intercountry adoption, but unfortunately does not provide for any institutional monitoring or follow-up mechanisms, either before or after adoption. This situation is all the more alarming when it is borne in mind that certain placements with a view to intercountry adoption are made in an unregulated manner by family members, by NGOs and other religious organizations or by individuals.

114. With regard to children in need, efforts are being made by the Ministry of Social Affairs to ensure that there is some element of follow-up for children who have been designated for intercountry adoption. In this way, diplomatic and consular services are often approached to provide clarifications on potential intercountry adoptions. In addition, cooperation has been stepped up between the Ministry of Social Affairs and the International Social Service, a non-profit-making international organization founded in 1924 which has legal personality under article 60 of the Swiss Civil Code. ISS aims, *inter alia*, to collaborate in protecting children designated for intercountry adoption, in accordance with the provisions of the various Hague conventions, and to develop and maintain an international network of branches, affiliate offices and correspondents.

115. Since 1995 there has been a dedicated intercountry adoption desk in the Ministry of Social Affairs. The Ministry was also represented at a training seminar on methods and techniques in intercountry adoption cases which was held in London in October 1997. In addition, there is a mechanism for sharing information with ISS on matters concerning intercountry action procedures. This cooperation will eventually be placed on a more formal footing following the signature of a cooperation agreement between the two structures.

116. Intercountry cases that have been dealt with by the Ministry of Social Affairs involve various countries in Africa, Europe, America and Oceania. They relate to:

(a) Requests for action to obtain administrative, judicial and social welfare documents for migratory children;

(b) The situation of children whose parents settle in different countries following divorce or separation;

- (c) Cross-border searches by children for their parents (and vice versa);
- (d) Searches by children adopted under an intercountry procedure for their roots.

117. Some of the problems which have unfortunately been encountered are:

- (a) A tendency by States to protect their nationals, generally to the detriment of the best interests of the child in question, occasionally implying a very restrictive interpretation of national laws;
- (b) Access to the ISS database;
- (c) Lack of up-to-date text-processing and data archiving equipment;
- (d) Lack of a rapid and efficient communications network to obtain or request information on an individual, even in very remote areas.

When all is said and done, intercountry adoption is the exception rather than the rule and is only resorted to if better placement opportunities for the child are unavailable locally.

(b) Future developments

118. Studies are currently being carried out by the Ministry of Social Affairs with a view to reforming the law relating to adoption. A number of NGOs are mobilizing at the local level to persuade the authorities that it would be in Cameroon's best interest to accede to The Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.

G. Periodic review of placement (art. 25)

119. The frequency of medical check-ups and treatment is specified in the internal regulations of the various facilities designed to accommodate children placed in care. Generally speaking, these facilities are visited by one or a number of physicians if there is no infirmary. The physicians hold clinics during their weekly visits and seriously ill children are referred to hospital. Medical check-ups are the rule at State-run facilities because sound physical and mental health is one of the conditions for admission (except in special institutions for sick or handicapped children). In facilities where there is an infirmary, all care is provided in situ. Children's homes are equipped either with an infirmary or a hospital unit. However, these facilities lack adequate equipment and human resources.

H. Neglect or negligent treatment (art. 19), including physical recovery and social reintegration (art. 39)

120. In order to tackle neglect and negligent treatment of children, the Government has taken appropriate legal and institutional measures.

121. From the legal standpoint, it is an offence under the Penal Code to abandon a person lacking legal capacity (art. 282) or to desert the family home (art. 179). Similar provisions are contained in the Act of 19 April 1898 on the punishment of violence, assaults, acts of cruelty and offences against children. With the similar object of protecting children against neglect and violence, article 29 of the Code of Criminal Procedure states that:

“Any duly constituted authority, public servant or official who, in the performance of his duties, is made aware of a serious or lesser indictable offence, shall be obliged to report thereon to the Attorney-General attached to the court in whose jurisdiction the said offence was allegedly committed or where the accused may be found and to transmit to him all pertinent information, official records and documents.”

This provision enables all the above-mentioned parties to intervene at any time when neglect or negligent treatment of a child is reported (incest: art. 306 of the Penal Code).

122. In addition to legal safeguards, various structures exist to tackle neglect and negligent treatment of children, namely, planning and implementation facilities.

123. The planning facilities include the National Commission to Protect Children at Risk, Juvenile Delinquents and Abandoned Children, which was established by Decree No. 90/524 of 23 March 1990. The Commission is an advisory body whose role is to deliver opinions and make suggestions on any question concerning national policy in the areas of child welfare and the prevention and treatment of juvenile social maladjustment. Furthermore, Decree No. 98/069 of 4 May 1998, which established the Ministry of Social Affairs, also created the Office of Family Affairs and Child Welfare.

124. The implementation facilities are divided into childcare facilities and children's homes. Social welfare officers in schools, prisons, health care institutions, courts and police stations are on hand to deal with the frequent cases of neglect and negligent treatment in these institutions. They fulfil the role of carers for all clients. Children's homes include all institutions catering for young children and socially maladjusted children.

125. With regard to child labour and female genital mutilation, studies undertaken by the Ministry of Social Affairs have spawned a national plan to combat child labour. This plan, which was finalized in September 1997, focuses on five main areas:

- (a) Sensitizing and mobilizing public opinion in respect of child labour issues;
- (b) Developing and strengthening the welfare and protection of working children;
- (c) Promoting education and formal and informal training;
- (d) Improving and strengthening legislation on child labour and ensuring that the legislation is applied;
- (e) Coordinating and monitoring action to combat child labour.

126. In addition, special facilities for street children - for example education spaces and crisis centres - have been established pursuant to a joint MINEFI/MINFORPA/MINAS Order of 8 June 1999. There are plans to increase the number of public facilities for the accommodation and supervision of young children. In order to give effect to these strategies, the Ministry of Social Affairs has targeted this group through action designed to resettle normal children with their families and promote the social and economic reintegration of socially maladjusted children. These activities focus on various matters such as accommodation, material assistance, crisis intervention, school enrolment and vocational training.

VI. BASIC HEALTH AND WELFARE

A. Disabled children (art. 23)

127. In essence, article 23 of the Convention requires States parties to take measures to ensure that disabled children enjoy access to education, training, health care, rehabilitation and vocational training with a view to promoting their autonomy and social integration. For its part, Cameroon gives urgent attention to the welfare of disabled persons through a combination of legislative, institutional and administrative measures.

128. The following legislative instruments should be noted:

- (a) Act No. 83/013 of 21 July 1983 on the protection of disabled persons and its implementing regulations (No. 90/1516, 26 November 1990);
- (b) Act No. 96/09 of 5 August 1996 containing the Charter for Sports;
- (c) Decree No. 80/380 of 13 September 1980 establishing the Rehabilitation Institute for the Blind;
- (d) Decree No. 71/DT/315 of 9 July 1971 establishing the Cameroonian National Disabled Federation;
- (e) Decree No. 78/56 of 21 February 1978 establishing the National Centre for the Rehabilitation of Disabled Persons and Decree No. 89/141 of 27 January 1989 reorganizing this body;
- (f) Decree No. 82/412 of 29 September 1982 on the procedure for granting State relief to indigent and needy persons;
- (g) Decree No. 96/379 of 14 June 1996 on the social and economic rehabilitation and reintegration of disabled persons;
- (h) Circular letter No. 80/1/658/MINEDUC/CTD of 18 January 1980 on the admission of disabled children or children of disabled persons to public and semi-public institutions;
- (i) Order No. 39/45 of 4 August 1953 on benefits for the blind.

129. At the institutional and administrative levels, Decree No. 98/069 of 4 May 1998, which established the Ministry of Social Affairs, also created a Sub-department for the Protection of Disabled Persons within this Ministry.

130. Approximately 700,000 people in Cameroon are affected by motor, mental or sensory disability. In 1993, there were approximately 450,000 disabled children. The treatment offered to these children basically seeks to minimize their handicap through functional rehabilitation, social integration and job placement. To this end, the Government has developed various sheltered structures such as the National Centre for the Rehabilitation of Disabled Persons in Yaoundé, the Rehabilitation Institute for the Blind in Buéa, the “Golden Bobbin” sewing workshop for disabled women in Ekounou and the Rehabilitation Centre for Deaf Children.

131. In addition to these structures, there exist a number of non-State institutions, the most important of which are “la Colombe”, a non-residential child guidance clinic for mentally handicapped children in Yaoundé; a special school for hearing-impaired children in Yaoundé; the SETA Handicapped Training Centre in Mbengwi (Bamenda); the Mutenguene Associated Rehabilitation Centre for Persons with Motor Disability; Promotion of Cameroonians with Disabilities; the Garua Rehabilitation and Welfare Centre for Deaf Children; and the National Committee for the Disabled.

132. As regards medical assistance, the authorities purchase medicines, reimburse surgical operations and organize medical evacuations and functional rehabilitation for destitute patients.

133. Since the proclamation of the United Nations Decade of Disabled Persons (1983-1992), the Cameroonian Government has increasingly focused its attention on education, sports and leisure activities. The following action has been taken:

(a) Children with visual and hearing impairments, and also mentally and physically disabled children, are integrated into the regular education system at the end of their special-needs primary schooling and also into universities and higher educational establishments. This policy is in conformity with the provisions of Act No. 83/013 of 21 July 1983, referred to above;

(b) Private sponsors are authorized to establish special-needs educational institutions and subsidies are available to help run such establishments;

(c) Payment of special educational benefits to young Cameroonians in national and foreign institutions. These benefits are normally designed to cover the cost of tuition and any equipment that students may require;

(d) In accordance with the Charter referred to above, a sports association called Handisports has been established to promote sports and leisure activities for disabled persons and integrate such activities into functional rehabilitation programmes. Likewise, several sports associations under the umbrella of the National Sports Federation for Disabled Persons have had the opportunity to participate in various sporting events, including at the international level;

(e) Young disabled athletes have participated in national sporting events.

These activities are constrained by scarce public resources, which make it difficult to address the manifold problems facing disabled children, and by the qualitative and quantitative inadequacies of specialized institutions and personnel.

B. Health and health services (art. 24)

134. Article 24 of the Convention states that the child has the right to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness. Cameroon is a party to the Declaration of Alma Ata of 1978 and thus espouses the ideal of primary medical care. Cameroon also ratified the Charter on Child Health Development in 1980.

135. To ensure the survival and development of the child, the Government has adopted and (since 1992) implemented its primary health care refocus programme, the aim of which is to reorganize the health service so as to make it more accessible to the general public, and to mothers and children in particular, whence the concept of the health district, which is the task unit for the implementation of this programme.

136. Moreover, as part of the implementation of this policy, in 1995, the new organizational flow chart of the Ministry of Public Health established within the Community Health Office a Sub-department for Family Health with special responsibility for issues relating to maternal and child health. This Sub-department comprises a child survival programme and a maternal health service. It also incorporates a hygiene service.

137. Maternal health services have been improved through initiatives focusing on reproductive health, nutrition education, antenatal clinics and emergency obstetric care.

138. Child survival is supported by four priority programmes, namely, the extended vaccination programme; the national programme to promote breast-feeding; the diarrhoeal disease control programme; and the acute infection control programme, a national policy document on which is being finalized.

139. Other programmes which impact on the entire population, but also involve children, include the anti-malaria programme and the AIDS control programme, which is coordinated by a national committee. Also worthy of note are antenatal and post-natal clinics, the universalization of vitamin A supplementation and Information-Education-Communication activities. The introduction of comprehensive treatment for childhood illnesses, which aims to bring all these programmes and other child-related issues under one umbrella, is now in progress.

140. In addition, the following measures are helping to improve maternal and child health:

- (a) Approval of a national population programme;
- (b) Publication of standard policy documents on maternal and child health and family planning;

- (c) Inclusion of contraceptives in the national list of essential medicinal products;
- (d) Establishment of an ad hoc subcommittee to coordinate maternal and child health and family planning activities;
- (e) Involvement of NGOs in the implementation of child health and family planning activities in collaboration with the Ministry of Public Health;
- (f) Integration (since 1994) of maternal and child health and family planning activities in the minimum action programme at all levels;
- (g) Finalization of an adolescent health policy document;
- (h) National consensus on the constituent elements of reproductive health.

141. The statistics quoted below present a much more detailed picture of the state of maternal and child health in Cameroon.

1. Mortality indicators

142. Maternal and child mortality indicators are relatively high:

- (a) Probability of death prior to fifth birthday: 126 per thousand;
- (b) Deaths from acute respiratory infections in under-fives: 27 per cent;
- (c) Deaths from diarrhoeal diseases in under-fives: 17.6 per cent;
- (d) Deaths from measles in under-fives: 12.3 per cent;
- (e) Deaths from malaria in under-fives: 43 per cent;
- (f) Crude death rate: 13.7 per cent;
- (g) Infant mortality rate: 81/1000;
- (h) Maternal mortality rate: 547 deaths per 100,000 births.

143. These statistics appear to show that the infant and maternal mortality rates in Cameroon are relatively high. However, considerable efforts have been made to strengthen antenatal and post-natal care. For example, 55 per cent of all childbirths are assisted and 50 per cent of newborns are cared for by qualified personnel.

2. Morbidity indicators

144. The development of indicators for the major target diseases covered by the extended vaccination programme is shown in the following table:

	1993	1994	1995	1996	1997
Neonatal tetanus	345	285	95	-	-
Measles	14 171	6 712	5 535		7 210

(a) Number of iodine-deficiency cases: 18 per cent of children aged between 6 and 12 in risk provinces;

(b) Anaemia in under-fives: 44.7 per cent of children aged between 6 and 59 months;

(c) Vitamin A deficiency in northern provinces: xerophthalmia (3.1 per cent), blindness (1.2 per cent).

Vaccination coverage, five-year-olds

	1993	1994	1995	1996	1997
BCG		53%	54%	55%	55%
DTP3	34%	38%	46%	44%	49%
Polio 3	34%	36%	46%	43%	47%
Rouvax	32%	38%	46%	39%	[illegible]
Tetanus vaccine 2	9%	10%	12%	35%	[illegible]
Coverage	66%	71%	70%	77%	75%

These statistics have been calculated on the basis of the reports received, from which the extent of coverage has been extrapolated.

145. The two National Polio Vaccination Days in 1997, on which 93 and 102 per cent of the target populations were inoculated respectively, have significantly boosted vaccination coverage against this disease. These days, which form part of a strategy to eradicate polio, will be organized every year until 2000 at least. Similar anti-measles campaigns are planned in urban areas in 1999.

