

AFRICAN COMMISSION
ON
HUMAN AND PEOPLES'
RIGHTS

CAMEROON'S INITIAL REPORT

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LIST OF ACRONYMS AND ABBREVIATIONS

ALUCAM:	Aluminium du Cameroun
ARCH	: Associated Rehabilitation Centre for the Handicapped
ARV	: Antiretroviral drugs
ADB	: African Development Bank
BCPM	: British College of Professional Management
BEAC	: Bank of Central African States
IDB	: Islamic Development Bank
ACHPR	: African Commission on Human and Peoples' Rights
PCPP	: Provincial Centres for Pharmaceutical Procurement
CDC	: Cameroon Development Corporation
ECA	: Economic Commission for Africa
FSLC	: First School Leaving Certificate
CENAME	: National Essential Drugs Procurement Agency
CEPMAE	: Centre for the Production of School Textbooks
CFC	: Cameroon Housing Loans Fund
CIAP	: Police College
ICRC	: International Committee of the Red Cross
CIMENCAM	: Cameroon Cement Industry
NCHRF	: National Commission on Human Rights and Freedoms
NACC	: National Aids Control Committee
NSIF	: National Social Insurance Fund
NCRH	: National Centre for the Rehabilitation of the Handicapped
CRESAS	: Social and Rehabilitation Centre for Deaf Children
RCDC	: Rehabilitation Centre for Deaf Children
IHC	: Integrated Health Centre
DGSN	: Delegation for National Security
DSNA	: Department of Statistics and National Accounts
ENIA	: Grade II Teachers Training College
ESEDA	: Specialized School for hearing impaired children
EDF	: European Development Fund
FEICOM	: Special Council Support Fund
FENAHCAM	: Cameroon Federation of Hadicapped Persons
FIMAC	: Investment Fund for Agricultural and Community Micro-projects
NEF	: National Employment Fund
IAR	: Institute of Agronomic Research
IGMR	: Institute of Geological and Mining Research

IZR : Institute of Zoological Research
MAETUR : Urban and Rural Development and Equipment Authority
MINAGRI : Ministry of Agriculture
MINASCOF: Ministry of Social and Women's Affairs
MINAS : Ministry of Social Affairs
MINEDUC : Ministry of National Education
MINEPIA : Ministry of Livestock, Fisheries and Animal Industries
MINEF : Ministry of the Environment and Forestry
MINREST : Ministry of Scientific and Technical Research
ONAREST : National Office for Scientific and Technical Research
ONPD : National Office for Participation in Development (NOPP)
ONIAS : National South Intervention and Welfare Office
PNVRA : National Agricultural Extension and Research Programme
SAR : Rural Artisan Centre (RAC)
SIC : Cameroon Real Estate Corporation
SNEC : Cameroon National Water Corporation
SOCINADA: National Copyrights Corporation
SODEPA : Livestock Development Corporation
SOSUCAM: Cameroon Sugar Corporation
SYNAME : National Essential Drugs and Supplies Procurement System
TBS : Social Welfare Indicators
UTAVA : Aerial Pest Control Unit

GENERAL INTRODUCTION

1. **T**he African Charter on Human and Peoples' Rights adopted by the 18th Conference of Heads of State and Government of the Organization of African Unity (OAU), held in Nairobi from 24 to 27 June 1981, entered into force on 21 October 1986.
2. Cameroon signed and ratified it on 23 July 1987 and 20 June 1989 respectively. The ratification instruments were deposited on 18 September 1989. Pursuant to Article 65 of the Charter, it came into effect in Cameroon on 18 December 1989. In so doing, Cameroon had expressed its unwavering desire to lift its people to a political, moral, economic, social and cultural level respectful of human dignity.
3. The Constitution of 2 June 1972 as amended on 18 January 1996 asserts in its preamble and sundry provisions, Cameroon's attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the United Nations Charter, the African Charter on Human and Peoples Rights and other pertinent instruments. In fact, since independence, the Republic of Cameroon has prepared and put in place a policy for the advancement of fundamental human rights. In this regard, it has ratified a number of international conventions on human rights and is striving to incorporate their provisions into its national legislation.
4. This initial report, drafted in pursuance of the provisions of Article 62 of the Charter and the general guidelines on the form and content of country reports on human and peoples' rights as published by the African Commission on Human and Peoples Rights, is submitted for appraisal. It contains the measures taken by the State of Cameroon in its quest to apply the pertinent provisions of the African Charter on Human and Peoples' Rights.
5. Because of the delay in the presentation of its initial and periodic reports, Cameroon, in conformity with the report contained in paragraph 18 of the thirteenth annual progress report of the Commission, is compiling all the reports which it should have presented in a single document covering the period from its independence to 31 December 2000.
6. The Government of Cameroon wants through this medium to engage in a constructive dialogue with the Commission and other international and national partners dealing with human rights issues.

7. For a proper understanding of the report, a brief presentation of Cameroon is necessary.

- **Territory**

8. Cameroon is located in the heart of Africa. It is shaped like a triangle measuring 1200 km in height and 800 km at the base. It has an area of 475 650 km², situated between 2° and 13° latitude North and between 8° and 16° longitude East. It is bounded to the south by Equatorial Guinea, Gabon and the Republic of the Congo; to the east by the Central African Republic; to the North by Chad; and to the Southwest by the Atlantic Ocean covering 400 km of coastline.

- **Geography**

9. Cameroon is characterized by a broad diversity of natural landscapes found all over Africa. This originality has caused it to be known as "Africa in miniature". There are three main bioclimatic regions.

10. The first bioclimatic region is the equatorial zone comprising two variants:

- a typical equatorial climate with four seasons, a rainfall above 1500 mm and an average temperature of 25° C with a range of 2° C. This is the zone with ferralitic soils and evergreen forests that undergo constant devastation by man. This plateau region averaging 700 m in altitude is covered to the north by savanna forests.
- a zone of monsoon equatorial climate with a maritime climate variant and a sub-tropical mountainous variant. The region is crossed from south to northeast by the Cameroon mountainous chain averaging 1400 m in altitude. It begins from the Bay of Bonny through Mount Cameroon, its highest peak, to the Adamawa region. The monsoon type climate is characterized by average temperatures of 22° C, two seasons and an average annual rainfall of 2000 mm. This high rainfall accounts for luxurious green forests which have been heavily degraded to the northeast leaving vast prairies known as "grassfields". Ferrous and volcanic soils are predominant.

11. The second bioclimatic region is the tropical humid zone between latitude 4° and 10° N has an annual rainfall of 900 to 1500 mm. Average temperature is 28°C with a range of 6°C. This humid tropical or sudanian climate accounts for wooded or shrub savanna conducive to cattle rearing. This vegetation thrives on soils presenting “ ferralitic or ferroginous and volcanic properties. Two main ranges characterize the Adamawa Basin which has an average altitude of 200 metres. These are the Adamawa high plateaux falling on either side of the 7th parallel North and the Mandara mountains above the 9th parallel. They constitute a touristic marvel.