3. Health policy

146. Current policy is to make the services on offer more accessible to the general public. This is the tenor of Decree No. 95/013 of 17 February 1995 on the organization of basic health services, which enshrines the concept of the health district. A health district is a unit covering approximately 100,000 people. It includes a district health service, a district hospital, integrated health centres and dialogue facilities (health committees and management committees). All

these structures must be operational. There are approximately 135 health districts divided among the 10 national provinces: Adamaoua (5); Centre (22); Est (11); Extrême-Nord (22); Littoral (15); Nord (12); Nord-Ouest (13); Ouest (16); Sud (6); and Sud-Ouest (13).

147. In the restructured health system, health units have been grouped into six categories in order to make them more accountable:

- (a) Category 1: three general hospitals and a university hospital;
- (b) Category 2: three referral hospitals including a hospital run by a semi-public body;
- (c) Category 3: eight regional hospitals;
- (d) Category 4: district hospitals;
- (e) Category 5: district medical centres (structures intermediate between integrated health centres and district hospitals);
- (f) Category 6: integrated health centres.

4. Human, financial and material resources

148. The available human, financial and material resources are sometimes inadequate to meet developing needs. In 1998, the population of Cameroon was 14,452,270 compared to 10,493,665 in 1987. The annual rate of population growth is 2.9 per cent.

Number of health workers

Category	Total number, 1996	Number per 1 000 inhabitants
[Word omitted] specialist training	1 007	0.74
Midwives	69	0.05
Health administrators	21	0.01
Nurses (all categories)	4 998	3.66
Pharmacists	59	0.04
Surgeons - dentists	59	0.04
Others*	1 578	1.16

Source: Ministry of Public Health 1996.

* Laboratory assistants, public health engineers, assistant anaesthetists, assistant pharmacists, etc.

5. Support for government efforts

149. Cameroon is supported in its endeavours by its international partners. International aid accounts for 66 per cent of total public health expenditure, or CFAF 12,797 million in 1995-1996. Generally speaking, there has been a trend towards outside funding in the period 1993 to 1996, as indicated in the table below:

	1993-1994	1994-1995	1995-1996
Total, millions	7 979	8 828	12 797

In this way, bilateral and multilateral bodies and local NGOs support the Government's maternal and child health programmes in the field. Needless to say, of course, it cannot be claimed that the goal of health for all by the year 2000, as proclaimed by the slogan, has been achieved if people still do not have access to essential drugs.

150. To this end, the system for supplying essential drugs has been reorganized through the establishment of community pharmacies in integrated health centres and public hospitals, pharmaceutical supply centres at provincial level and the National Centre for the Supply of Essential Drugs. In order to ensure the availability of medicines at the lowest possible cost and because the economic crisis has considerably eroded individual purchasing power, Act No. 90/062 of 19 December 1990 allows hospitals and health units to sell essential drugs at below market price and to use the proceeds for restocking.

151. The authorities are taking a keen interest in traditional medicine as part of the community health programme. This branch of medicine is promoted by the Institute for Medical Research into Medicinal Plants. Traditional medicine is encouraged and practitioners work alongside local health authorities to provide patient care. A bill is currently being prepared by the Traditional Medicine Department of the Community Health Office.

6. The national AIDS prevention programme

(a) Prevention strategies

152. Efforts to combat AIDS are based on four major activities, namely, prevention, patient care, disease control and research.

153. Prevention is the lynchpin of the strategy. The core element is the Information-Education-Communication programme, which aims to raise the awareness of the general public and especially of risk groups with regard to the following areas:

- Awareness of channels of transmission;
- Preventive methods focusing on responsible sexual behaviour and the use of one-time or sterile medical equipment;

- Transfusion safety, i.e. efforts to minimize the number of blood transfusions, which should be administered only when the case warrants and after the blood designated for use in the transfusion has been screened. To this end, it is planned to establish a network of laboratories with the capacity to conduct HIV serological testing throughout all health districts. A blood transfusion guide has been formulated.

154. Effective care is provided to AIDS patients, persons infected by HIV, orphans, and HIV-positive relatives.

AIDS patients

155. There is a specific treatment which is not available to the vast majority of the population of Cameroon. This treatment should consist of triple- or at least double-combination therapy. Triple-combination therapy will undoubtedly become more accessible as a result of effective cooperation between the Ministry of Public Health and the various bodies and NGOs active in this field. Patients are admitted to hospital for the treatment of opportunistic infections. AIDS patients are advised to avoid unprotected sexual relations so as not to increase the viral load.

Persons infected by HIV

156. Persons infected by HIV receive counselling that enables them to live with their infection and encourages them to adopt responsible sexual behaviour and submit to rigorous and regular medical check-ups.

Orphans

157. Programme personnel, in collaboration with certain NGOs, visit orphans and provide appropriate care. One NGO also takes in orphans and provides comprehensive care.

Relatives

158. Relatives receive counselling which enables them to learn more about the disease, provide better support for patients and assist them as best they can.

159. In addition to systematic disease control, sentinel surveillance remains the principal source of information. Various surveys and studies are used to provide a very detailed picture of the pandemic. Sentinel surveillance targets pregnant women.

160. Research focuses on viral forms, vaccines and treatment (in collaboration with practitioners of traditional medicine).

161. The increasing exposure of certain social and professional groups to the disease has led to the identification of four main risk groups in Cameroon, namely, prostitutes; military personnel, police officers and related personnel; lorry drivers; and prisoners.

162. With a view to providing a comprehensive community care programme, the campaign against AIDS and sexually transmitted diseases (STDs) forms part of the minimum programme to be implemented by hospitals and health units. The Information-Education-Communication programme also attaches importance to this campaign.

163. The following principles have been laid down for the care of HIV-positive pregnant women undergoing treatment at a hospital or health unit: (a) practise contraception; (b) regularly attend antenatal clinics to term and post-natal clinics thereafter; and (c) regular check-ups of the newborn, comprehensive care and successive tests.

164. In certain rare cases, the disappearance of HIV infection has been noted owing to spontaneous and natural seroconversion.

(b) The pandemic in Cameroon

(i) The general population

165. The rate of HIV seroprevalence in the general population is 5.5 per cent, a figure extrapolated from sentinel surveillance of pregnant women conducted by the MOSCAP project in the course of its work. The rate of seroprevalence stood at 1 per cent in the 1990s. Following the winding up of the MOSCAP project, it has become practically impossible to reassess the situation. The most recent evaluation dates from 1995. Surveys are currently being carried out by the Institute for Demographic Training and Research, which will yield new data.

(ii) Risk groups

166. The rate of seroprevalence in Yaoundé was 25 per cent in 1992 and 15 per cent in 1995. In Douala, the rate was 45 per cent in 1992. Fifteen per cent of lorry drivers and 16 per cent of prisoners tested seropositive in 1994. In 1995, 2,766 children were diagnosed with AIDS. The rates of seroprevalence among children were 3.5 per cent in the age range 0 to 4; 3.1 per cent in the age range 5 to 14; and 18.6 per cent in the age group 15 to 24.

(c) Efforts to combat STDs

167. This campaign focuses on four main areas: (a) attendance at a hospital or health unit at the first sign of disease; (b) avoidance of self-medication; (c) procedures enabling personnel to deal expeditiously with STDs; (d) promotion of responsible sexual behaviour through the Information-Education-Communication programme.

168. Up to 1997, the national anti-AIDS programme was operated exclusively with funds received from abroad. Since the financial year 1998-1999, however, the five-year budgeted action plan has been put into effect with a combination of public money and contributions from foreign donors.

C. Social security and childcare facilities and services (arts. 26 and 18, para. 3)

169. Under article 26 of the Convention, children have the right to benefit from social security, including social insurance. In Cameroon, social security is administered by:

(a) The National Social Contingency Fund (CPNS) in the case of workers subject to the Labour Code, i.e. the employees of private and semi-public enterprises and personnel other than State civil servants;

(b) The Ministries of the Civil Service, the Economy and Finance, as well as all ministerial departments concerned, in the case of civil servants and personnel with decision-making powers, excluding the category of those subject to the Labour Code.

It may thus be seen that the right to social security benefits is, in the first place, the right of salaried workers and, in the second, that of their children and those regularly under their care.

1. The legal framework

170. The legislation and regulations governing social security include:

(a) Act No. 67/LF/7 of 12 June 1967 establishing the Family Benefits Code and Act No. 84/007 of 4 July 1984 amending Act No. 69/LF/18 of 10 November 1969 establishing a pension scheme (old age, disability and survivors);

(b) Decree No. 94/199 of 7 October 1994, article 31 of which contains the general statutes of the State civil service and the enabling legislation.

There are thus two coexisting social security systems, each of which determines the kind of social benefits provided. Some of these benefits are granted to children through their parents or guardians.

(a) The social security system administered by the National Social Contingency Fund

171. Several benefits are provided to ensure the welfare of children. They are as follows:

(i) Assistance to mothers and infants

172. Assistance to mothers and infants takes the form of prenatal allowances, maternity allowances, the payment of medical expenses for pregnancy and childbirth and possible benefits in kind:

(a) An antenatal allowance is granted to every woman wage earner or wife of a wage earner regularly registered with the National Social Contingency Fund (CNPS) for each pregnancy; it is paid in two instalments, each of which is equivalent to four and one-half months of family allowance for one child;

(b) At term, a maternity allowance is due if a viable infant is born and the birth declared to the registry office; it is payable once and is equivalent to 12 times the monthly amount of the family allowance for one child;

(c) Medical expenses incurred at the time of antenatal examinations, delivery and doctor's visits for the infant up to the age of six months are partially reimbursed by the CNPS.

(ii) Maternity leave allowance

173. A daily maternity leave allowance is paid by the CNPS to every pregnant woman wage earner or wife of a wage earner; it is equivalent to the full daily salary being paid at the time the work contract is suspended because of the pregnancy.

(iii) Family allowance

174. A family allowance is paid to a beneficiary (parent or guardian) who has dependent children. A dependent child is one for whom housing, food, education and general care is actually and permanently provided. The child may be legitimate, legitimized, recognized, adopted or born to the wife of the beneficiary by a previous marriage. The amount of the family allowance is set at CFAF 1,800 per child per month and is paid at the end of each quarter.

175. In addition to these different family allowances, assistance of various kinds is given to parents in discharging their responsibilities for the education of their children through health and social services. For this purpose, the CNPS creates and administers health and social welfare facilities and grants subsidies and loans to institutions, establishments and facilities catering for health and social welfare to assist the families of insured persons.

Health facilities

176. These are mother and child protection centres (MCP) and medical-social welfare centres which, for prophylactic purposes, provide prenatal consultations, weekly weighing of infants from 0 to 2 years, vaccinations and dietary demonstrations. By way of remedial care, they hold consultations and minister to the sick, who are basically children, pregnant women and victims of industrial injury and occupational disease.

177. The services provided by the MCP centres are free of charge. In addition to MCP activities, the medical-social welfare centres, hold consultations and give all kinds of out-patient care, refer sick adults and children to hospital and work to provide psychological and maternal assistance to their patients. For this purpose, they each have a paediatrics section, a general medical section, a maternity section, a surgical centre, an x-ray section, a laboratory and pharmacy, and a social services unit. There is a charge for the services offered by these centres, but it is much lower than what is charged by private facilities.

178. There are at present three medical-social welfare centres, in Yaoundé (120 beds), Marua (50 beds) and Garua (60 beds) and four MCP centres, in Douala, Bafoussam, Bamenda and Bertua.

Social welfare agencies

179. These include social centres, sections and sectors and home management centres:

(a) The social centres carry out various activities in the sphere of maternal and child protection and assistance. In the area of family education, for example, they give young mothers classes in family budget management, sewing, embroidery, knitting and cookery. By way of preventive action and psychological and material assistance, the social centres give help, where possible, to their users in solving some of their problems, for example marital disputes and the preparation of applications for benefits. Today, out of the 282 social centres planned for the whole country, 146 are in operation;

(b) The social sections are social centre branches set up within the services of the CNPS. They provide moral, psychological and material assistance to their users. The table in annex 1 shows 56 social sections;

(c) Social sectors are being set up on the basis of one per district. For the moment, there is only one sector, in the city of Douala;

(d) The home management centres teach the theory and practice of childcare, first aid, health education, sewing, cookery, etc. They are open without discrimination to all girls who have completed at least their primary education.

(iv) Survivor benefit

180. A survivor's pension or allowance is granted to the descendants of a wage earner who has died, even if he already had an old-age pension.

(b) The civil service social security system

181. Where children are concerned, the benefits are as follows:

(a) Family benefits granted to parents for each of their school-age children; these comprise a monthly allowance per child, a family salary supplement and a maternity allowance; in the case of civil servants and related categories, such benefits are paid at the same time as the salary;

(b) The partial reimbursement of the expenses of medical care, medicines, evacuation abroad for health reasons, hospitalization, physiotherapy and artificial aids for children of State employees;

(c) A survivor's pension or allowance paid monthly to the descendants of a deceased civil servant or the like.

2. Procedures for the payment of benefits

182. In general, the procedures vary according to the system and, within each system, according to the type of benefit:

- (a) In the CNPS, benefits cannot be requested or granted unless the parent of the child is a wage earner registered with the CNPS; the CNPS has its own payment windows;
- (b) In the civil service, certificates granting the different benefits are recorded by the respective competent authorities, disbursed by the Ministry of the Economy and Finance and paid by its treasury department; there is no “social security management” account in the treasury;
- (c) In the two systems, family allowances and survivors’ pensions are paid regularly, all other benefits becoming payable only once a given event takes place; furthermore, benefits are not paid directly to children, but to their representatives.

3. Social security financing

183. In the Civil Service, social security charges are included in the State budget under compulsory expenditure; contributions are shown as income. In the CNPS, social security is funded jointly by employers’ and workers’ contributions; it is based on a cost-sharing system.

4. Problems

184. The problems are the following:

- (a) Unwieldy procedures;
- (b) Structural and organizational weaknesses;
- (c) The complexity of the arrangements;
- (d) Disparities between the two systems;
- (e) Lack of computerization of benefits;
- (f) Irregularly supplied database;
- (g) Arrears in contributions owing to economic difficulties experienced by private enterprises and the State where staff subject to the Labour Code are concerned;
- (h) Accumulated arrears in benefits owed to CNPS beneficiaries because of arrears in contributions and the decline in funding resources, on the one hand, and the contraction of salaried employment, on the other;
- (i) Restricted categories of social security beneficiaries: children of non-wage earners, workers in the informal sector, independent farmers and the unemployed are excluded;

- (j) Low amount of benefits, which are purely symbolic;
- (k) Limited scope of social security: the health insurance and unemployment insurance branches are not covered;
- (l) Adverse effects of the economic crisis.

5. Prospects

185. Consideration is being given to the rehabilitation of the CNPS and to the reform of social security in Cameroon.

6. Childcare support services and facilities

186. Under article 18, paragraph 3, of the Convention, States parties take all appropriate measures to ensure that the children of working parents have the right to benefit from childcare services and facilities for which they are eligible. With regard to legislation, the right of working parents to benefit from such services has not yet been made the subject of any legal instrument. From the economic and social point of view, setting up crèches requires an investment which is not always within the means of either enterprises or the State. Nor can workers afford the price of such services, so they prefer to employ domestic workers. In general, the Government's policy with regard to crèches is based on the principle that children are something precious to be fostered; the Government aims to ensure for each child that is born the environment of affection and psychological support it needs for harmonious growth and development. Programmes have been set up aiming at an appropriate combination of productivity at work and care for the children. A programme called "Nursing mothers' friendly corner" has been set up by an NGO in cooperation with the Ministries of Health and Social Affairs.

D. Standard of living (art. 27, paras. 1-3)

187. Article 27 of the Convention on the Rights of the Child stipulates that every child has the right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development. Parents have the primary responsibility to secure that standard of living for the child. The State has the duty to act in such a way that they can and do assume that responsibility. The State's responsibility may include material assistance to parents and their children. From the point of view of that provision, there have to be two main partners working together to guarantee the child an adequate standard of living: the parents and the State.

1. Parental responsibility

188. According to articles 180, 282 and 358 of the Penal Code, parents have an obligation to ensure a decent standard of living for their children.

Article 180: Alimony

“(1) Anyone who has failed for more than two months to provide the full amount of the alimony he has been ordered to pay to his spouse, her ascendants or descendants shall be liable to one month to one year’s imprisonment and/or a fine of CFAF 20,000 to CFAF 400,000.

(2) Failure to pay is deemed deliberate without proof to the contrary; insolvency as a result of habitual misconduct, for example, drunkenness, is never a valid excuse for debt.”

Article 282: Abandonment of an incapable person

“(1) Anyone who removes a person incapable of protecting himself by reason of his physical or mental state in order to abandon him shall be liable to one to three years’ imprisonment and a fine of CFAF 5,000 to CFAF 25,000.

(2) The term of imprisonment shall be 5 to 10 years if the victim was abandoned in an isolated place.

(3) The term of imprisonment shall be 10 to 20 years where the offender is an older relative or anyone having authority or custody de jure or de facto over the incapable person.

(4) In all cases, the court of law may pronounce the loss of rights provided for in article 30 of the present Code, as well as revoking parental rights for the same period of time.”

Article 358: Abandonment of the home

“(1) The mother or the father of a family who without legitimate reason neglects all or part of his or her moral or material obligations vis-à-vis his or her spouse, child or children by abandoning the family home or by any other means shall be liable to three months to one year’s imprisonment or a fine of CFAF 5,000 to CFAF 500,000.

(2) The court of law may pronounce the loss of rights provided for in article 30 of the present Code and deprive the convicted person of the guardianship or custody of one or any of his children for the period specified in article 31 (4) of the present Code and revoke his parental rights for the same period.”

2. State responsibility

189. The Government has adopted quite a wide variety of appropriate measures, which include:

(a) Decree No. 82/412 of 9 September 1982 on the procedure for granting State relief to indigent and needy persons;

(b) Circular letter No. 80/I/658/MINEDUC/CTD of 18 January 1980 on admission of disabled children and children of disabled parents to public and semi-public institutions;

(c) Circular letter No. 90/02800/LC/MINASCOF/SG/DRS of 10 December 1990 on provision of aids to needy and disabled persons;

(d) Act No. 67/LF/7 of 12 June 1967 instituting a family benefits code.

190. Out of a desire to improve the living environment of its people with regard to housing, Cameroon has set up several bodies:

(a) The urban planning unit within the Ministry of Town Planning and Housing to plan urban development;

(b) The Urban and Rural Planning and Development Mission (MAETUR), set up by Decree No. 77/193, articles 1, 2, 3, 11 and 13 of which were amended and supplemented by Decree No. 82/599 of 25 November 1982;

(c) The Cameroon Property Loan Bank, created by Decree No. 77/140 of 13 May 1977 to finance housing;

(d) The Cameroon Property Company (SIC), reorganized to ensure better production of housing for Cameroonians.

191. Measures related to children's living standards can be judged primarily on the basis of environment-linked indicators. The following data are taken from the second General Population and Housing Census (RGPH) and the Cameroonian Household Survey (ECAM):

Total population (thousands), RGPH, projection for 1997

Total	14,174
Male	6,986
Female	7,188
Urban	6,633
Rural	7,441

Population aged up to 64 years (thousands), RGPH, projection for 1997

Total	3,477
Male	1,748
Female	236

Population 65 years and over (thousands), RGPH, projection for 1997

Total	439
Male	203
Female	1,729

Demographic growth rate: 2.9 (RGPH, 1997)

Housing (ECAM)

Average size of household	5.9 persons
Housing units with mud or adobe walls	51.8%
Housing units with walls made of breeze blocks, concrete, freestone or baked brick	16.7%
Householders	71.5%
Tenants	20.3%
Persons housed by their employer or free of charge	8.2%

Lighting (ECAM)

Electricity	37%
Paraffin	54.4%
Other	8.6%

Water supply (ECAM)

Connection to National Water Distribution Company network	31.3%
Supplied from springs, rivers or wells	55.8%
Other	8.6%

Income inequalities and poverty (ECAM)

Households below poverty line	38.4%
Intermediate households	33%
Not poor	28.6%

It is clear from these different indicators that children's living standards deserve attention from the authorities. Since they are interrelated, any improvement in these living standards can perforce be achieved only by improving those of the parents.

VII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. Education, including vocational training and guidance (arts. 28 and 29)

192. Article 29 of the Convention on the Rights of the Child basically provides that the education of the child is directed to fostering the physical, intellectual, moral and cultural development of the child, as well as the development of his personality and sense of responsibility, and to instilling a sense of respect for others and for the virtues of peace, tolerance and equality of the sexes. In order to make such education accessible to all, article 28, paragraph 1 (a), of the Convention requires States to make primary education "compulsory and available free to all". Cameroon appears to be meeting this requirement, since its authorities are committed to promoting basic education for all. The preamble of the Constitution thus affirms

that “The State shall guarantee the child’s right to education. Primary education shall be compulsory.” The preamble also provides that the State guarantees all citizens of either sex the enjoyment of this right to instruction. Similarly, Act No. 63/COR/5 of 3 July 1963 and the text containing the West Cameroon Education Policy recognize every citizen’s right to education and instruction without discrimination.

193. The objectives of the philosophy of education in Cameroon include:

- (a) Quality education for the masses: this democratization of education favours access to instruction for the greatest number while preserving its quality;
- (b) The physical, moral, intellectual and cultural development of the child;
- (c) National integration; and
- (d) The promotion of bilingualism in accordance with the provisions of article 1, paragraph 3, of the Constitution of the Republic, through the teaching of English and French as from the primary level.

In the same vein, Act No. 98/004 of 14 April 1998 containing education guidelines in Cameroon stipulates that:

“Article 6: The State shall guarantee the child’s right to education.

Article 7: The State shall guarantee to all equality of opportunity for access to education without discrimination by reason of sex, political, philosophical or religious views or social, cultural, linguistic or geographic origin.

Article 9: Primary education is compulsory.”

194. To achieve the above-mentioned aims, a series of measures have been adopted, of which the following four are the most important:

1. Improving education supply

195. At the primary and nursery school level, 2,304 schools were created between 1990 and 1998 (see table 1*) compared to 184 private schools; this permitted an intake in 1996/1997 of 1,966,950 pupils for the primary cycle and 87,318 pupils for the nursery school cycle, distributed as indicated in tables 2 and 3*. During the same year, the school-age population (children aged 5 to 14 years) was 3,444,740. Hence there was an unmet social demand for education of 1,477,790. At the post-primary, general secondary and technical levels, 314 general and technical colleges, as well as 240 SAR/SMs and 254 general and technical lycées provided instruction for 558,424 students, distributed as indicated in tables 2 to 9,* in 1996/1997.

* The statistical tables may be consulted in the secretariat of the Committee on the Rights of the Child.

2. Improving quality

196. This requires initial training for young people of both sexes. It is provided by the Ecole normale supérieure (ENS) (a teacher training college) and by the Ecole normale supérieure de l'enseignement technique (ENSET) (a technical teacher training college), which train teachers for general and technical colleges and lycées. General and technical primary school teachers are trained by the Ecoles normales des instituteurs de l'enseignement général and de l'enseignement technique (primary school teacher training colleges). Nearly 8,000 high school teachers and about 8,703 primary school teachers have thus been trained and recruited by the State.

197. In 1996/1997, for example, out of 5,339 student teachers in training, 48 per cent or 2,563 were girls (table 7*). At the general secondary level, out of 907 student lycée teachers graduating from ENS in 1998, girls accounted for 37.8 per cent. However, it should be noted that they were mainly to be found in the literary sections.

198. Ongoing training is provided for teachers on the job: it takes the form of teacher training days and seminars which are also designed for supervisory staff (heads of primary and nursery schools, principals of secondary schools and lycées). A sufficiently large pool of teachers is ensured and the level of their skills can be raised by these means.

3. Guaranteeing fairness

199. To reduce the existing gap between the number of girls attending school and the number of boys, as well as disparities in the geographical distribution of pupils (see table 8*), the Government, with the support of donors, has undertaken reforms and devised strategies in general to improve entry rates in the provinces where enrolment is low and to keep girls in school in particular. In addition, a policy of encouragement and social advocacy has been adopted to attract more girls to the sciences. More than 2 million adults aged 15 years and over are illiterate, the rate being highest among women. Consequently, the Government is setting up literacy programmes to reduce the number of illiterates.

4. Financing education

200. Despite the economic crisis that has severely afflicted the country and reduced budgetary allocations to the different economic sectors, the share of the budget devoted to education remains relatively high (see table 10*). However, measures to implement the 20/20 initiative are being taken by the Government. Pursuant to the Framework and Plan of Action adopted at the UNESCO Conference in Jomtien, reforms are under way to pinpoint new opportunities for educational funding and better management of the resources thus obtained.

201. The following may be mentioned as contributors to the mobilization of financial and material resources:

(a) Parents of pupils, 80 per cent of whose required contribution goes to fund school operating costs;

(b) Decentralized local communities (communes), through programmes for the construction and equipment of schools and anti-malaria prophylaxis or “nivaquinization” for pupils;

(c) Parents’ associations, which make an appreciable contribution to the outfitting and running of schools;

(d) NGOs, through construction, outfitting and the improvement of the school environment;

(e) Private sponsors.

The resources thus mobilized improve school distribution and performance, thereby enhancing the quality of education on offer and its availability, with a view to “education for all” and “lifelong education”.

202. The global promotion strategies in the Jomtien Plan of Action include the “least cost” approach, which aims to improve the cost-benefit/cost-effectiveness ratio in the procurement and use of goods and services intended for education.

203. It must be pointed out that the implementation of this whole policy of quality education for the masses is unfortunately hampered by several obstacles, such as the economic recession, the external debt burden, the devaluation of the CFA franc, the weight of tradition, demographic pressure and the high concentration of population in the main towns.

B. Leisure and cultural activities (art. 31)

204. To promote the right of the child to leisure and recreational and cultural activities, Cameroon has adopted a set of legislative, administrative and institutional measures.

205. The many laws and regulations include:

(a) Act No. 74/22 of 5 December 1974 on sports and socio-educational facilities;

(b) Act No. 96/09 of 5 August 1996 containing the Charter for Sports;

(c) Decree No. 69/DF/302 of 8 August 1969 amending Decree No. 67/DF/503 of 2 November 1967 on the reorganization of youth movements and popular education;

(d) Decree No. 96/CAB/MINJES of 12 March 1996 on the organization of the Ministry of Youth and Sports;

(e) Decree No. 91/255 of 30 May 1991 on the organization of the National Youth and Sports Institute;

(f) Order No. 002/C/JS/EP of 15 February 1977 on the organization and operation of school holiday facilities;

(g) Ministerial Instruction No. 001/IM/MJS of 18 January 1979 setting up mobile community development teams;

(h) Ministerial Instruction No. 001/IM/MJS/DJA/MINJES of 23 January 1990 on the administration and management of youth and community activity centres.

206. Where administrative and institutional measures for the promotion of leisure and cultural activities are concerned, Decree No. 96/CAB/MINJES of 12 March 1996 on the organization of the Ministry of Youth and Sports provided for a Department of Youth and Community Activities with a Socio-Educational Activities Branch composed of two services for the promotion of sociocultural and educational activities. As far as external services are concerned, provincial and departmental youth and community activities and sports services have been created to promote the development of sports and sociocultural activities in schools. Examples are the establishment of sports and cultural activities services and divisions in higher education and sports and cultural associations at the secondary level.

207. In addition to the above-mentioned decree, Decree No. 98/003 of 8 January 1998 on the organization of the Ministry of Culture provides for a Department for the Promotion of Culture and the Arts whose task is to develop and promote creative and productive work in culture and the arts and to define and implement strategies for promoting reading, the arts and cultural activities.

208. Moreover, some activities are carried out for the care of young people during the holidays, including holiday camps for those from 8 to 12 years of age, holiday work camps and an initiative called "INJS - Sports, Leisure, Holidays" that promotes sociocultural and leisure activities.

209. Different entities also exist to support the care of young people in their leisure, sporting, sociocultural and artistic activities. They are both public and private and include:

(a) The National Youth and Sports Institute, whose task is to train supervisory staff for youth and sports;

(b) National Youth and Sports Centres for the training of middle-level supervisors for youth and sports; there are three of these, in Dschang, Garua and Kribi;

(c) Youth and community activity centres, which are non-formal educational establishments offering their members opportunities to develop their creativity and business sense with a view to socio-occupational integration; these centres are for young people aged at least 12 years who have been rejected by the formal education system; there are about 317 such centres (11 provincial, 56 departmental and 251 district centres);

(d) Mobile urban community development teams formed in the main towns of the administrative districts; their task is to initiate young people and adults into integrated development activities;

(e) The Mbalmayo Art Institute.