12. The third bioclimatic region is the dry tropical zone situated between 10° and 13° latitude North known as the sudano-sahelian climate. It is highly influenced by the continental nature of the environment. Annual rainfall ranges between 300 and 900 mm; average temperature is 28°C, temperature 707°C range. The vegetation is sparse with thorny steppes though there are flooded prairies with hydromorphic soils known as “yaere”. These are situated from the foot of the Mandara mountains between the “duck’s beak” and Lake Chad. The harsh climate and severe weather conditions announce the desert and sahelian conditions of the Sudan.

13. Four main river basins exist in Cameroon, namely:
 - the Atlantic basin comprising the major rivers flowing from the Adamawa high plateau, the south Cameroon plateau and western high plateau to the ocean, e.g. River Sanaga (920 km), River Nyong (750 km), River Ntem (460 km), Rivers Wouri and Moungo.
 - the Congo basin drained by Rivers Kadey and Ngoko flowing into the River Sanga, an affluent of the River Congo;
 - the Niger Basin with River Benoue;
 - the Lake Chad Basin with the River Logone and Chari.

14. There are four hydrological regions:
 - the conventional equatorial regime with floods in March/October and peaking in September. Low water levels occur between November and March;
 - the tropical regime with sharp contrasts in flow between seasons. During the dry season most river beds locally known as Mayo, dry up;
 - the mixed regime represented by the river Sanaga that falls between the equatorial and tropical.

• **Population**

15. Cameroon comprises some 230 tribes distributed in three principal cultural zones: the Bantu in the South, Littoral, Southwest, Centre and East provinces; the semi-bantu in the West and Northwest provinces; the sudanian in the Adamawa, North, and Far-North provinces. The pygmies have not been classified in these major zones but are found in the South, East and Centre provinces.
16. Far from being a factor of conflict or an obstacle to community life, this ethnic diversity is rather seen by the public authorities and the people as a mutually enriching experience, it being understood by all that the objective is to build from such a base, a real Nation where peace, concord and justice reign and where each citizen must feel at home in any part of the country.
17. The attainment of this goal is founded on the elimination of all forms of discrimination. Government is striving to implement this through the following programmes: national integration, balanced development of the regions, equitable sharing of the fruits of growth, democratization and liberalization, protection of minority and disadvantaged groups, good governance.
18. According to the Statistical Yearbook of Cameroon (August 1998 edition) the population of Cameroon was approximately 14 297 617. The annual growth rate is around 2.8 per cent. Population density is 30.7 inhabitants per sq.km. There are some 4 000 000 aliens from various parts of the world living peacefully with Cameroonians. According to the 1998 report of the UNHCR, there are some 47 057 refugees hosted by Cameroon, 6007 of whom are assisted by UNHCR.
19. Population structure by sex and age is as follows:
 - a relatively young population estimated at 45% for those less than 15 years old, 51.8% for those between 16-64 years and 3.2% for those above.
 - an essentially rural population: according to place of residence, 6 748 475 inhabitants live in urban areas while 7 549 142 live in rural areas. However, there is an upsurge in rural/urban migration due to many factors;
 - the sex ratio is 49 men to 51 women.

20. There is also a disparity in the geographical distribution of the population and significant migrations because of population growth and unequal development of the regions. Consequently, population density varies from region to region, ranging from less than 10 inhabitants/km² in the East province to more than 200 inhabitants/km² in the West province.
21. Life expectancy is 59 years for women and 54.5 years for men.
22. There are 2 600 000 catholics, 2 586 000 muslims and 1 900 000 protestants. It should be observed however that while Cameroonians are adepts of the religions cited above they remain closely attached to ancestral worship.

• **Economy**

23. At the economic level livestock farming occupies a prominent place. The agricultural sector occupies 73.8% of the active population and accounts for nearly 21% of GDP. The secondary sector is expanding, occupies 6.3% of the active population and accounts for 34% of GDP.
24. Cameroon's economy experienced rapid growth between 1960 and 1983, ranking Cameroon as one of the leading sub-saharan countries with strong growth and as a middle income country. Growth which reached 8% before has declined considerably since 1986, sometimes recording negative rates. However towards the end of 1997, there were signs of return to growth.
25. In the 1990s Cameroon strived to restore its major economic balances despite the 1994 devaluation of the CFA franc which gave rise to considerable cuts(reaching 70% in some cases) in salaries of civil servants. Standby arrangements with the Bretton Woods institutions were applied with rigour, especially the Three Year Economic and Financial Programme for the period 1997-2000. It enabled the State to progressively settle its internal debt and to readjust the salaries of civil servants. Concurrently, there was a drive toward State divestiture from the economy through privatization of state-owned corporations. Cameroon's admission to the HIPC initiative in October 2000 substantially cushioned the debt servicing burden. Cameroon and the IMF have concluded a three-year accord under the poverty alleviation and growth facility as support to the new economic reform or 2nd generation programme. At the moment, economic policy guidelines are geared toward sustaining strong growth between 5.5 and 6%, containing inflation at 2% at most, and alleviating poverty.

26. In a nutshell, below are the socio-economic indicators:

- per capita income - approximately \$650 (cf. indicators for African countries: UN, World Bank, 1995);
- GDP: 4 932.2 thousand million CFA francs (Source: DSNA/CTS)
- Inflation rate: nearly 2% (1998 figure);
- External debt: 4 2446.9 thousand million CFA francs (source: Cameroon's economic and financial institutions, IMF, Bank of Central African States – BEAC);
- Native languages: approximately 200;
- Infant mortality rate: 8 per 1000 (source: Statistical Yearbook);
- Maternal mortality rate: 547 per 100 000 live births; could reach 900 in the northern provinces (UNICEF);
- Fertility rate: 16.6% in 1992-1993;
- Birth rate: 39.3 per 1000 in 1992;
- Gross mortality rate: 13.7 per 1000.

27. In Part I of this report, a description will be made of the legal and institutional framework within which the freedoms enshrined in the Charter evolve. We shall highlight the legislation and statutory instruments for their application, and the various rights and obligations enshrined in the Charter.

PART ONE

*GENERAL FRAMEWORK FOR THE
PROMOTION AND PROTECTION OF
HUMAN RIGHTS IN CAMEROON*

28. **T**he regime of human rights in Cameroon is governed both by international and national instruments and institutions.

CHAPTER I

INTERNATIONAL LEGAL INSTRUMENTS BINDING CAMEROON IN THE GUARANTEE OF HUMAN RIGHTS

29. **C**ameroon has ratified many international treaties (and their protocols) relating to human rights. Similarly, it has adhered to other supranational legal instruments.

30. Among these are:

- The Universal Declaration of Human Rights;
- ILO Convention No. 29 of 1930 on Forced Labour (adhesion 7 June 1960);
- ILO Convention No. 87 of 1948 on Freedom of Association Protection of the right to organize (adhesion 7 June 1960);
- The 1951 Convention on the Status of Refugees (adhesion 23 June 1961);
- ILO Convention No. 98 of 1949 on the Right to organize and Collective Bargaining (ratified 3 September 1962);
- ILO Convention No. 105 of 1957 on the Abolition of Forced Labour;
- The Protocol relating to the Status of Refugees (ratified on 19 September 1967);
- ILO Convention No. 100 of 1951 on Equal Remuneration (ratified 15 May 1970);
- ILO Convention No. 111 on Discrimination in Employment and Occupation (ratified 24 June 1971);
- The Convention on the elimination of all forms of racial discrimination (ratified 1 November 1971);
- The Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity (adhesion 6 October 1972);
- The International Convention on the suppression and punishment of the crime of apartheid (ratified 1 November 1976);
- The Convention for the suppression of the traffic in persons and of the exploitation of the prostitution of others (adhesion 19 February 1982);
- The International Covenant on Civil and Political Rights and its optional protocol (ratified 27 June 1984);

- the International Pact on economic, social and cultural rights (ratified 27 June 1984);
 - The African Charter on Human and Peoples' Rights (ratified 20 June 1989);
 - The Convention on the Rights of the Child (signed 27 September 1990 and ratified 11 January 1993);
 - The Convention on the elimination of all forms of discrimination against women (ratified 23 August 1994);
 - The African Charter on the rights and welfare of the Child (ratified 5 September 1996);
 - The Convention against torture and other cruel, inhuman or degrading treatment or punishment (ratified by Decree N° 97/79 of 25 April 1997);
 - ILO Convention No. 138 of 1973 on the minimum working age (ratified on 14 April 1998).
31. It is worth mentioning that Law No. 96/6 of 18 January 1996 to amend the Constitution of 2 June 1972 effected a real constitutional inclusion of human rights issues by including in its preamble certain provisions of the Universal Declaration of Human Rights and of the African Charter on Human and Peoples' Rights.
32. Instruments dealing with human rights matters are incorporated into national legislation through the procedure of ratification. Indeed, in accordance with Article 43 of the Constitution, the President of the Republic concludes and ratifies international treaties and agreements. Those pertaining to law are tabled before the National Assembly for adoption before ratification.
33. Pursuant to Article 45 of the Constitution, international treaties or agreements are, immediately after publication, given higher precedence over national laws. Consequently, they can be invoked in the law courts or before the public authorities. However, for provisions that are of a criminal nature to be applicable, they must be supplemented in the national legislation by relevant penalties. Thus Law No. 97/9 of 10 January 1997 was drafted to include torture in Cameroon's Penal Code with its relevant penalties.

CHAPTER II
INTERNAL LEGAL FRAMEWORK

34. **W**^e shall examine successively the legal, political, administrative, judicial and penitentiary systems. The National Commission on Human Rights and Freedoms will be briefly discussed.

I. THE LEGAL SYSTEM

35. French and British mandates and trusteeships bequeathed to Cameroon a bi-jural system (enforcement of Napoleonic law and Common Law). This dualism, established by the laws of the Republic and applied in the practice of law is further enhanced by the coexistence of customary law and codified law. Customary law is applied only if it is in consonance with codified law. Article 1(2) of the Constitution of 18 January 1996 states that "The Republic of Cameroon...shall recognize and protect traditional values that conform to democratic principles, human rights and the law".

36. Victims of human rights violations may refer such matters to codified law courts (Court of First Instance and/or High Court), or to customary courts (customary court or Court of First Degree). They may also report to the National Commission on Human Rights and Freedoms that will be mentioned later, as well as other international human rights protection bodies, if the internal appeal mechanisms are not satisfactory. The injured party may, if necessary, claim damages before the court. Our legal system provides that in case of a discharge or acquittal, and if detention is considered illegal, there shall be no damages except in cases where miscarriage of justice or poor functioning of the legal system are established. However, the draft Criminal Procedure Code provides for such damages. In addition, Sections 443 to 447 of the Criminal Procedure Code spell out damages in favour of persons who are victims of miscarriage of justice in appeal matters. Rehabilitation is laid down in Sections 69 to 72 of the Penal Code and in Sections 624 to 633 of the Criminal Procedure Code.

II. THE POLITICAL AND ADMINISTRATIVE SYSTEM

1. THE POLITICAL SYSTEM

37. East Cameroon under French trusteeship became independent on 1 January 1960. On 1 October 1961 East and West Cameroon reunited. Following the 20 May 1972 referendum, Cameroon became a unitary state. Pursuant to

the Constitution of 18 January 1996, Cameroon is a decentralised, democratic, unitary state with a semi-presidential system. There is separation of powers between the executive, legislative and judiciary.

38. The single party system obtained in Cameroon from 1966 to 1990 when Law No. 90/56 of 19 December 1990 on political parties was promulgated. Since this change, five elections have been held:
- March 1992, five political parties participated in the legislative elections;
 - September 1992, presidential elections were held;
 - January 1996, 36 political parties participated in the municipal elections and 15 of these parties had municipal councillors and opposition parties won a good number of councils;
 - May and August 1997, 44 political parties took part in the legislative elections. The current legislature comprises parliamentarians from 7 political parties;
 - October 1997, nine parties presented candidates for the presidential elections.

a) The Executive Power

39. The President of the Republic is the Head of State. He is elected by the whole nation. He is the symbol of national unity, defines the policy of the Nation, and ensures the respect of the Constitution and through his arbitration, the proper functioning of public authorities. Furthermore, he is the guarantor of national independence, territorial integrity, the permanency and continuity of the State, respect of international treaties and agreements (Article 5 of the Constitution).
40. The President of the Republic, Head of State, is elected by direct, equal and secret universal suffrage for a seven-year term of office, renewable once.
41. With respect to Government, the Prime Minister is head of Government and directs Government action. Government is responsible for the implementation of the policy of the Nation as defined by the President of the Republic (Article 11 of the Constitution). He is appointed by the Head of State.

b) Legislative Power

42. Legislative power is exercised by Parliament, which comprises two houses, namely: the National Assembly and Senate. Parliament legislates and controls Government action (Article 14).
43. The National Assembly comprises 180 members elected by direct and secret universal suffrage for five years.
44. The Senate, which is not yet operational, represents local and regional authorities. It is composed of 100 members, 70 of whom are elected by indirect universal suffrage on a regional basis and 30 appointed by the President of the Republic.

c) The Constitutional Council

45. The Constitutional Council has jurisdiction in constitutional matters. It rules on the constitutionality of laws. It regulates the functioning of institutions (Article 47). Pending the setting up of this body, such duties are exercised by the Supreme Court.

d) The Court of Impeachment

46. 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 were delegated for conspiracy against the security of the State.

e) The Economic and Social Council

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

2. THE ADMINISTRATIVE SYSTEM

48. The administrative system of Cameroon blends three major administrative models, namely: centralization, deconcentration and decentralization.

a) Central Administration

49. The central administration comprises all services based in the political capital, seat of the institutions, having jurisdiction throughout the country. These include the Presidency of the Republic, the Prime Minister's Office, central services of various ministries and technical and advisory bodies.

b) Deconcentrated Administration

50. It comprises organs with limited jurisdiction in a given constituency, but placed under the authority of central authorities. They include:
- Provinces, headed by governors appointed by the President of the Republic. There are 10 provinces in Cameroon;
 - Divisions, headed by Divisional Officers; there are fifty-eight (58) divisions;
 - Sub-divisions, headed by Sub-divisional Officers, there are 269;
 - Lastly, districts are headed by District Heads; there are 53.

c) Decentralized Administration

51. Article 66 of the Constitution states that local and regional authorities shall be regions and councils. The above-mentioned provinces shall become regions, however these reforms are not yet effective.
52. Local and regional authorities are public legal entities. They enjoy administrative and financial autonomy in the conduct of regional and local matters and are freely administered by elected counsellors under conditions laid down by law.
53. Technical decentralization is also practised in Cameroon through several administrative, industrial and commercial public bodies including the various semi-public enterprises operating in the different economic and social sectors of the country.