210. Side by side with these State entities, there are private initiatives that support the work of the authorities. Examples are:

(a) Youth movements and associations. These are organizations sponsored by religious denominations that work for the moral, spiritual and civic education of their members, while also promoting leisure and cultural activities; there are about 405 of these registered;

(b) Private leisure and re-education centres offering leisure activities and sociocultural education; they also offer their members appropriate technical training to enable them to join the workforce. Examples are the René Durand Centre in Mbalmayo, the Jean Bosco Centre in Yaoundé and the guides' headquarters;

(c) The project for the mobilization of youth through sports (MOJAS), launched as part of cooperation between the Mission française de coopération (French voluntary service overseas) and the urban communities of Yaoundé and Douala; this project aims to help young people through sports activities, with a view to fuller social and economic integration. Thus, in addition to the holiday championships organized for them, young people can also join cooperative associations where they are taught to make sports equipment.

VIII. SPECIAL PROTECTION MEASURES

A. Children in emergency situations

211. Under article 38 of the Convention on the Rights of the Child, States parties undertake to respect and ensure respect for rules of international humanitarian law in cases of armed conflict. They agree to take all feasible measures to ensure that persons who have not attained the age of 15 years do not take a direct part in hostilities.

212. It must be stated that Cameroon has ratified the Geneva Conventions of 12 August 1949 and the Additional Protocols of 1977 and, according to the rules in force, no child under 18 years of age may be recruited into the national defence forces (the army, the gendarmerie and the police). In response to these requirements, Cameroon holds various seminars for Cameroonian officers and higher echelons one of whose aims is to make them aware of the application of international humanitarian law in situations of armed conflict or internal disturbance. It should also be pointed out that the Red Cross and Red Crescent freely carry out their activities in Cameroon. The International Committee of the Red Cross was thus able to visit prisoners in the border conflict with Nigeria in Bakassi.

213. On the subject of refugees, article 22 of the Convention on the Rights of the Child provides that States parties will take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee will receive protection and humanitarian assistance.

214. In this regard, Cameroon ratified the Convention relating to the Status of Refugees on 23 October 1961 and the Protocol relating to the Status of Refugees on 19 September 1967. Pursuant to the provisions of that instrument, Cameroon has, in cooperation with UNHCR, taken in refugees from Burundi, Congo, Liberia, Rwanda, Sudan and Chad.

215. According to the UNHCR report (1998), the number of refugees living in Cameroon is estimated at 47,057, of whom 6,007 are assisted by UNHCR, namely: 3,053 Chadians, 1,227 Rwandans, 332 Burundians, 182 (Kinshasa) Congolese, 230 (Brazzaville) Congolese, 180 Sudanese, 167 Liberians and 636 other nationalities.

216. In the border conflict in the peninsula of Bakassi between Cameroon and Nigeria, the President of the Republic has, by Decision No. 001 of 17 January 1997, set up a committee to give State assistance to the displaced civilian populations in combat zones. The committee has prepared a programme of immediate, short-term and medium-term action.

Immediate action

217. The immediate action for which the Government has released CFAF 205 million is basically fourfold and concerns (a) food security; (b) health (essential medicines and the prevention of epidemics); (c) education (school fees, school supplies and uniforms); and (d) essential goods.

Short-term action

218. Short-term action, estimated at CFAF 462 million, is about to begin and involves (a) the building of huts out of temporary materials for the resettlement of 200 families, with wells and latrines; (b) the construction of a bilingual school comprising all levels (nursery, primary and secondary); (c) the purchase of mattresses, sheets and blankets; (d) the construction of a dispensary; (e) the provision of fishing supplies and seeds; (f) the procurement of five light vessels for the use of the administrative and municipal authorities; and (g) the completion by military engineers of the Mundemba-Isangele road.

Medium-term action

219. Three types of action are planned for the medium term, namely: (a) the construction of an all-season, preferably asphalt, road for vehicular traffic between Kumba-Ekondo Titi and Mundemba; (b) the development of a centre for sea-fisheries-linked occupations at Isangele (repair of vessels and outboard motors, swimming); and (c) the creation at Isangele of socio-economic infrastructure to encourage the return of displaced persons and the settlement of the whole Bakassi area.

220. Throughout the first phase of this programme and without minimizing the other aspects, special emphasis has been placed on education. All school costs for the children of all the administrative units making up the Bakassi area have thus been assumed by the State for the 1996/1997, 1997/1998 and 1998/1999 school years.

B. Children in conflict with the law

1. Administration of juvenile justice (art. 40)

221. Since the Decree of 30 November 1928 establishing special courts and the probation system for minors, Cameroon has adopted the principle of the criminal responsibility of certain juvenile delinquents; they are not, however, indiscriminately penalized. Act No. 65/LF/24 of 12 November 1965 instituting a penal code and Act No. 67/LF/1 of 12 June 1967 containing the Penal Code introduced that colonial decree into the law applicable in independent Cameroon and established a classification of juvenile delinquents. They receive differentiated treatment according to whether they are below 10 years of age, between 10 and 14 years or between 14 and 18 years.

222. Minors below the age of 10 are considered as totally without responsibility; they can therefore not be tried for the acts they have committed. Cameroonian legislation considers this category of minors as completely lacking in discernment. They can therefore never be handed over to the Public Prosecutor's Office or brought before a judge for sentencing. The parents alone can be sentenced to provide compensation for the harm caused to the victim pursuant to the rules relating to civil liability.

223. A child between the age of 10 and 14 is criminally responsible; however, only one of the special measures provided for by the law can be imposed on him. Only the Public Prosecutor can decide to institute public proceedings. If the charges against him are sufficient, the minor is referred directly to the council chamber of the civil court in semi-private session. The decision is handed down in public session. If the minor is found guilty, the court has the choice of three measures: (a) to return him to his family; (b) to put him on probation; or (c) to place him, for a period not extending beyond the attainment of his civil majority, in the home of a trustworthy person or in an appropriate boarding school or charitable institution.

224. For minors between the ages of 14 and 18 years, the Penal Code provides for parallel measures. In addition to the possibility of imposing on them the lenient measures provided for those between ages 10 and 14, the Code also provides for their possible sentencing. The measures and the sentence can run consecutively.

225. In addition to this classification of minors, the purpose of which is to exclude certain categories of children from prosecution or from sentencing, article 80 of the Penal Code provides for an automatic ground for mitigation in favour of any minor liable to a sentence. The effect is substantially to reduce the penalty provided for by law and to avoid, as far as possible, imprisoning young children. The consequences for minors of the ground for mitigation are set forth in article 87 of the Penal Code, which stipulates that, when the law provides for mitigation, the penalties are reduced as follows:

(a) If the death penalty or life imprisonment has been incurred, the penalty is reduced to loss of liberty of from 2 to 10 years;

(b) If a period of imprisonment has been incurred in the case of a felony, the penalty is reduced to loss of liberty of from one to five years;

(c) In the case of a misdemeanour, the maximum loss of liberty or maximum fine is reduced by half and the minimum is brought down to five days or a fine of one franc. Moreover, the child may be sentenced to one of the two penalties alone.

226. The law in Cameroon therefore excludes any death sentence or even life imprisonment for a child under 18 years. As indicated above, the maximum sentence that can be imposed on such a child is 10 years; if the defendant has the benefit of extenuating circumstances, the penalty may be reduced to five days and a suspended sentence is also possible. But the judiciary is not obliged to sentence a juvenile delinquent. The above-mentioned decree of 30 November 1928 provides, in addition to the special measures of guardianship, supervision, education, reform and assistance that are ordered by the presiding judge of the civil court, for a particular measure, namely, probation. This measure, ordered by the judge, involves maintaining the child in his natural environment, whether his family or a substitute, for the purpose of his education, under the supervision either of a judge or of a social worker appointed by the juvenile court. The child remains in his family and continues to pursue his usual occupations. The judge and the social worker merely stand in for the family because the latter has been unable to ensure the child's socialization.

227. The judge may also decide that the child should be placed in an institution. Such placement may be in a rehabilitation centre in the case of a boy or a home-workshop in the case of a girl. The initiative for the placement is taken by the court itself. The examining magistrate before whom a minor accused of an act defined as an offence is brought may decide to place the minor in temporary rehabilitation. The sentencing court that declares the minor guilty of an offence may also adopt a placement measure in his favour. The purpose of institutional placement is to remove the child from his natural environment because it has proved incapable of ensuring his social integration, in order to place him in the care of social workers.

228. The judicial procedure itself has specific features. The aim is to protect the child either from public notice which might be harmful to his future or from the ever-present possibility of an error in the weighing of the evidence or even in the assessment of the delinquent's character. The minor is not brought before the court for sentencing by the summary means of arrest in flagrante delicto or by direct summons. A judicial inquiry is compulsory. During the preliminary phase of the inquiry, a social investigation must be carried out, its purpose being to discover the personality of the delinquent, to determine how much discernment he has, what the family situation is, what the circumstances surrounding or inciting to the commission of the crime were and what the chances of his rehabilitation are.

229. The major principles that underlie sound justice have been introduced into Cameroonian law thanks to Cameroon's ratification of the relevant international instruments, but also to the adoption of national laws on the subject. They redound to the benefit of delinquent children. The right to a fair hearing, equality before the law, the right to equitable justice, non-retroactive criminal law, the presumption of innocence and the right to have the delinquent's character taken into consideration at the time of sentencing are among the fundamental freedoms which are recognized as belonging to each citizen and which have been incorporated into the Cameroonian legal system. The Constitution of the Republic lists them all. The Act of 18 January 1996 amending the Constitution thus recognized that all human beings possess the fundamental

freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations, the African Charter of Human and Peoples' Rights and all other international instruments ratified on the subject.

230. In its preamble, the Constitution recalls the Cameroonian people's attachment to various principles, some of which relate directly to the administration of justice. It affirms thus that:

- (a) No person may be prosecuted, arrested or detained except in the cases and according to the manner determined by law;
- (b) The law may not have retroactive effect. No person may be tried and punished, except by virtue of a law enacted and published before the offence committed;
- (c) The law ensures the right of every person to a fair hearing before the courts;
- (d) Every accused person is presumed innocent until found guilty during a hearing conducted in strict compliance with the rights of defence;
- (e) Every person has the right to life, to physical and moral integrity and to humane treatment in all circumstances. Under no circumstances may any person be subjected to torture or to cruel, inhuman or degrading treatment.

231. The foregoing provisions of the Constitution are to be found in the legislation, such as article 3 of the Penal Code, which prohibits the trial under criminal law of acts committed before it entered into force or acts which were not tried before it was explicitly or even tacitly repealed. Article 17 of the Code stipulates that penalties and measures are determined by law and are imposed only for offences that are provided by law. Torture, which is the subject of Act No. 97/009 of 10 January 1997 amending and supplementing certain provisions of the Penal Code, is henceforth punishable by the explicit provisions of article 132 bis.

232. Procedural legislation, particularly the Code of Criminal Investigation, ensures the right of all to a fair hearing and prescribes a procedure that safeguards the presumption of innocence. It also requires that the accused person should be informed of the charges against him as soon as he is brought before the prosecutor in the Attorney-General's Office.

233. The adversarial principle is embodied in Cameroonian law as part and parcel of the right to a defence and necessary to the discovery of the truth. A sentence in absentia can be challenged by a party who was unable to appear at the hearing.

234. The right of appeal is granted to any party who considers himself injured by a legal decision; this right is applicable to all cases, whether misdemeanours, offences or crimes. The principle of the right of appeal to a higher court is provided for in Ordinance No. 72/4 of 26 August 1972 on the organization of the judiciary and its subsequent amendments. The Ordinance establishes the first-degree jurisdiction of the Court of First Instance, while the Court of Appeal has jurisdiction to hear any appeal of a decision handed down against a minor.

235. In the courts of the Republic, the presence of an interpreter is justified for several reasons. Cameroon is composed of a multitude of tribes speaking a multitude of languages. Although French and English are recognized as official languages, a large part of the population, sunk in illiteracy, is not yet able to use them correctly. To remedy this shortcoming, in the interests of justice and in application of the adversarial principle, the law has made recourse to interpreters the rule in the courts of the Republic. The assistance of an interpreter is free of charge.

236. Legal action can involve an invasion of privacy only under the conditions determined by law. These conditions relate to investigations carried out in cases of arrest in flagrante delicto or by virtue of various warrants issued with the sole purpose of discovering the truth. Except in such cases, a person's home and correspondence are inviolable. These provisions apply even where there has been a conviction.

237. The provisions of article 40, paragraph 3, of the Convention concerning the obligation of States parties to seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law are beginning to receive attention through the establishment of institutions to accommodate delinquent children or those at risk. In addition to such institutions, for children under sentence of imprisonment, there are sectors for minors in prisons. Moreover, article 7 of Decree No. 92/52 of 27 March 1992 on the penitentiary system establishes special prisons for minors and prison schools. These facilities are not yet in existence. Juveniles normally take part in prison labour only inside the prison or in the fields belonging to it. In all cases, they work in groups separated from the other categories of prisoners.

238. Monitoring and supervision measures are provided for in the Decree to guarantee the implementation of the favourable provisions it contains. Apart from the constant vigilance of the administrative authorities and prison inspectors, public prosecutors, attorneys-general and judges in charge of public cases or investigations are authorized to visit the prisons within their purview during opening hours. They submit the report of their visit to the Minister for Prison Administration.

239. A prison surveillance commission is set up in the main town of each department. It has a chairman, who is the prefect or his representative, a vice-chairman, who is the presiding judge of the Court of First Instance and three members: the departmental head of public health, the departmental head of social affairs and a rapporteur appointed by the chairman of the commission. The commission is required to visit all prisons in the department at least once a year; its observations concern any necessary alterations, the upkeep of premises, the state of sanitation, the prison diet and the treatment of detainees. The comments and proposals of the commission are included in a report addressed to the Minister for Prison Administration.

240. In addition, the prison superintendents are required each month to send summary lists of permanent prisoners and those on remand to the Prosecutor's Office and the Ministry of Justice. A separate list is drawn up in the case of children. The Attorney-General, who is the judicial official in charge of judicial investigations, sends in a detailed report each month on the cases under consideration, specifying the situation of any minors.

241. An administrative unit has been set up under the auspices of the Ministry of Social Affairs to tackle cases of social maladjustment. It acts to prevent and to treat behavioural problems and to provide for the rehabilitation of juvenile delinquents and children at risk. Two types of strategy are used: residential rehabilitation, which has already been described, and community education.

242. Community education is a technique for social intervention which uses the facilities of the Ministry itself and of the child's own environment, as well as concrete action and precept, to improve the behaviour of minors and bring about their readaptation to their home environment and vice versa. It also involves some observation of juvenile delinquents and children at risk in their homes and some educational assistance to the families whose many shortcomings may have caused or been at the root of their children's behavioural problems. When education is organized in a community environment, it provides the best setting for the legal measure of putting the child on probation. This measure, decreed by the judge in the case of a juvenile delinquent, involves keeping the child in his natural setting, whether his family or a substitute, for the purpose of his education, under the supervision of a judge and a social worker appointed by the juvenile court.