III. THE JUDICIAL SYSTEM

54. From a simple judicial authority as laid down by the 12 June 1972 Constitution and previous instruments, Justice was established as Judicial Power by the constitutional amendment of 18 January 1996.
55. However, its organization and functioning do not completely translate this reform. Similarly, its independence needs to be further enhanced.

1. Judicial Organization

56. Judicial organization is established in a gamut of instruments. Since unification on 20 May 1972, the basic instrument on judicial organization is Ordinance No. 72/4 of 24 August 1972. After several amendments, its last reading remains Law No. 90/38 of 19 December 1990.
57. Other older and non-repealed instruments lay down the organization of so-called customary courts. These are Decree No. 69/DF544 of 19 December 1969 to organize the Judiciary and lay down customary court procedures in East Cameroon and Law No. 79/4 of 29 June 1979 to place Customary Courts and Alkaly Courts under the Ministry of Justice.
58. Besides common law courts laid down by the Ordinance of 26 August 1972, other instruments set up special courts. These include: Ordinance No. 72/5 of 26 August 1972 (amended by Law No. 84/1 of 4 January 1984) to organize military justice of the State; Ordinance No. 72/7 of 26 August 1972 to set up the Court of Impeachment; Law No. 90/060 of 19 December 1990 to set up and organize the State Security Court.
59. A review of the various instruments highlights that Cameroonian courts comprise ordinary law and special courts.
60. Common law courts refer to the Court of First Instance, High Court, Court of Appeal and the Supreme Court which have jurisdiction over civil and criminal matters pursuant to the principle of unity of civil and criminal justice.
61. Further to the 29 December 1989 law to organize the judiciary as amended by Law No. 90/38 of 19 December 1990 :

- the Court of First Instance shall have jurisdiction over civil and commercial matters whose claims do not exceed 5,000,000 CFA francs and offences and misdemeanours in criminal matters;
 - claims exceeding 5,000,000 CFA francs shall be referred to the High Court as well as matters pertaining to the law of persons (civil status, marriage, divorce, affiliation and succession) and misdemeanours and offences in criminal matters.
62. Besides so-called modern law courts, judicial organization in Cameroon recognizes other so-called traditional law courts which have jurisdiction over the enforcement of the customs of the parties which include:
- a) in the French-speaking part of the country:
 - the Court of First Degree shall have jurisdiction over personal and real estate matters;
 - customary courts shall have jurisdiction over property matters pertaining to the recovery of civil and commercial debts, award of damages and torts.
 - b) in the English-speaking part of Cameroon:
 - Alkaly courts have jurisdiction over the enforcement of customary laws in matters involving muslims;
 - customary courts enforce customary laws for non-muslims.
63. There are special administrative courts that have jurisdiction over disputes involving the State, local councils and public bodies as well as rule on accountability. Currently, these courts include the Administrative Bench of the Supreme Court which gives a first ruling to disputes involving the Administration, and the Plenary Session of the Supreme Court which gives a second and final ruling to matters involving the Administration.
64. Military justice is governed by Ordinance No. 72/7 of 26 August 1972 and its subsequent amendments and occupies a prominent place among special courts.
65. The military tribunal shall have exclusive jurisdiction over cases involving persons of at least 18 years of age:
- purely military offences prescribed by the Code of Military Justice;
 - offences of all kinds committed by servicemen with or without civilian co-offenders or accomplices, whether within a military establishment or in service;
 - offences against the law on arms.

66. There is now a military tribunal in Bafoussam, Buea, Douala, Garoua and Yaounde. The Yaounde Military Tribunal has national jurisdiction.
67. Military tribunal judgements may be appealed against in ordinary Courts of Appeal, which apply depending on the region – English-speaking or French-speaking – either the Criminal Procedure Code or the Criminal Procedure Ordinance.
68. Hence decisions taken by common law or special courts may be remitted to the Court of Appeal which, pursuant to Article 22 of Ordinance No. 72/4 of 26 August 1972 shall have jurisdiction over:
 - appeals against decisions passed by other courts save for the Supreme Court, the State Security Court and the Court of Appeal itself;
 - any other cases provided by law.
69. The Supreme Court, regulator of the law, is at the helm of the judicial edifice. It shall be the highest court of the State in legal, administrative and accountability matters.
70. The judicial bench shall give final rulings on:
 - appeals accepted by law against final rulings given by various courts and tribunals of the judicial system;
 - judgements passed by the lower courts of the judicial system that have become final in cases where the application of the law is challenged.
71. The administrative bench shall examine all the administrative disputes involving the State and other public authorities. It examines appeals on regional and council election disputes, gives final rulings on appeals against judgements passed by the lower courts in cases of administrative disputes and gives final rulings on appeals against judgements passed by the lower courts.

72. The audit bench shall be competent to control and rule on public accounts, as well as those of public and semi-public enterprises. It gives final rulings on appeals against judgements passed by lower audit courts and gives final rulings on appeals against judgements passed by the lower courts.

2 - FUNCTIONING OF JUSTICE

73. Pursuant to the principle of equality of all citizens before the law, judicial institutions function without any discrimination. Thus, in principle all citizens have equal access to justice. Hence, Article 6(1) of Ordinance No. 72/4 of 1972 to organize the judiciary states that " justice shall be free except for fiscal provisions relating to stamp duty and registration".

74. Apart from labour matters, legal action seriously drains the plaintiff financially on account of the costs of legal proceedings, prosecution charges, counsel's fees, court fees, stamp duty and registration. In civil matters for instance, the plaintiff is bound to deposit at the registry, before the registration of his case, an amount of money equal to 5 to 6% of the claim.

75. To further ease access to justice for most plaintiffs, given the costs of the procedure and low income of some citizens, the State provided and organized legal aid through various instruments, namely: Decrees No. 60/224 of 5 December 1960, No.64/DF/155 of 6 May 1964; No.65/DF/93 of 2 April 1965 and No. 76/521 of 9 November 1976. These refer to eligible persons and institute a competent committee in each court to grant such assistance. Hence legal aid is granted as of right to:

- victims of industrial accidents to claim damages from their employers;
- wives without jobs and resources abandoned by their husbands with a view to obtaining maintenance for herself or children under her care;
- persons sentenced to death, on appeal and who were not defended by a lawyer before a lower court.