243. With the aim of decriminalizing a large part of the antisocial behaviour of young delinquents, the Minister of Justice has sent circular No. 0007/7128/DAJS of 27 January 1995 to all attorneys-general and public prosecutors expressing concern about the overcrowding of prisons and the lack of special quarters for juvenile detainees in many penitentiaries. Noting the shortage of social and educational support in those establishments and the difficulties the Cameroonian prison system has in satisfactorily discharging its mission to return young delinquents to society, he invites judges to resort to imprisonment only after the most careful consideration. He strongly recommends that, whenever possible and desirable, they should adopt measures to deal with children without resorting to legal proceedings and, when that does prove necessary, that they avoid, as often as possible, putting them on remand and that they respect human rights and put in operation all guarantees provided for by law to protect juveniles. He particularly urges them to resort to the special protection measures provided for in the special legislation on juvenile delinquents, particularly the provisions of the decree of 30 November 1928 as amended by Act No. 67/LF/1 of 1 June 1967 instituting the Penal Code.

244. The training of professionals in the administration of juvenile justice regarding the provisions of the Convention and other international instruments applicable to juvenile justice is something quite recent. Since August 1997, the Ministries of Justice and Social Affairs have, with the cooperation and financial support of UNICEF, been organizing training seminars on the rights of the child for judges, police officers, prison governors and social workers. These seminars will be extended to the whole country, but have so far been held only in 3 out of 10 provinces. They will reinforce the work done on a smaller scale by some NGOs and associations involved in the protection of the rights of the child. The Ministry of Justice and the National School of Administration and the Judiciary are preparing a cycle of seminars, the first of which already took place in December 1998; they will be funded through Canadian cooperation.

245. The results of the different activities undertaken in recent years are still difficult to assess, however, both from the viewpoint of juvenile justice professionals and from that of the general social conduct of children. It is true that greater attention is being paid by the judicial authorities to matters concerning juveniles, since the number of children on remand does not seem to have followed the same rising curve as delinquency in general and juvenile delinquency in particular over recent years. Nevertheless, long remand sentences are still being handed down, the duration of such custody not having been limited by law.

**2. Treatment of children deprived of liberty, especially child detainees
and prisoners or those in establishments under supervision
(art. 37 (b), (c) and (d))**

246. The treatment of children deprived of liberty is defined by the laws and regulations. Children in police custody, in detention or in rehabilitation centres continue to enjoy all other rights compatible with their situation. Chapter 8 of Decree No. 2/052 of 27 March 1992 on leisure, cultural activities and social assistance in the Cameroonian prison system sets aside a part of the detainees' timetable for physical exercise, recreation and cultural activities. Each establishment must organize classes for minors and provide detainees with the books or other material necessary for their intellectual development. Recreation periods can be organized in the prison, possibly with the help of outside persons on the prior written authorization of the prison superintendent.

247. Social assistance is given to detainees, under the superintendent's authority, by specialized services of the Ministry of Social Affairs. Its aim is to get the prisoners back on their feet and enable them to return to society on their release. At the end of each quarter, prison social workers submit a report on their activities to the Minister of Prison Administration and the Minister of Social Affairs.

248. At present certain prisons, such as those of Yaoundé and Douala, organize educational, social and cultural activities for the minors detained there; sports are an ongoing activity. Children undergo schooling and sit for examinations in the normal way in order to obtain the official diplomas.

249. Rehabilitation centres aim to provide children in conflict with the law with training that will ensure their reintegration into society. The children board at such centres. In general, their training takes place in a natural and open environment, since, with the exception of those built in towns, rehabilitation centres are not walled. Contact with the world outside is encouraged to prepare the young people to return to society. Parents are required to visit their children as often as possible. The centres give the children psychological and social support as well as schooling or vocational training. To foster contact with the outside, the schools set up within the rehabilitation centres take in children from elsewhere.

250. Where children are deprived of liberty, health care is given free. In prisons and rehabilitation centres, there are infirmaries for the sick, who are taken care of in public hospitals if their case involves any particular problems.

251. The duration of imprisonment is defined by the court sentence and is known in advance. The time spent in a rehabilitation centre is also fixed in advance and cannot extend beyond the child's coming of age, which is still set at 21 years.

252. The conditions of placement in a rehabilitation centre are defined in the rules and regulations of each establishment. Those rules take account of constitutional guarantees, even if economic difficulties mean that it is not always possible to provide the children with the conditions most conducive to their reintegration into society.

3. Exclusion of torture or cruel, inhuman or degrading treatment or punishment (art. 37 (a))

253. Article 37 (a) requires States parties to ensure that no child is subjected to torture or other cruel, inhuman or degrading treatment or punishment. Cameroon has endorsed that principle by ratifying, in Decree No. 97/079 of 25 April 1997, the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 10 December 1984. In application of the Convention, Act No. 97/009 of 10 January 1997 amends and supplements certain provisions of the Penal Code. Pursuant to that Act, article 132 bis, entitled "Torture", has been inserted between articles 132 and 133 of the Code.

254. This article reads as follows:

"(1) Anyone who, by torture, involuntarily causes the death of another person shall be liable to life imprisonment;

(2) When the torture permanently deprives the victim of the use of all or part of a limb, an organ or a sense, the penalty shall be 10 to 20 years' imprisonment;

(3) When the torture causes the victim's illness or incapacity for work for more than 30 days, the penalty shall be 5 to 10 years' imprisonment and a fine of CFAF 100,000 to CFAF 1 million;

(4) When the torture causes the victim to be ill or unfit for work for 30 days or less or to suffer pain or mental or psychological distress, the penalty shall be two to five years' imprisonment and a fine of CFAF 50,000 to CFAF 200,000 francs;

(5) For the purposes of implementing the present article:

(a) The term "torture" means any act by which severe pain or suffering, whether physical, mental or psychological, is intentionally inflicted on a person by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind;

(b) The term “torture” thus defined does not apply to pain or suffering arising from, inherent in or incidental to lawful sanctions;

(c) No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture;

(d) An order from a superior officer or a public authority may not be invoked as a justification of torture;

(e) The conditions set forth in article 10, paragraph 1, of the present Code are not applicable to torture.”

255. These recent provisions are strictly applied, particularly through the increasingly effective involvement of law enforcement officials. They are implemented both within police units and anywhere else where torture may be practised.

256. What is more, torture is ever more openly condemned by public opinion, for example, in recent publications such as the study by Mr. Alexis Dipanda, President of the Supreme Court of Cameroon and former Chairman of the United Nations Committee against Torture, entitled “Torture, the Barbarity of Mankind”, and that by the International Federation of Action by Christians for the Abolition of Torture entitled “Your Rights in relation to Torture and Arbitrary Arrest”.

4. Physical and psychological recovery and social reintegration (art. 39)

257. Under the provisions of Decree No. 92/052 of 27 March 1992 on the prison system in Cameroon and pursuant to Ministerial Instruction No. 93/00726/MINASCOF/SG of 1 April 1993 determining the functions of the prison social welfare officer, the minors’ section in a prison functions as a rehabilitation unit with three basic tasks: (a) to influence the minor’s behaviour by education or psychological means; (b) to provide schooling or vocational training; and (c) to work towards the minor’s reintegration into society so as to prevent him re-offending after his release. The prison social welfare officer also has the task of establishing relations with religious and philanthropic partners to mobilize different forms of assistance for minors in detention. In his work he has the cooperation of the Ministry of Youth and Sports, which appoints youth and community activity counsellors to the unit to organize leisure, recreation and cultural activities.

258. Ministerial Instruction No. 87/0085 of 14 July 1987 on vocational training programmes in residential rehabilitation centres allows social workers to plan not only for the psychological and social care of minors but also for their socio-economic reintegration. At present, six central prisons have social units with qualified and stable staff, while the others are supervised by a social worker who is at the same time in charge of community education.

259. NGOs and religious associations also work both in prisons and in private rehabilitation centres; they specialize in the care of minors and women, through prison visits, counselling, help with psychological and emotional problems and work with families. In 1995, for example, in the

socio-educational centre for juvenile remedial teaching in the central prison in Yaoundé, five candidates passed their “brevet d’études du premier cycle” (examination taken at age 16) and two their “certificat d’études primaires élémentaires” (primary leaving certificate). Although there are special sections for minors with socio-educational training centres, there is still a discrepancy in the treatment of girls and boys: in the central prison in Yaoundé or that of Mfou, for example, girls inevitably find themselves placed in the women’s section with adult detainees, while boys are sent to the special minors’ section. As a result, the specific modalities of the interaction between the social services, the judiciary and the prison administration have been discussed and formulated in seminars which were organized by the Ministry of Social Affairs and UNICEF in 1997 and 1998 in three provinces and are scheduled for extension to the entire territory. Their recommendations are to be implemented shortly.

C. Children subjected to exploitation, including physical and psychological recovery and social reintegration

1. Economic exploitation, including child labour (art. 32)

260. According to article 32 of the Convention on the Rights of the Child, the child has the right to be protected from performing any work that is likely to be harmful to his health, education or development; the State provides for minimum ages for admission to employment and regulates conditions of employment.

(a) The legal framework

261. In Cameroon, conventions have been ratified and laws adopted to ensure compliance with the above-mentioned article 32. At the international level, Cameroon has ratified the seven basic ILO human rights conventions (see Cameroon’s core document, HRI/CORE/1/Add.109, sect. III. General legal framework within which human rights are protected), including ILO Convention No. 138 on the Minimum Age for Admission to Employment (1973), which it ratified on 14 April 1998.

262. Domestic legislation on child labour consists of:

- (a) Act No. 92/007 of 14 August 1992 containing the Labour Code;
- (b) Decree No. 68/DF/253 of 10 July 1968 on general conditions for the employment of domestic and household workers;
- (c) Decree No. 69/DF/287 of 30 July 1969 on apprenticeship contracts, particularly insofar as it requires a minimum age of 14 years for admission to apprenticeship and prohibits a female apprentice from being lodged with an unmarried master;
- (d) Order No. 16/MTLS/DEGRE of 27 May 1969 on female labour, with an annex listing work prohibited for women and children;
- (e) Order No. 17/MTLS/DEGRE of 27 May 1969 on child labour.

263. With regard to the minimum age for admission to employment, the above-mentioned legal framework sets that age at 14 years for work that does not involve any particular risks (arts. 2 of ILO Convention No. 138 and 86 of the Labour Code) and at least 18 years for dangerous, difficult or unhealthy work likely to undermine the health or morals of the child.

264. Work prohibited for children is:

(a) Work that is beyond a child's strength, such as the transport and handling of goods over a certain weight calculated in relation to the sex and age of the child and the transport of goods by truck or similar vehicle;

(b) Dangerous or unhealthy work, such as work underground in mines or in quarries or foundries and the manufacture, handling or manipulation of explosives;

(c) Work harmful to the morals of children, such as the fabrication and sale of written or printed products (posters, drawings, sculptures) which may have an adverse influence on the moral and psychological development of children, even if such work is not prohibited by criminal law.

265. In determining the conditions for children's work, Cameroonian laws and regulations prescribe affirmative action measures, including:

(a) The ban on night work for women and children (art. 81 of the Labour Code). The maximum duration of daytime work cannot exceed eight hours, with a compulsory break of at least one hour for children (Order No. 17/MTLS/DEGRE of 27 May 1969);

(b) Compulsory rest time of at least 12 consecutive hours (art. 82 of the Labour Code);

(c) Compulsory granting of leave on the basis of two and a half days per month instead of one and a half days for adults.

266. The competent labour inspector monitors the implementation of these legislative and regulatory measures (arts. 104 to 109 of the Labour Code). To facilitate the inspector's monitoring of child labour, any employer who recruits a child, even for a trial period or without an apprenticeship contract, must so inform the labour inspector in the ensuing days or nights. A duly completed form must accompany the medical certificate of the child concerned.

267. Criminal penalties are provided for in articles 167, 168 and 190 of the Labour Code against anyone who contravenes the provisions of articles 82, 86 and 90 of that Code concerning, inter alia, children's working conditions.

268. It should also be pointed out that Cameroon has established the principle of equal pay, without distinction as to age, for equal work.

269. Tables 11 and 12 in the annex recapitulate the situation of children in agriculture.*

270. To sum up, any work performed by children in conditions that fall short of those provided for in the legal framework described above qualifies as economic exploitation.

(b) Child labour problems and suggested administrative measures

271. Before 1986, the Government of Cameroon had adopted a series of measures to prevent child labour. They basically involved combating illiteracy, raising school enrolment rates and promoting vocational training and apprenticeships as a strategy for fostering employment. The following are examples:

(a) The establishment of school programme incentives such as the free pilot centres in regions with low school enrolment like the provinces of Adamaoua, Est. Extrême Nord and Nord;

(b) The creation of post-primary institutions: rural crafts and domestic science sections;

(c) The creation of youth and community activity centres.

It must be admitted that the measures adopted prior to 1986 had only limited effects because of the economic crisis and the high demographic growth rate, which was of the order of 2.9 per cent, according to the 1987 population census.

272. Because of the economic crisis, which has lasted more than a decade and the consequent impoverishment of households, between 1987 and 1994, the Ministry of Labour and Employment recorded 76,187 cutbacks and lay-offs of personnel and 1,040 businesses closed down, all of which meant 105,199 job losses and 32,555 workers claiming wage arrears.

273. According to the 1987 general population census, the number of working children between 6 and 14 years was about 227,337 out of a total population of 10,493,655, excluding the agriculture sector. Assuming a constant activity rate and a constant active population, there were an estimated 590,000 working children in 1997 for an estimated total population of 14,045,000.

274. Consequently, the problem of child labour may, on the one hand, be seen as part of the struggle for survival waged by poor families exposed to economic insecurity and, on the other, be explained by the thorny question of remuneration, which leads employers to seek workers who are cheap, docile, ignorant and ready to waive their rights. To this should be added other factors contributing to child labour, such as family structure, customs, educational factors and armed conflicts.

* The statistical tables may be consulted in the secretariat of the Committee on the Rights of the Child.

275. Experience shows that child workers are employed in several types of activity (from light tasks to dangerous work) and in several sectors of the economy (primary, secondary and tertiary), such as trade, domestic service, agriculture, fisheries, livestock raising and mining. They also have jobs in the informal sector. The situation is at its most serious in the agricultural sector.

(c) Policies and programmes

276. In Cameroon, the situation of children in general and child labour in particular is taken into account in the overall policy for the protection and promotion of the child. As a result of the orientation of this government policy, the strategies outlined aim in particular:

- (a) To sensitize and mobilize the community regarding questions of child labour;
- (b) To promote both standard and informal education and apprenticeship;
- (c) To improve and strengthen legislation on child labour;
- (d) To coordinate and pursue activities to combat child labour.

These major strategic goals have been included in the draft plan of action to combat child labour, the chief obstacles to the implementation of which are financial constraints.

(d) Technical cooperation and international assistance

277. Cameroon cooperates with the ILO International Programme on the Elimination of Child Labour (IPEC). In that context, IPEC has conducted a survey in Cameroon of children below the age of 14 years in extreme work situations. Cameroon would like to step up this kind of cooperation with a view to ensuring the implementation of operational strategies to abolish the worst forms of child labour.

2. Use of narcotic drugs (art. 33)

278. According to article 33 of the Convention, “States parties shall take all ... measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances ... and to prevent the use of children in the illicit ... trafficking of such substances.” Well before the Convention, Cameroon had joined the international community in ratifying other international legal instruments on narcotic drugs (1961), psychotropic substances (1971) and drug trafficking (1988).

279. At the domestic level, article 11 of the Penal Code provides that the criminal law of the Republic applies to narcotic drug trafficking even if carried on outside the national territory. Decree No. 92/PM of 24 November 1992 set up the National Committee to Combat Drug Abuse. This is an advisory body to the Ministry of Health whose task is the coordination and consideration of all problems of illicit drug use and drug abuse. Recently, Act No. 97/019 of 7 August 1997 was promulgated on the control of narcotic drugs, psychotropic substances and precursors and on extradition and judicial assistance in connection with trafficking in narcotic

drugs, psychotropic substances and precursors. It breaks new ground in that it contains provisions specific to children. Its Article 104 thus makes anyone who knowingly supplies a minor with toxic chemical inhalants liable to one to five years' imprisonment and a fine of between CFAF 25,000 and CFAF 500,000. Pursuant to article 105, the penalties provided for in articles 91 to 99 are doubled when a minor takes part in the offences concerned (cultivation, production, fabrication, international trafficking, money laundering). Those penalties are also doubled if the offence has been committed in a penitentiary, in a military establishment, a teaching or educational establishment, a hospital or health-care establishment, a social services centre or any other place where pupils or students engage in educational, sports or social activities or in the immediate vicinity of such establishments and such places.

280. Much work is done by NGOs and other associations, which have formed a network, under the impetus of the National Committee to Combat Drug Abuse and the International Institute for Prevention of Drug Abuse based in Paris. During the International Day celebrated on 26 June 1997, a radio and television message on the theme "Let's mobilize our communities to fight drugs" was broadcast widely on national stations.

D. Children belonging to a minority or an indigenous group (art. 30)

281. Article 30 of the Convention provides that, in States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, those States must guarantee to the child belonging to such a minority or who is indigenous the right, in community with other members of his or her group, to enjoy his or her own culture, to practise his or her own religion and to use his or her own language. The preamble to the Constitution of Cameroon similarly affirms that "The State shall ensure the protection of minorities and shall preserve the rights of indigenous populations ...".

282. Different types of action have been taken as part of the programme for the socio-economic integration of indigenous and marginal populations to ensure:

(a) Their legal protection by drawing up or reconstituting official civil register certificates and by facilitating their access to education, to the labour market, to primary mother-and-child health care and to landed property;

(b) The preservation of their cultural identity and their natural environment, particularly by the promotion of cultural values and the acquisition of community forests;

(c) Their socio-economic reintegration, through community networks within the spheres of competence of the public administration.

Cameroon

Cameroon is a Member State of the African Union (AU) and of the United Nations (UN), and has human rights obligations at both the regional and universal levels.

Regional: African System



Cameroon has ratified the African Charter on Human and Peoples' Rights (African Charter), and its human rights policies and practices are monitored by the African Commission on Human and Peoples' Rights (ACHPR), which reviews the State's reports concerning its human rights situation and decides complaints of alleged violations. Cameroon has accepted the jurisdiction of the African Court on Human and Peoples' Rights to hear complaints presented by the Commission, African intergovernmental organizations, and States parties to the African Charter.

Individuals and groups have submitted complaints of human rights violations committed by Cameroon to the [African human rights system](#). For example, in *Kevin Mgwanga Gunme et al v. Cameroon*, the ACHPR considered the arbitrary arrest and detention, torture, and extrajudicial killings of individuals who advocated for the self determination of Southern Cameroon. See ACommHPR, *Kevin Mgwanga Gunme et al v. Cameroon*, Communication No. 266/03, 45th Ordinary Session, 27 May 2009. Additionally, the ACHPR has issued [provisional measures](#) to protect people in urgent situations of risk in Cameroon.

Cameroon has fallen behind in submitting its [periodic reports](#) to the ACHPR on human rights conditions in the country. The ACHPR has conducted several missions to Cameroon including promotion missions in [1998](#), [2011](#) and [2012](#), and one mission on prisons and detention conditions in [2002](#).

Cameroon has ratified the following **regional human rights treaties**:

- African Charter on Human and Peoples' Rights
- African Charter on the Rights and Welfare of the Child
- AU Convention Governing Specific Aspects of Refugee Problems in Africa
- Protocol to the African Charter on Human and Peoples' Rights on the Establishment of the African Court on Human and Peoples' Rights
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa
- AU Convention for the Protection and Assistance of Internally Displaced Persons in Africa

United Nations System

As a UN Member State, Cameroon is subject to the oversight of various [UN human rights bodies](#), including the [Human Rights Council](#) and its [Universal Periodic Review](#) and thematic [special procedures](#). As a party to specific universal human rights treaties, Cameroon's policies and practices are monitored by [UN treaty bodies](#). It has accepted the complaints procedure of three treaty bodies.

Cameroon has ratified the following **UN human rights treaties**:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention on the Rights of the Child (CRC)
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Cameroon has also ratified the Optional Protocol to the CRC addressing the involvement of children in armed conflict. Cameroon has a duty to submit **State reports** to the UN treaty body associated with each treaty Cameroon has ratified. These reports must be submitted on a periodic basis, and describe the steps Cameroon has taken to implement the treaty provisions.

Cameroon has ratified [optional protocols](#) or made appropriate declarations allowing individuals to submit **complaints** against the State alleging violations of the ICCPR, CEDAW, and CAT. Additionally, certain UN treaties include **inquiry procedures**, which allow the UN treaty body to consider allegations of grave or systematic human rights violations. Cameroon has accepted the inquiry procedures of the CAT and CEDAW.

On September 15, 2014, Cameroon extended a **standing invitation** to UN special procedures, which means that any special rapporteurs or working groups are welcome to conduct visits in Cameroon. For example, the Independent Expert on minority issues conducted a mission to Cameroon in September 2013 and published a [report](#) on that visit in January 2014.

For more information on Cameroon's engagement with [UN human rights bodies](#), visit <http://www.ohchr.org/EN/countries/AfricaRegion/Pages/CMIndex.aspx>

Last updated: August 15, 2017

Tables for UN Compilation on Cameroon

I. Scope of international obligations¹

A. International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1971)	--	ICCPR-OP 2
	ICESCR (1984)		CRPD (Signature only, 2008)
	ICCPR (1984)		OP-CAT (Signature only, 2009)
	CEDAW (1994)		OP-CRC-SC (Signature only, 2001)
	CAT (1986)		ICRMW (Signature only, 2009)
	OP-CRC-AC (2013)		ICPPED (Signature only, 2007)
	CRC (1993)		
	OP-CAT (Signature only, 2009)		
	OP-CRC-SC (Signature only, 2001)		
	CRPD (Signature only, 2008)		
	ICPEED (Signature only, 2007)		
<i>Complaints procedures, inquiries and urgent action³</i>	ICCPR-OP 1 (1984)	--	ICERD, art. 14
	OP-CEDAW, art. 8 (2005)		OP-ICESCR
	CAT, arts. 20, 21 and 22 (1986/2000)		ICCPR, art. 41
	OP-CRPD (Signature only, 2008)		OP-CRPD
			ICPPED
			ICRMW
			OP-CRC-IC
<i>Reservations and / or declarations</i>	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Current Status</i>
		OP-CRC-AC (Declaration, Art. 3.2, 2013)	OP-CRC-AC (Declaration, Art. 3.2)

B. Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Palermo Protocol	--	1954 Convention relating to the Status of Stateless Persons
	1951 Convention relating to the Status of Refugees and its 1967 Protocol	--	--
	Geneva Conventions of August 1949 and Additional Protocols I and II	--	1961 Convention on the Reduction of Statelessness
	ILO fundamental conventions	--	Additional Protocol III to the Geneva Conventions
	--	--	Convention of the Prevention and Punishment of the Crime of Genocide
	--	--	Rome Statute of the International Criminal Court (signature only)
	--	--	ILO Conventions Nos 169 and 189
	--	--	UNESCO Convention against
	--	--	Discrimination in Education

II. Cooperation with human rights mechanisms and bodies

A. Cooperation with treaty bodies⁴

Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	March 2010	2013	August 2014	Twenty-second and twenty-third reports due in 2017
CESCR	December 2011	--	--	Fourth report overdue since 2016

HR Committee	July 2010	2016	November 2017	Sixth report due in 2022
CEDAW	January 2009	2011	February 2012	Sixth periodic report due in 2018
CAT	May 2010	2016	November 2017	Sixth report due in 2021
CRC	January 2010	2015	June 2017	Sixth and seventh reports due in 2022

Responses to specific follow-up requests from concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted</i>
CERD	2015	Special measures; Participation in political and public life; Definition and recognition of the minorities and indigenous peoples; Refugees and asylum seekers ⁵	--
HR Committee	2019	Extrajudicial killings; Torture and cruel, inhuman or degrading treatment; Freedom of expression and freedom of assembly and protection of journalists and human rights defenders. ⁶	--
CEDAW	2016	Stereotypes and harmful practices; Violence against women. ⁷	2017; ⁸ ongoing dialogue ⁹
CAT	2018	Use of torture in secret detention centres; Forced returns; Anglophone Crisis; Ratification of the Optional Protocol. ¹⁰	--

Views

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
HR Committee	2 ¹¹	

B. Cooperation with special procedures¹²

<i>Status during previous cycle</i>	<i>Current status</i>
-------------------------------------	-----------------------

<i>Standing invitations</i>	No	Yes
<i>Visits undertaken</i>	Food	Minorities Torture
<i>Visits agreed to in principle</i>	Freedom of expression Water and sanitation Minorities	Freedom of expression Water and Sanitation Sale of Children
<i>Visits requested</i>	--	WGAD Human Rights Defenders Indigenous People Independence of Judges
<i>Responses to letters of allegation and urgent appeal</i>	During the period under review 13 communications were sent. The Government replied to 3 communications	
<i>Follow-up reports and missions</i>	--	

C. Status of national human rights institutions¹³

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle¹⁴</i>
National Commission on Human Rights and Freedoms	A	A

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Cameroon from the previous cycle (A/HRC/WG.6/16/CAM/2).

² The following abbreviations have been used in the universal periodic review document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination;
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ The following abbreviations have been used in the present document:

CERD	Committee on the Elimination of Racial Discrimination;
CESCR	Committee on Economic, Social and Cultural Rights;
HR Committee	Human Rights Committee;
CEDAW	Committee on the Elimination of Discrimination against Women;
CAT	Committee against Torture;
CRC	Committee on the Rights of the Child;
CMW	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Committee on the Rights of Persons with Disabilities;
CED	Committee on Enforced Disappearances;
SPT	Subcommittee on Prevention of Torture

⁵ CERD/C/CMR/CO/19-21, para. 25.

⁶ CCPR/C/CMR/CO/5, para. 48.

⁷ CEDAW/C/CMR/CO/4-5, para. 47.

⁸ CEDAW/C/CMR/CO/4-5/Add.1.

⁹ Follow-up letter sent to the Permanent Representative, dated April, 26, 2017, available at: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CMR/INT_CEDAW_FUL_CMRI_27288_E.pdf

¹⁰ CAT/C/CMR/CO/5, para. 49.

¹¹ CCPR/C/118/D/2388/2014; CCPR/C/112/D/1965/2010.

¹² For the titles of special procedure mandate holders see: <https://spcommreports.ohchr.org/about/abbreviations>

¹³ According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

¹⁴ The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at: http://www.ohchr.org/Documents/Countries/NHRI/Chart_Status_NIs.pdf

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	OP-CRPD (Signature only, 2008)		OP-CRPD
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	ILO fundamental conventions	--	Additional Protocol III to the Geneva Conventions
	--	--	Convention of the Prevention and Punishment of the Crime of Genocide
	--	--	Rome Statute of the International Criminal Court (signature only)
	--	--	ILO Conventions Nos 169 and 189
	--	--	UNESCO Convention against
	--	--	Discrimination in Education

II. Cooperation with human rights mechanisms and bodies

A. Cooperation with treaty bodies⁴

Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
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CEDAW	2016	Stereotypes and harmful practices; Violence against women. ⁷	2017; ⁸ ongoing dialogue ⁹
CAT	2018	Use of torture in secret detention centres; Forced returns; Anglophone Crisis; Ratification of the Optional Protocol. ¹⁰	--

Views

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
HR Committee	2 ¹¹	

B. Cooperation with special procedures¹²

<i>Status during previous cycle</i>	<i>Current status</i>
-------------------------------------	-----------------------

<i>Standing invitations</i>	No	Yes
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<i>Visits agreed to in principle</i>	Freedom of expression Water and sanitation Minorities	Freedom of expression Water and Sanitation Sale of Children
<i>Visits requested</i>	--	WGAD Human Rights Defenders Indigenous People Independence of Judges
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<i>Follow-up reports and missions</i>	--	

C. Status of national human rights institutions¹³

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle¹⁴</i>
National Commission on Human Rights and Freedoms	A	A

Notes

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ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

⁴ The following abbreviations have been used in the present document:

CERD	Committee on the Elimination of Racial Discrimination;
CESCR	Committee on Economic, Social and Cultural Rights;
HR Committee	Human Rights Committee;
CEDAW	Committee on the Elimination of Discrimination against Women;
CAT	Committee against Torture;
CRC	Committee on the Rights of the Child;
CMW	Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Committee on the Rights of Persons with Disabilities;
CED	Committee on Enforced Disappearances;
SPT	Subcommittee on Prevention of Torture

⁵ CERD/C/CMR/CO/19-21, para. 25.

⁶ CCPR/C/CMR/CO/5, para. 48.