76. Judgements obtained through legal aid shall be fully enforceable like all other court rulings. Legal aid is granted automatically as long as the case is pending and until a final ruling is given.
77. Persons benefiting from legal aid shall be exempt from stamp duty, registration, court fees and deposits except for appeal charges. They are also exempt from partial or total payment of charges like, court, counsel's, bailiff's, notary's and auctioneer's fees.
78. Lawyers consider legal aid as poorly remunerated jobs and thus prefer to deal with clients in their chambers; legal aid is hence a poor service offered to plaintiffs who have no other choice. It is therefore necessary to reform such assistance by easing the requirements for granting legal aid and marking up the remuneration of lawyers who are bound to assist beneficiaries of this measure.

3 - JUDICIAL STAFF

a) Judicial and Legal Officers

79. Judicial and legal officers are recruited from among second-year legal probationers of the National School of Administration and Magistracy (ENAM). They are also drawn from the ranks of lawyers, bailiffs, registrars, court registry administrators, and lecturers of law fulfilling certain academic, moral, seniority and legal experience requirements.
80. Pursuant to Article 1 of Decree No.95/48 of 8 March 1995 to lay down rules and regulations governing the legal service, the corps of judicial and legal officers shall comprise:
 - judicial officers and legal officers of the courts;
 - judicial and legal officers in the Ministry of Justice;
 - judicial and legal officers on secondment;
 - legal assistants.
81. Legal officers and legal assistants are placed under the administrative and hierarchical authority of the Ministry of Justice.

82. Judicial and Legal officers are classified hierarchically as follows:

- super scale;
- fourth scale;
- third scale;
- second scale;
- first scale.

83. The table below gives an overview of members of this corps.

a) Judicial and Legal Officers per scale

Scale		Number of staff	Percentage
Superscale	Scale 1	11	2%
	Scale 2	20	3%
Scale 4		76	12%
Scale 3		143	23%
Scale 2		231	37%
Scale 1		141	23%
Total		622	100%

84. Undoubtedly, the functioning of the judicial system is not the prerogative of judicial and legal officers. Several other corps contribute to the administration of justice.

b) Other Stakeholders and Auxiliary Officers of Justice

• **Registrars**

85. Pursuant to Decree No. 60/16 of 1 February 1960, the Registrar is a civil servant who assists the Judge in each court in the discharge of his duties and draws up minutes, ordinances and judgements, files and records such documents, issues the first authentic copy of judgements and copies thereof.

86. Under the authority of the judge he keeps all decisions, documents, objects and receives sums authorized by law. He ensures the respect of formalities provided by law and especially, is responsible for the publication of court decisions or judgements.

87. The chief registrar may also act as notary and auctioneer in the area of jurisdiction to which he is appointed when there is no public servant or law official specifically responsible for performing these functions.

• **Judicial police officers and workers**

88. Law and order are enforced, under the authority of the Procureur General, by:

- State Counsels or their deputies;
- examining magistrates;
- gendarmerie officers and gendarmes who are brigade commanders or chiefs of gendarmerie posts;
- the director of national security, officers in charge of central police stations, officers in charge of special police stations and superintendents of police, officers in charge of judicial police brigades and chiefs of security posts;
- public servants specially empowered by the rules and regulations governing their services (Customs, Forestry, Taxation, etc) to establish certain felonies and misdemeanours.

89. The main duties of the judicial police are to receive complaints and denunciations, and to establish offences and gather evidence and identify the authors thereof. It also performs certain tasks assigned to it by the judicial authorities: rogatory commissions for hearings or house searches; serving of warrants. It can also order the detention of a person for preliminary investigations.

90. Detention is a serious measure which can be ordered only by a judicial police officer, and never by a judicial police worker, for a period of 24 hours renewable twice, that is a maximum period of 72 hours. Renewal is ordered by the State Counsel who exercises control over detentions.

91. The State Counsel is the head of the judicial police. He does not only have the power but also the duty to inspect places of detention (police stations, gendarmerie brigades, judicial police services, etc.) He has to ascertain the legality of detentions and the conditions under which people are detained.

92. Where the State Counsel or even the Procureur General fails to act in the case of illegal detention, the victim can, by virtue of Article 16 of Ordinance No. 72/4 of 26 August 1972, as amended by Law No. 89/19 of 29 December 1989, terminate the illegal or unjustified detention. He can make use of the "writ of habeas corpus", also known as petition for immediate release. These are proceedings inherited from the Anglo-Saxon tradition which enable a detainee to secure his freedom before the competent high court.
93. Where the detention is ordered by an authority without jurisdiction, the victim can use the "order of prohibition" provided for under Article 16(d) of the Ordinance of 26 August 1972 referred to above to regain his liberty.
94. The police and gendarmerie cannot carry out house searches without the consent of the person to be searched, under pain of punishment for infringement of the principle of inviolability of house.

• **Advocates**

95. Law No. 90/59 of 19 December 1990 organizes practice at the Bar. An advocate is a representative of the law who carries out a liberal and independent profession under the Bar, also known as Bar Council in Cameroon. There is only one Bar for now which is managed by a Bar Council which performs both administrative and disciplinary functions. It is headed by a President who represents it in court.
96. An advocate assists his client, advises him and pleads for him before all the law courts or commissions. The advocate's power of representation consists in acting in the name and on behalf of his client before public services and all courts. The functions of pleading and representation before the courts, known as postulation, have always been performed by advocates, unlike in other countries where postulation falls under the jurisdiction of solicitors.

• **Bailiffs**

97. The profession of bailiff is governed in Cameroon by Decree No. 79/448 of 5 November 1979, as amended and supplemented by Decree No. 85/238 of 22 February 1985.
98. Bailiffs are law officials in charge of:
- serving judicial and extra-judicial documents;

- forced execution of public deeds (judgments and other enforceable deeds); and
- performing services within courts.

99. When bailiffs are in charge of performing services within the courts, they bear a special name, that is, usher.

100. Bailiffs are, like all law officials, protected in the performance of their functions by Section 156 of the Penal Code which punishes whoever uses force on a public servant or otherwise interferes with him, as broadly defined under Section 131 of this Code.

- **Notaries**

101. Decree No. 95/34 of 24 February 1995 lays down the rules and regulations governing the profession of notary in Cameroon and organizes same.

102. The habitual function of a notary is to receive deeds and contracts and agreements on which the parties wish to or must confer authenticity. Hence the notary handles a wide variety of deeds including wills, gifts, marriage contracts, sales of movable and immovable property, formation of companies, loan agreements, inheritances, sharing and drawing up of inventories.

103. The notary also enlightens the parties on the consequences of the deeds submitted to him by providing them with all the useful information or necessary explanations. It is said that he is bound by the duty to advise or obligation to inform.

- **Guided education staff**

104. The increasing importance of the preventive role played by the legal institution has led to the existence, besides the classical legal professions (judicial and legal officer, advocate, registrar, notary, etc.) of professions whose main objective is to prevent social maladjustment and, failing which, to enable persons in difficult circumstances, particularly minors in moral danger and young delinquents, to recover, through rehabilitation, their place within the society which is rejecting them.

105. In this prospect, the mission of the provincial and divisional services of the Ministry of Social Affairs as well as the social welfare posts and

educational centres is to provide assistance and support to the youth entrusted to them by court decision, and to inform legal and judicial officers of changes in their situation. They also help to raise the morale of prisoners and ensure linkages with the family and community network.