⁷ CEDAW/C/CMR/CO/4-5, para. 47.

⁸ CEDAW/C/CMR/CO/4-5/Add.1.

⁹ Follow-up letter sent to the Permanent Representative, dated April, 26, 2017, available at: http://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/CMR/INT_CEDAW_FUL_CMR_27288_E.pdf

¹⁰ CAT/C/CMR/CO/5, para. 49.

¹¹ CCPR/C/118/D/2388/2014; CCPR/C/112/D/1965/2010.

¹² For the titles of special procedure mandate holders see: <https://spcommreports.ohchr.org/about/abbreviations>

¹³ According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

¹⁴ The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at: http://www.ohchr.org/Documents/Countries/NHRI/Chart_Status_NIs.pdf

COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-eighth session

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE
CONVENTION**

Concluding observations of the Committee on the Rights of the Child: Cameroon

1. The Committee considered the initial report of Cameroon (CRC/C/28/Add.16), received on 4 April 2000, at its 737th and 738th meetings (see CRC/C/SR.737-738), held on 4 October 2001 and adopted (At the 749th meeting, held on 12 October 2001) the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial report, which followed the established guidelines. The Committee also takes note of the timely submission of the written replies to its list of issues (CRC/C/Q/CAM/1), which allowed for a clearer understanding of the situation of children in the State party. The Committee also notes the constructive, open and frank dialogue it had with the delegation of the State party. The Committee acknowledges that the presence of a high-ranking delegation directly involved in the implementation of the Convention allowed for a fuller assessment of the rights of children in the State party.

B. Positive aspects

3. The Committee welcomes the adoption of:
 - (a) The Act on Education Guidelines (Act 98/004);
 - (b) The Act containing the Health Framework Law (Act 96/03);
 - (c) The Act on the Control of Narcotic Drugs, Psychotropic Substances and Precursors and on Extradition and Judicial Assistance in connection with Trafficking in Children, Psychotropic Substances and Precursors (Act 97/019);
 - (d) The Finance Act 2000/08 incorporating the principle of free primary education at public schools;
 - (e) The Decree providing for the Organization and Operation of Early Childhood Facilities (2001/110/PM).
4. The Committee also welcomes the ratification of ILO Convention No. 138 concerning Minimum Age for Admission to Employment by a decree of 17 April 2001.
5. The Committee welcomes the establishment, in 1998, of the Children's Parliament.
6. The Committee notes with satisfaction that the State party is party to all six United Nations human rights treaties and the African Charter on the Rights and Welfare of the Child.
7. The Committee appreciates the actions undertaken by the State party to ameliorate the situation of refugee children.

C. Factors and difficulties impeding the implementation of the Convention

8. The Committee acknowledges that the economic and social difficulties facing the State party have had a negative impact on the situation of children and have impeded the full implementation of the Convention. In particular, the fact that the State party is composed of 230 ethnic tribes with different languages, the legal dual system (civil and common law), the coexistence of customary law and statutory law, traditional practices not conducive to children's rights and the high rate of illiteracy affect the full implementation of the Convention. The remoteness and inaccessibility of some areas, as well the disparity in their development, also affect the full implementation of the Convention.

D. Principal subjects of concern and recommendations

D.1. General measures of implementation

Legislation

9. The Committee notes the process begun by the State party to harmonize existing legislation with the Convention, but it remains concerned that the domestic legislation, including customary law, is very fragmented and partly unsuitable, outdated and not in conformity with the Convention, and at the continued existence of customs and traditions which impede children fully enjoying their rights.
10. **The Committee encourages the State party to take all necessary measures to ensure that its domestic legislation conforms fully to the principles and provisions of the Convention on the Rights of the Child. In that respect, the Committee recommends that the State party:**
 - (a) Take steps, using a rights-based approach, to harmonize existing legislation, including customary law, with the Convention;
 - (b) Consider the adoption of a comprehensive children's code, reflecting the general principles of the Convention on the Rights of the Child;
 - (c) Adopt a comprehensive family code.

Coordination

11. While the Committee notes that the Ministry of Social Affairs, and more particularly its Departments for the Well-being of Families and Children and for Solidarity, is in charge of the coordination of governmental action on questions relating to children, it is concerned at the lack of an inter-institutional mechanism responsible for coordination at the national level, and particularly at the local level, of the promotion and implementation of the Convention. It is also concerned that there is no comprehensive strategy for the implementation of the various plans of action relevant to the rights of children.
12. **The Committee recommends that the State party take all necessary measures to allocate principal responsibility for coordinating implementation of the Convention to a single body or mechanism. For this purpose, the Committee also recommends that adequate human and financial resources be allocated and appropriate measures be taken to include NGOs.**

Independent/monitoring structures

13. The Committee takes note of Decree No. 90/1549 of 8 November 1990 establishing a National Committee on Human Rights and Freedoms. However, the Committee is concerned at the lack of

an independent mechanism to monitor and evaluate effectively progress in the implementation of the Convention, and empowered to receive and address complaints.

14. The Committee recommends that the State party:

- (a) Consider establishing an independent national human rights institution in accordance with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134, annex), to monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children and be empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively;
- (b) Continue efforts to develop good governance strategy and to combat corruption, especially in the social sector;
- (c) Seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF.

Resources for children

15. While noting the State party's priority of increasing the budget allocated to education, the Committee expresses its concern at the decrease in government spending and its adverse impact on the funding of social services for children in particular. The Committee is also concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of economic, social and cultural rights of children.
16. While recognizing the difficult economic conditions, the Committee recommends that the State party:
- (a) Make every effort to increase the proportion of the budget allocated to the realization of children's rights and, in this context, to ensure the provision of appropriate human resources and to guarantee that the implementation of policies relating to children are a priority;
 - (b) Develop ways to establish systematic assessment of the impact of budgetary allocations on the implementation of children's rights, and to collect and disseminate information in this regard.

Data collection

17. While welcoming the publication of the indicators for children and women by the Department of Statistics and National Accounts, the Committee is concerned at the lack of systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.
18. The Committee recommends that the State party:
- (a) Develop a system of data collection and indicators consistent with the Convention, disaggregated by gender, age, indigenous and minority groups, and urban and rural areas. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including children victims of abuse, neglect or ill-treatment; children with disabilities; children belonging to marginalized groups, such as Pygmy, Bororos and Mafa children; and other children in need of special protection (see D.8);

- (b) Use these indicators and data for the formulation and evaluation of policies and programmes for the effective implementation of the Convention.

Cooperation with civil society

19. Taking note of the Act on Non-Governmental Organizations (Act 99/014), the Committee is concerned that insufficient efforts have been made to implement this legislation and to involve civil society in the implementation of the Convention, particularly in the area of civil rights and freedoms.

20. The Committee recommends that the State party:

- (a) Systematically involve communities and civil society, including children's associations, throughout all stages of the implementation of the Convention, including legislation procedure and formulation of policies and programmes and including with respect to civil rights and freedoms;
- (b) Ensure that legislation regulating NGOs is fully implemented.

Dissemination of training on the Convention

21. While aware of the measures undertaken to promote widespread awareness of the principles and provisions of the Convention (e.g. through radio programmes, seminars and workshops), the Committee is of the opinion that these measures need to be strengthened and systematized. In this respect, the Committee is concerned at the lack of a systematic plan to introduce training and awareness among professional groups working for and with children.

22. The Committee recommends that the State party:

- (a) Strengthen its efforts to disseminate the principles and provisions of the Convention as a measure to sensitize society about children's rights through social mobilization;
- (b) Translate the Convention into the major written national languages to achieve its widespread dissemination;
- (c) Systematically involve community leaders in its programmes in order to fight against customs and traditions which impede the implementation of the Convention, and adopt creative communication measures for illiterate people;
- (d) Provide systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;
- (e) Strengthen the focus on children's rights in the educational and advocacy role of the National Committee for Human Rights and Freedoms;
- (f) Introduce human rights education, including the rights of the child, into the school curricula;
- (g) Seek technical assistance from, inter alia, the Office of the High Commissioner for Human Rights and UNICEF.

D.2. Definition of the Child

23. The Committee is concerned at the difference between the minimum legal ages for marriage of boys (18 years) and that of girls (15 years), which is gender discriminatory and allows for the practice of early marriage, which is still widespread. The Committee is further concerned that the minimum and upper age limits have not been set for compulsory education, that a child below the age of 18 years may be recruited into the armed forces with parental consent and at the lack of a minimum age for medical counselling without parental consent.
24. The Committee recommends that the State party:
- (a) Raise the minimum age for marriage to 18 for both boys and girls; and develop sensitization programmes involving community leaders and society at large, including children themselves, to curb the practice of early marriage;
 - (b) Set a minimum and upper age limit for compulsory education;
 - (c) Set a minimum age of 18 years for recruitment into the armed forces, without any possibility of recruitment below that age, even with parental consent;
 - (d) Set a minimum age for medical counselling without parental consent, to make access to health services possible for adolescents.

D.3. General principles

Non-discrimination

25. While noting that discrimination is prohibited under the Constitution and noting that the State party has recently taken measures to increase the enrolment in schools of girls in priority education zones, the Committee is concerned at the persistence of discrimination in the State party. In particular, the Committee is concerned at the disparities in the enjoyment of rights experienced by children belonging to the most vulnerable groups (e.g. girls, children with disabilities, children born out of wedlock; children from rural areas, least developed provinces (Far-North, North and Adamawa); Pygmy children and children from other marginalized population groups).
26. The Committee recommends that the State party:
- (a) Make greater efforts to ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;
 - (b) Prioritize and target social services to children belonging to the marginalized and most vulnerable groups.
27. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of General Comment No. 1 on article 29.1 of the Convention (aims of education).

The right to life, survival and development

28. The Committee is deeply concerned at the living conditions of children detained in jails and prisons, which are so deplorable that they endanger their life.

29. The Committee recommends that the State party take all necessary measures to ensure that detained children are provided access to health and education services and with food, and that the conditions meet the needs of the children and are compatible with the rights under the Convention.

Respect for the views of the child

30. While noting that the much appreciated Children's Parliament serves as a forum for children to express their views, the Committee is concerned that respect for the views of the child remains limited within the family, in schools, in the courts and before administrative authorities and in the society at large owing to traditional attitudes.
31. The Committee encourages the State party to pursue its efforts to:
- (a) Promote and facilitate within the family, in schools, in the courts, including customary courts, and in administrative bodies respect for the views of children and their participation in all matters affecting them, in accordance with their age and maturity, in the light of article 12 of the Convention;
 - (b) Provide educational information to, inter alia, parents, teachers, government administrative officials, the judiciary, traditional leaders and society at large on children's right to participate and to have their views taken into consideration;
 - (c) Establish municipal councils for children.

D.4. Civil rights and freedoms

Birth registration

32. While taking note of Ordinance No. 81/2 of 29 June 1981 which makes it an obligation to declare a birth to the registry official at the place of birth, and the designation of special registration officers, the Committee remains concerned at the large numbers of children whose birth is not being registered.
33. In the light of article 7 of the Convention, the Committee urges the State party to increase its efforts to ensure the registration of all children at birth, including through awareness-raising campaigns, and to consider introducing mobile registration units.

Torture and ill-treatment

34. Further to the report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment on his visit to Cameroon (E/CN.4/2000/9/Add.2) and in line with the concluding observations of the Committee against Torture (A/56/44, paras. 60-66) and of the Human Rights Committee (A/55/40, paras. 184-227), the Committee is deeply concerned that children are victims of cruel, inhuman or degrading treatment, sometimes constituting torture, committed notably at police stations, in detention places and in prisons. The Committee is also very concerned at some instances of forced disappearance and extrajudicial execution of children.
35. In the light of the recommendations of the Committee against Torture (CAT/C/XXV/Concl.5 of 6 December 2000) and of the Human Rights Committee (CCPR/C/79/Add.116 of 4 November 1999), the Committee recommends that the State party:

- (a) Address the causes and incidence of torture and cruel, inhuman or degrading treatment of children, in order to end and prevent these violations of children's rights;
- (b) Establish an independent mechanism to investigate reports of torture, forced disappearance and extrajudicial execution of children and to bring to justice the persons responsible;
- (c) Adopt legislative measures for the fullest compensation and rehabilitation of child victims of torture;
- (d) Establish accessible and child-sensitive structures for complaints of children; and
- (e) Systematically train the police force, prison staff and the judiciary on the human rights of children.

D.5. Family environment and alternative care

Recovery of children's maintenance allowance

36. While domestic legislation includes provisions for the payment of a maintenance allowance in the case of divorce or judicial separation, the Committee is concerned at the lack of implementation of these provisions, due mainly to widespread ignorance of the law, and at the lack of legal provisions regarding maintenance for children born out of wedlock.
37. The Committee recommends that the State party:
- (a) Make widely known, notably to women who are illiterate, the provisions of domestic legislation concerning the payment of a maintenance allowance;
 - (b) Ensure that professional groups dealing with this issue are adequately trained and that courts are stricter regarding the recovery of allowances from solvent parents who refuse to pay;
 - (c) Take measures to ensure as far as possible the maintenance of children born out of wedlock by their parents, particularly their fathers.

Children deprived of their family environment

38. The Committee is very concerned that current facilities available for the alternative care of children deprived of their family environment are insufficient and that many children do not have access to such assistance. In addition, the Committee expresses concern at the lack of appropriate training of staff and of a clear policy regarding the review of placements of children in alternative care. The Committee is also concerned that there is no legislative structure for the protection of the best interests of the child in cases of intercountry adoption.
39. The Committee recommends that the State party:
- (a) Urgently adopt a programme to strengthen and increase alternative care opportunities for children, inter alia through the reinforcement of existing structures, the improved training of staff and the allocation of increased resources to relevant bodies;
 - (b) Provide for regular periodic review of the placement of children in institutions;
 - (c) Establish a formal procedure to guarantee the best interests of the child in cases of intercountry adoption and consider ratifying the 1993 Hague Convention on the Protection of Children and Cooperation in Respect of Intercountry Adoption; and
 - (d) Seek assistance from UNICEF in this regard.

Protection from abuse and neglect

40. While noting that child abuse is a crime under article 350 of the Penal Code, and that a national study on violence and abuse against children has been launched by the Ministry of Social Affairs, the Committee is deeply concerned at the very high incidence of abuse within family and in schools in the State party and at the lack of statistical data in this regard.

41. The Committee recommends that the State party:

- (a) Complete as soon as possible the study on violence at home and in schools undertaken by the Ministry of Social Affairs, and assess the scope, nature and causes of such violence, in order to adopt effective measures and policies, in conformity with article 19 of the Convention, and to contribute to changing attitudes;
- (b) Properly investigate cases of domestic violence and violence in schools through a child-sensitive judicial procedure, and that sanctions be applied to perpetrators, due regard being given to guaranteeing the right to privacy of the child;
- (c) Give appropriate weight to children's views in legal proceedings, provide support services to child witnesses in legal proceedings, and services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and take measures to prevent the criminalization and stigmatization of victims;
- (d) Seek technical assistance from, inter alia, UNICEF.

D.6. Basic health and welfare

42. While taking note of the adoption of several national programmes relating to child survival, and the establishment of a sub-department for family health within the Ministry of Public Health, the Committee is deeply concerned at the high and increasing infant and under-five mortality rates and low life expectancy in the State party. The Committee also remains concerned that health services in the districts and local areas continue to lack adequate resources (both financial and human). In addition, the Committee is concerned that the survival and development of children in the State party continue to be threatened by early childhood diseases, such as acute respiratory infections and diarrhoea, and by chronic malnutrition. Concern is also expressed at the poor state of sanitation and at the insufficient access to safe drinking water, especially in rural communities.

43. The Committee recommends that the State party:

- (a) Reinforce its efforts to allocate appropriate resources and develop and implement comprehensive policies and programmes to improve the health situation of children, particularly in rural areas;
- (b) Facilitate greater access to primary health-care services; reduce the incidence of maternal, child and infant mortality; prevent and combat malnutrition, especially among vulnerable and disadvantaged groups of children; promote proper breastfeeding practices; and increase access to safe drinking water and sanitation;
- (c) Pursue additional avenues for cooperation and assistance for child health improvement with, inter alia, WHO and UNICEF.

Adolescent health

44. The Committee is concerned that insufficient attention has been given to adolescent health issues, including developmental, mental and reproductive health concerns, and substance abuse. The Committee is also concerned at the particular situation of girls, given, for instance, the very high percentage of early marriages, which can have a negative impact on their health.
45. The Committee recommends that the State party:
- (a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems, with the full participation of adolescents, and use this study as a basis for the formulation of adolescent health policies and programmes, paying particular attention to adolescent girls;
 - (b) Strengthen mental health and adolescent-sensitive counselling services and make them accessible to adolescents.

HIV/AIDS

46. While noting the existence of a national AIDS prevention programme and the efforts of the State party in that respect (e.g. agreement with pharmaceutical companies to ensure cheap access to AIDS drugs), the Committee remains extremely concerned at the high and increasing prevalence of HIV/AIDS among adults and children, and the resulting number of children orphaned by HIV/AIDS. In this regard, the Committee is concerned at the lack of alternative care for these children.
47. The Committee recommends that the State party:
- (a) Increase its efforts to prevent the spread of HIV/AIDS and take into consideration the recommendations the Committee adopted on its day of general discussion on children living in a world with HIV/AIDS (CRC/C/80, para. 243);
 - (b) Urgently consider ways of minimizing the impact on children of the HIV/AIDS-related deaths of parents, teachers and others, in terms of children's reduced access to a family life, to adoption, to emotional care and education;
 - (c) Involve children in formulating and implementing preventive policies and programmes;
 - (d) Seek further technical assistance from, inter alia, UNAIDS.

Traditional harmful practices

48. While noting that the prevalence of female genital mutilation is not as high in the State party as in other countries of the region, the Committee is concerned at the use of this practice in the State party and at the lack of legal prohibition or national strategy of prevention of this practice.
49. The Committee urges the State party to adopt legislation prohibiting the practice of female genital mutilation and to implement programmes to sensitize the population about the harmful effects of this practice. The Committee recommends that the State party take advantage of the efforts in this regard made by other States in the region.

Children with disabilities

50. Noting the current efforts by the State party (notably Act No. 83/013 of 21 July 1983 on the Protection of Disabled Persons and the Establishment of a Sub-Department for the Protection of

Disabled Persons within the Ministry of Social Affairs), the Committee is concerned at the lack of statistical data on children with disabilities in the State party, at the situation of children with physical and mental disabilities and, in particular, at the limited specialized health care, education and employment possibilities available for them. The Committee is concerned further that poor health conditions and poverty are leading to an increase in the number of children with disabilities.

51. The Committee recommends that the State party:

- (a) Ensure the use of adequate and comprehensive data in the development of policies and programmes for children with disabilities;
- (b) Review the situation of these children in terms of their access to suitable health care, education services and employment opportunities;
- (c) Take note of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and the Committee's recommendations adopted at its day of general discussion on the rights of children with disabilities (see CRC/C/69);
- (d) Allocate adequate resources to strengthen services for children with disabilities, to support their families and for training of professionals in the field;
- (e) Strengthen policies and programmes of inclusion in regular education, train teachers and make schools accessible;
- (f) Carry out genetic and other studies to assess the causes of disabilities in the State party;
- (g) Sensitize the population to the human rights of children with disabilities;
- (h) Seek assistance from, *inter alia*, UNICEF and WHO.

Standard of living

52. The Committee notes the challenging socio-economic situation and the comprehensive debt reduction package recently agreed under the International Monetary Fund/World Bank enhanced heavily indebted poor countries initiative. However, it is concerned about the increasingly high number of children who do not enjoy their right to an adequate standard of living, including children belonging to poor families, AIDS orphans, street children, children living in remote rural and other under-developed areas, and children belonging to marginalized groups of the population. In addition, while taking note of the State party's intention to improve the coverage of the social security system, it joins the State party in expressing concern at the limited access to such assistance, and the need to reform the social security system.

53. In accordance with article 27 of the Convention, the Committee recommends that the State party:

- (a) Reinforce its efforts to provide support and material assistance to economically disadvantaged families and to guarantee the right of children to an adequate standard of living;
- (b) Pay particular attention to the rights and needs of children in the Poverty Reduction Strategy Paper and in all programmes intended to improve the standard of living in the country;
- (c) Cooperate and coordinate its efforts with civil society and local communities;
- (d) Reform the social security system, with a view to broadening its coverage after completion of the studies undertaken by the State party to this end.

D.7. Education, leisure and cultural activities

54. While noting the adoption of the Act on Education Guidelines (Act No. 98/004) and the Finance Act 2000/08, the Committee remains deeply concerned that primary education is not yet entirely free to all in the State party. The Committee is also concerned at the low education levels among children in the State party, gender, rural/urban and regional disparities in school attendance, the limited access of children with disabilities to formal or vocational educational opportunities, the number of children who are several years behind in their primary education, the high drop-out rate from school, the large number of children per classroom and the decline in the number of primary-school teachers due to the freeze on their recruitment. The Committee is also concerned at the very high prevalence of violence against, and sexual abuse of children in schools.

55. The Committee recommends that the State party:

- (a) Urgently implement the Finance Act 2000/08 to make primary education free to all and in addition provide financial assistance for the costs of transportation, when needed, uniforms and other school materials for poor families;
- (b) Raise the level of educational achievement among children through, inter alia, effectively decreasing the drop-out rate, increasing the number of classrooms and teachers, providing initial and ongoing training of teachers and school inspectors, developing standard national textbooks and increasing the rates of enrolment;
- (c) Ensure that children with disabilities have access to formal and vocational educational opportunities and that girls and boys, as well as children from urban, rural and least developed areas, and from marginalized groups of the population have equal access to educational opportunities;
- (d) Pursue its efforts to include “education for peace and tolerance”, children’s rights and other human rights subjects in the curricula of primary and secondary schools;
- (e) Address education to the aims mentioned in article 29.1 of the Convention and the Committee’s General Comment on the aims of education;
- (f) Monitor and enforce the ban of corporal punishment in schools and train teachers in regard to alternative measures of discipline;
- (g) Take measures against teachers who are violent and abusive towards students;
- (h) Establish child-sensitive structures for children to make complaints;
- (i) Take measures to prevent bullying and sexual abuse of students by other students;
- (j) Pursue efforts for special projects of education for children belonging to marginalized groups like the Pygmies;
- (k) Encourage participation of children at all levels of school life;
- (l) Seek assistance from UNICEF and UNESCO.

D.8. Special protection measures Refugee, asylum-seeking and unaccompanied children

56. The Committee, while acknowledging the efforts made to ameliorate the situation of child refugees, is concerned about the inadequate standards, procedures, policies and programmes to guarantee and protect the rights of refugee, asylum-seeking and unaccompanied children, including their registration, adequate education and other social services.

57. The Committee recommends that the State party:

- (a) Establish a national system for determining the status of asylum-seekers, and integrate the rights of refugees into its domestic law;**
- (b) Urgently set up a system for the registration of refugee children;**
- (c) Consider ratifying the 1954 and 1961 Conventions on statelessness;**
- (d) Continue and expand its cooperation with international agencies such as, UNHCR and UNICEF.**

Economic exploitation, including child labour

58. While noting the recent ratification by the State party (August 2001) of ILO Convention No. 138 concerning Minimum Age for Admission to Employment, the Committee is deeply concerned that child labour in the State party is extremely widespread and that children may be working long hours at young ages, which has a negative effect on their development and school attendance. The Committee is also concerned at practices of forced labour among children belonging to certain groups of the population, such as the Pygmies and the Kirdi.

59. The Committee recommends that the State party:

- (a) Consider ratifying and implementing ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour;**
- (b) Adopt and implement the national plan of action to combat child labour;**
- (c) Strengthen the implementation of the labour laws and increase the number of labour inspectors;**
- (d) Continue to seek assistance from ILO with a view to participating in the International Programme on the Elimination of Child Labour (IPEC).**

Sale, trafficking and abduction

60. The Committee is deeply concerned at the large number of children being sold by their parents and subsequently exploited in the labour market. The Committee is also concerned at information on alleged instances of trafficking in children for their exploitation in the State party and in neighbouring countries. The Committee is further concerned at the possible use of intercountry adoption for the purpose of trafficking.

61. The Committee recommends that the State party:

- (a) Take measures to prevent and combat the sale and trafficking of children, including an awareness-raising campaign and educational programmes, particularly for parents;**
- (b) Facilitate the reunification of child victims with their families and provide adequate care and rehabilitation for them;**
- (c) Ratify the 1980 Hague Convention on the Civil Aspects of International Child Abduction.**

Street children

62. The Committee expresses its concern at the increasing number of street children and at the lack of specific mechanisms to address this situation and to provide these children with adequate assistance.

63. The Committee recommends that the State party:

- (a) Ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training, in order to support their full development;**
- (b) Ensure that these children are provided with: recovery and reintegration services for physical, sexual and substance abuse; protection from police brutality; and services for reconciliation with their families;**
- (c) Undertake a study on the causes and scope of this phenomenon and develop a comprehensive strategy to address the high and increasing numbers of street children, with the aim of preventing and reducing this phenomenon.**

Commercial sexual exploitation and pornography

- 64.** The Committee is concerned about the increasing number of child victims of commercial sexual exploitation, including prostitution and pornography, especially among those engaged in child labour and street children. Concern is also expressed at the insufficient programmes for the physical and psychological recovery and social reintegration of children victims of such abuse and exploitation.
- 65.** In the light of article 34 and related articles of the Convention, the Committee recommends that the State party undertake studies with a view to assessing the extent of the commercial sexual exploitation of children, including for prostitution and pornography, and implementing appropriate policies and programmes for its prevention and for the rehabilitation and recovery of child victims, in accordance with the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm in 1996.

Administration of juvenile justice

- 66.** While recognizing the State party's efforts in this domain, including legislation, decrees and ministerial circulars, the Committee remains concerned at the limited progress achieved in establishing a functioning juvenile justice system throughout the country. In particular, the Committee is concerned at the absence of juvenile courts and juvenile judges, and the lack of social workers and teachers to work in this field. In addition, the Committee is deeply concerned at the poor conditions of detention, due notably to overcrowding in detention and prison facilities, overuse and long periods of pre-trial detention, the length of time before the hearing of juvenile cases, the absence of assistance towards the rehabilitation and reintegration of juveniles following judicial proceedings, and the sporadic training of judges, prosecutors and prison staff. Noting that there are no criminal penalties for children below the age of 14 years, the Committee is still concerned that the minimum age for criminal responsibility is too low (10 years).
- 67.** The Committee recommends that the State party take additional steps to reform the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of Their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System.
- 68.** In addition, the Committee recommends that the State party:

- (a) Raise the age of criminal responsibility;
- (b) Undertake all necessary measures to ensure the establishment of juvenile courts and the appointment of trained juvenile judges in all regions of the country;
- (c) Consider deprivation of liberty only as a measure of last resort and for the shortest possible period and limit by law the length of pre-trial detention;
- (d) Provide children with legal assistance at an early stage of the proceedings;
- (e) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, including through addressing the problem of overcrowding in prisons and establishing special prisons for children with conditions suited to their age and needs, and in the meantime guarantee the separation of children from adults in prisons and places of pre-trial detention throughout the country;
- (f) Ensure that children in conflict with the law do not receive the same sanctions as adults;
- (g) Ensure that children remain in regular contact with their families while in the juvenile justice system;
- (h) Introduce regular medical examination of inmates by independent medical staff;
- (i) Establish an independent child-sensitive and accessible system for complaints for children;
- (j) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;
- (k) Make every effort to establish a programme of rehabilitation and reintegration of juveniles following judicial proceedings; and
- (l) Request technical assistance in the area of juvenile justice and police training from, inter alia, the Office of the High Commissioner for Human Rights, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

Minorities

- 69. The Committee is deeply concerned about the poor situation of Pygmy children and children of similar marginalized groups, and at the lack of respect for almost all of their rights, including the rights to health care, to education, to survival and development, to enjoy their own culture and to be protected from discrimination. The Committee is also concerned at the displacement of Pygmy families, including children, as a result of logging policies.
- 70. The Committee urges the State party urgently to gather additional information on the Pygmies and other marginalized groups of the population, and to elaborate a plan of action to protect their rights.

D.9. Optional Protocols to the Convention on the Rights of the Child and acceptance of the amendment to article 43.2 of the Convention

- 71. The Committee notes that the State party has not ratified the two Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict. The Committee welcomes the fact that the State party has recently accepted the amendment to article 43.2 of the Convention on the Rights of the Child concerning the expansion of the Committee from 10 to 18 members.

72. The Committee encourages the State party to ratify and implement the two Optional Protocols to the Convention on the Rights of the Child.

D.10. Dissemination of documents from the reporting process

73. Finally, the Committee recommends that, in the light of article 44, paragraph 6, of the Convention, the initial report and written replies presented by the State party be made widely available to the public at large and that publication of the report be considered, along with the relevant summary records and the concluding observations adopted thereon by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government and the general public, including NGOs.