106. In spite of the training of social welfare workers in the National Social Welfare School and the creation of a cycle for the training of Social Welfare Inspectors in the National School of Administration and Magistracy the number of guided education staff is still small.

- **Legal experts**

107. Legal experts are specialists in diverse professions (medical doctors, architects, garage mechanics, social workers, etc.) appointed by the courts to draft reports intended to enlighten judges on the technical aspect of a case. Their opinion is not binding on the judges who are free to take their decision irrespective of the expert's opinion. However, because the judge who is not specialized is a layman when it comes to technical matters, the expert very often becomes the real judge, unless a counter expert opinion is sought.

108. In civil action, each Court of Appeal has a list of experts, but the judges are free to appoint professionals who do not appear on the list. In contrast, in criminal matters, the experts must be chosen from the list of the Court of Appeal. In either case, the expert must take an oath before accomplishing the mission entrusted to him.

- **Interpreters**

109. Interpreters are a special type of representatives of the law. They intervene during proceedings to facilitate communication either between the parties or between the court and the parties. The interpreter must take the oath before his intervention and swears to properly and faithfully translate the statements which will be made in a given case.

IV. PRISON ADMINISTRATION

110. Prison administration falls under the jurisdiction of the Ministry of Territorial Administration. Decree No. 73/774 of 11 December 1973, as amended by Decree No. 92/52 of 27 March 1992 to lay down prisons regulations, places emphasis on two points:

- organization and functioning of prisons; and

- conditions of imprisonment.

1. Organization and functioning of prisons

111. Prisons are classified under four categories. These are:

- central orientation and selection prisons which receive persons sentenced to imprisonment terms of more than one year, minors under the age of eighteen years and persons sentenced to short terms of imprisonment;
- production prisons which enable the convicts to participate in development activities in economic, agricultural or pastoral complexes;
- educational prisons for the rehabilitation of minors; and
- preventive confinement centres which can receive prisoners considered to be too indisciplined and dangerous.

112. The administration of penitentiaries is placed under the general management and control of an administrator appointed by the Minister of Territorial Administration to whom he forwards, each quarter, by official channels, a report on the general functioning of the prison he manages. A copy of the report is forwarded to the Minister of Justice for use.

113. Special emphasis has been placed on the quality of training of the prisons management staff. A prison administration training centre was set up by Decree No. 73/307 of 21 June 1973 to provide theoretical and practical training as well as retraining of prison administration personnel.

2. Life in prisons

114. Special emphasis is laid on the feeding, clothing, health and hygiene of prisoners.

115. Control and monitoring of life in prisons are jointly carried out by administrative and legal authorities.

116. Hence, a monitoring committee is set up in the chief town of each division to tour and inspect the prisons premises at least twice a year. The committee's findings, in terms of proposals or remarks, on the facilities of prisons, the feeding practices, maintenance of premises, the treatment of detainees and sanitary installations are recorded in a report forwarded to the Minister of Territorial Administration.

V. NATIONAL COMMISSION ON HUMAN RIGHTS AND FREEDOMS

117. The National Commission on Human Rights and Freedoms, hereinafter referred to as the "Commission", was set up by Decree No. 90/1459 of 8 November 1990. It is placed under the administrative supervision of the Prime Minister's Office. The Commission is part of a series of legislative and regulatory measures adopted at the close of 1990 to consolidate the process of democratization of public life.

118. The Commission is charged with the defence and promotion of human rights and freedoms. In this capacity, it:

- receives all denunciations relating to violations of human rights and freedoms;
- conducts all enquiries and carries out all the necessary investigations on cases of violation of human rights and freedoms and reports thereon to the President of the Republic;
- refers cases of violation of human rights and freedoms to the competent authorities;
- inspects, as and when necessary, all types of penitentiaries, police stations and gendarmerie brigades in the presence of the State Counsel with jurisdiction or his representative; such inspections may lead to the drafting of a report to be submitted to the competent authorities;
- studies all matters relating to the defence and promotion of human rights and freedoms;
- proposes to public authorities measures to be taken in the area of human rights and freedoms;
- disseminates by all possible means instruments on human rights and freedoms;
- coordinates, where necessary, the activities of non-governmental organizations wishing to participate in its work and whose stated objective is to work in Cameroon for the defence and promotion of human rights and freedoms;
- maintains, where necessary, relations with the United Nations, international organizations and foreign committees or associations pursuing humanitarian objectives, and informs the Minister of External Relations thereon.

The Commission is informed of measures taken within the framework of a state of emergency decreed by the President of the Republic.

119. The Commission submits to the President of the Republic and to the Prime Minister annual reports on its activities and on the status of human rights in Cameroon.

120. It therefore appears that the Commission has quite broad but well defined scope and means of intervention.

121. As it were, though the Commission is empowered to carry out investigations, with the help of judicial authorities, in its task of defending human rights and freedoms, it does not have the competence of a court. The Commission cannot, indeed, intervene in proceedings before a court nor challenge the validity of a court decision. Its means of action in the defence of human rights and freedoms are denunciation, mediation and conciliation.

122. Indeed, the Commission has a leading role to play in the promotion of human rights and freedoms: advice to public authorities; dissemination of international instruments on human rights; maintenance of relations with all types of organizations concerned with human rights at both the national and international levels.

123. According to Decree No. 90/1459 of 8 November 1990, the Commission comprises:

- 1 (one) chairman who is a neutral person;
- 3 (three) representatives of the government of which one from the Ministry of Justice;
- 2 (two) representatives of the Supreme Court who are members of the bench;
- 1 (one) representative of each political party represented at the National Assembly;
- 2 (two) representatives of the Bar Council;
- 2 (two) lecturers in law;
- 4 (four) representatives of religious denominations;
- 4 (four) representatives of local authorities;
- 2 (two) journalists of the public and private press;
- 1 (one) representative of the Economic and Social Council;
- 2 (two) representatives of women's organizations.

124. The members of the Commission are appointed for a five year term of office by decree of the President of the Republic. An alternate member is appointed for each member under the same conditions. The present members of the Commission were appointed by Decree No. 91/478 of 27 November 1991.
125. To speed up the implementation of projects, the Commission can also use ad hoc committees comprising members who are specialists in the issues to be addressed.
126. The Commission is endowed with legal personality and financial autonomy. It derives its resources from State grants, gifts, legacies from various sources and proceeds of its studies.
127. In spite of the economic crisis and the financial difficulties faced by the State, it has endeavoured to disburse its subsidies to the Commission in amounts which ensure the smooth functioning of this structure.
128. The decree setting up the Commission provides for the creation of branches in other towns in the country. Bamenda, Douala and Garoua have been chosen to host the first such branches. These have however not yet been set up for want of means.

PART TWO

*INFORMATION RELATING TO EACH RIGHT,
FREEDOM AND OBLIGATION AS PER
THE PROVISIONS OF THE AFRICAN
CHARTER ON HUMAN AND PEOPLES' RIGHTS*

129. **I**nformation contained in this part concerns laws and regulations enacted, achievements made, difficulties encountered and prospects for implementation of the various rights and obligations stipulated in the Charter, namely:

- civil and political rights;
- economic and social rights;
- peoples' rights;
- elimination of all forms of discrimination;
- elimination and suppression of the crime of apartheid;
- elimination of all forms of discrimination against women;
- obligations of individuals towards the community.

*CHAPTER III
CIVIL AND POLITICAL
RIGHTS*

130. **T**he rights covered by this chapter are the same as those rights contained in the International Pact on Civil and Political Rights, adopted by the UN General Assembly in its resolution 2200 A (XXI) of 16 December 1966. The State of Cameroon, in a bid to ensure the enjoyment of these rights, has taken a series of legal measures aimed at strengthening the protection of persons and respect for their dignity.

I. NON-DISCRIMINATION AND EQUALITY OF ALL PERSONS BEFORE THE LAW (*Articles 2 and 3*)

131. Articles 2 and 3 of the Charter set out the main principles of non-discrimination and equality of all persons before the law.

132. In Cameroon, the Constitution of 2 June 1972 and subsequent amendments thereto guarantee rights and freedoms later enshrined in the African Charter on Human and Peoples' Rights. Thus, in the preamble of the Cameroonian Constitution, it is clearly proclaimed that the human person, without discrimination as to race, religion, sex or belief, possesses inalienable and sacred rights. It is also stipulated that "all persons shall have equal rights and obligations" and that "the State shall guarantee all citizens of either sex the rights and freedoms set forth in the preamble of the Constitution".

133. Cameroon's Penal Code also sets out the principle of equality of all persons before the law and stipulates in Section 1 that all persons shall be subject to the criminal law. The same code, in Section 143, punishes with imprisonment without remission any public servant who decides between parties from favour or ill-will. Section 241 punishes contempt of race or religion and Section 242 punishes discrimination.

II. RIGHT TO LIFE, RIGHT TO LIBERTY AND RIGHT TO SECURITY OF PERSON (*Articles 4 and 6*)

134. Articles 4 and 6 of the Charter proclaim three related fundamental rights which are the right to life, the right to liberty and the right to security of person and forbids any infringement of these rights. These three fundamental rights are enshrined in the preamble of the Constitution of Cameroon. In fact, it is stipulated therein that:

“Every person has a right to life and to physical and moral integrity (...)”

“Freedom and security shall be guaranteed each individual, subject to respect for the rights of others and the higher interest of the State”.

“No person may be prosecuted, arrested or detained except in the cases and according to the manner determined by law”.

135. Sections 275, 276, 278, 337, 338 and 340 of the Cameroonian Penal Code respectively repress murder, capital murder, assault occasioning death, abortion, assault on woman with child, and infanticide. Section 291 of the very Code represses false arrest.

136. Though the death sentence has not been enforced for nearly 15 years now, it is provided for by the Penal Code. It is mentioned as one of the principal penalties in Section 18 while Section 22 lays down conditions precedent to its execution, which include the submission of all death sentences to the President of the Republic for his decision on commutation, and prohibition to execute a woman with child.

137. Concerning the security of persons, the focus, particularly in the maintenance of law and order, is the powers of administrative public authorities. Here, special attention should be paid to the notion of administrative detention. As it were administrative detention takes two forms depending on the circumstances, exceptional or normal.

138. In an exceptional period, when a state of emergency is declared, administrative authorities and the Minister of Territorial Administration are given special powers to enforce law and order, in particular the power to order detentions.

139. It should be pointed out that before 1990 and under the provisions of the Ordinance of 1962 on subversion:

- the decree instituting a state of emergency was constantly renewed;
- all the administrative authorities were empowered to issue detention orders whether or not their area of jurisdiction was covered by the state of emergency;
- detentions ordered by the Minister of Territorial Administration were likely to be renewed indefinitely;
- subversion, assault of public authorities were all reasons for detention;
- civic rehabilitation centres were operational.

140. The law of 1990 has restricted administrative detention in space and time, as well as the reasons on which it is based.

141. Section 5 of Law No. 90/47 of 10 December 1990 provides that when a state of emergency is proclaimed over a part of the national territory, the administrative authorities of the said part of territory empowered by the decree proclaiming the state of emergency may issue immediately enforceable orders to order the detention of persons deemed dangerous to public security for a duration of 7 days by Senior Divisional Officers and 15 days by Governors.

142. Section 6 of the same law empowers the Minister of Territorial Administration to order, either on his own initiative or at the request of authorities responsible for the administration of the areas under a state of emergency, detention for a two-month period renewable once.

143. It should also be underscored in this regard that since 1990, a state of emergency has been decreed only in the North-West Province, following serious threats to public law and order in this administrative unit. A number of individuals were then arrested for enquiry and were subsequently either released or brought before the law courts.

144. The new legislation on a state of emergency has established the option taken by the Government to promote the rights and freedoms of citizens.

145. Administrative detention can also be ordered in a normal period. In this respect, Section 2 of Law No. 90/54 of 19 December 1990 relating to the maintenance of law and order empowers administrative authorities to take measures to detain persons for a renewable period of 15 days in order to fight banditry.

146. The purpose of such detention, which is different from the one provided for in Law No. 90/47 of 19 December 1990 relating to a state of emergency, is to maintain and restore public law and order. It is ordered only to fight against banditry. This equally applies to assaults or attacks by an individual or an armed gang against persons and/or property, acts of vandalism or pyromania, hold-ups or hostage-taking.
147. Only governors of provinces, senior divisional officers and subdivisional officers are empowered to issue orders ordering administrative detention. They can, where necessary, renew such detention once. Any extension of the period of detention exceeding 30 days requires authorization by the Governor or the Minister of Territorial Administration, as the case may be.
148. The exceptional power of detention given to administrative authorities, which is by no means a violation of human rights, is part of the efforts by public authorities to curb organized crime by allowing officials in charge of conducting enquiries the necessary time to dismantle gangs which sometimes have complex branches and as the suspects are not always ready to confess or disclose their accomplices.
149. Administrative detention takes place in police stations, gendarmerie brigades or prisons.

III. RIGHT TO RESPECT OF THE DIGNITY OF HUMAN BEINGS (Article 5)

150. Article 5 of the Charter stipulates that the basis of human rights is "*the dignity inherent*" in a human being. Such dignity and the rights to liberty and equality resulting therefrom are inalienable. Consequently, all forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment are prohibited.
151. The preamble of the Constitution of Cameroon stipulates that "*every person has a right to humane treatment in all circumstances ...*".

152. This constitutional provision was translated into reality by a series of sections of the Penal Code condemning all offences against human dignity:

- capital murder (Section 276);
- forced labour (Section 292);
- slavery (Section 293);
- assault on children (Section 350);
- kidnapping (Section 352).

153. Torture is explicitly punished by Section 132(1) of the Penal Code, which adopts the definition contained in the United Nations Convention of 1984.

154. In pursuance of such prohibition of torture, judges have had to punish law enforcement officials. Examples include:

- the sentencing on 27 May 1999 by the Bafoussam (West Province) Military Tribunal of gendarmes Ngwessi Ngiehah and Apewouo Fopa Mathieu to two years imprisonment without remission for assault occasioning the death of Ndifor who was detained at the Bamenda gendarmerie brigade for theft;
- the sentencing on 22 February 1999 of young non-commissioned officers by the Douala (Littoral Province) Military Tribunal to one year imprisonment without remission for inflicting wounds and destruction;
- the sentencing to 10 - 15 years imprisonment without remission of Captain HOUSSEINI and five of his assistants for the capital murder of alleged highwaymen at Poli by the Yaounde Military Tribunal on 28 August 1997;
- the sentencing by the Mfoundi High Court on 9 February 1999 to six years and ten years imprisonment without remission respectively of a superintendent of police and a police inspector at the Yaounde third district police station for causing with a pressing iron wounds to Noah Njock who died because of this cruel, inhuman treatment.

155. The Delegation National for National Security is trying to discipline the police corps to ensure it respects human rights. Since the issuing of circular No. 00708/SESI/S of 21 June 1993 relating to detention and inhuman treatment in police stations, the police corps is increasingly sensitive to matters of torture. The publication and dissemination of the opusculé entitled "The Cameroonian Police and Respect for Human Rights" is an important initiative which backs up the teaching of human rights and even international humanitarian law in the National Advanced Police School and the Mutengene Police College. The Cameroonian police signed in August 2001

with the Regional Delegation of the International Committee of the Red Cross for Central Africa an agreement for the training of police instructors in humanitarian law and human rights.

156. The Labour Code stipulates in Section 2 (2) that forced or compulsory labour is strictly forbidden.

IV. FREE ACCESS TO JUSTICE (*Article 7 (1)*)

157. To facilitate the access of all persons to justice, Cameroon has since its accession to independence taken a series of measures relating to judicial organization as well as to guidelines on criminal proceedings, including:

- presumption of innocence;
- respect of the right to defence;
- the principle of trial;
- defence by counsel.

158. For a defendant, defence by counsel is compulsory in criminal proceedings.

159. Any person prosecuted has a right to be judged within a reasonable time frame by an impartial court. The trial courts are, by virtue of the conditions of recruitment of and the oath taken by the magistrate, impartial and independent courts.

V. PRINCIPLE OF LEGALITY OF OFFENCES AND PENALTIES (*Article 7 (2)*)

160. This principle of legality of offences and penalties set out in the Charter is reaffirmed in the preamble of the Cameroonian Constitution which provides as follows:

"No person may be judged and punished, except by virtue of a law enacted and published before the offence committed".

161. The corollary of this principle of legality of offences and penalties is the cardinal rule of the non-retroactive nature of criminal laws. This rule is set out in Section 3 of the Penal Code in the following terms: *"No criminal law shall apply to acts or omission committed before its coming into force or in respect of which judgment has not been delivered before its repeal or expiry"*.

VI. FREEDOM OF BELIEF (Article 8)

162. Article 8 of the Charter stipulates that *“freedom of conscience, the profession and free practice of religion shall be guaranteed. No one may, subject to law and order, be submitted to measures restricting the exercise of these freedoms”*.

163. By its Constitution, Cameroon is a secular State, neutral and independent in respect of all religions. Sections 269 to 271 of the Penal Code specially protect freedom of religion. In contrast, each religion must respect public law and order as can be seen from jurisprudence of the Supreme Court, particularly in the EITEL MOUELLE KOULLA (Jehovah witness) versus State of Cameroon case.

VII. FREEDOM OF OPINION, EXPRESSION AND THE PRESS (Article 9)

164. Article 9 of the Charter stipulates that:

“Every individual shall have the right to receive information (...)”.

“Every individual shall have the right to express and disseminate his opinions within the law”.

165. The Constitution of Cameroon guarantees, in its preamble, freedom of opinion, expression and the press in the following terms: *“freedom of conscience, of expression, of the press (...) shall be guaranteed under the conditions fixed by law”*.

166. The press in particular is governed by Law No. 90/52 of 19 December 1990 on freedom of mass communication which has been amended and supplemented by Law No. 96/4 of 4 January 1996. This law waves the requirement of administrative censure prior to the publication of newspapers which has been replaced by the simple procedure of administrative deposit. Radio communication has been liberalized and private radios are springing up in great numbers, particularly in Yaounde and Douala. There are also rural radios geared towards support for community development projects. The written press is diversified.

167. The judge, on the strength of the provisions of Law No. 96/4 of 4 January 1996 referred to above, checks interference by the administrative authority in the exercise of freedom of the press. Cases in this regard include:

- Legal Department versus Pius Njawe, Eyoun Ngangue and the Messenger Popoli. Douala Court of First Instance, judgment No. 2910/COR of 11 June 1996;
- Legal Department and Augustin Frédéric Kodock versus Patrice Ndedi Penda and Galaxie. Douala Court of First Instance, judgment No. 4735/COR of 11 June 1996;
- Legal Department versus Tientcheu Kameni, Pius Njawe and the Messenger. Littoral (Douala) Court of Appeal, judgment No. 358/P of 3 April 1997;
- Mutations versus State of Cameroon. Yaounde Court of First Instance, summary order No. 761 of 4 July 1997;
- State of Cameroon versus Mutations. Centre (Yaounde) Court of Appeal, judgment No. 302/DE of 29 August 1997.

VIII. FREEDOM OF ASSOCIATION AND ASSEMBLY *(Articles 10 and 11)*

168. Freedom of association provided for by Article 10 of the Charter is guaranteed by the Constitution of Cameroon. This concerns civilian associations governed by Law No. 90/53 on freedom of association which provides for two distinct systems: the declaration system for common associations; and the authorization system for foreign and religious associations. NGOs are governed by a separate text, namely Law No. 99/14 of 22 December 1999. Freedom of association also concerns trade unions and political parties, which are governed by Law No. 90/56 of 19 December 1990. To date, Cameroon has more than 130 political parties.

169. Freedom of assembly is equally guaranteed by the Constitution and by Law No. 90/55 of 19 December 1990 to lay down regulations governing public meetings and processions. According to this law, people are free to hold public meetings, which are subject to prior declaration. Meetings on public highways, where they are likely to disturb public law and order, may be forbidden by the administrative authority with jurisdiction in pursuance of his powers to enforce law and order.

IX. RIGHT TO FREEDOM OF MOVEMENT AND RESIDENCE, AND RIGHT TO LEAVE ANY COUNTRY AND TO SEEK AND OBTAIN ASYLUM (Article 12)

170. Article 12 of the Charter establishes three types of rights:
- right to freedom of movement and residence;
 - right to leave any country, including one's own country;

- right for a person persecuted to seek and obtain asylum in another country.

171. The rights enshrined in the preamble of the Cameroonian Constitution of 1972 are governed by Law No. 90/42 of 19 December 1990 to institute a national identity card and by Law No. 90/43 of the same date relating to conditions of entry and residence in and exit from the national territory. These rights are also governed by Decree No. 90/1245 of 24 August 1990 on the issue of passports and exit from Cameroon of nationals, Decree No. 90/1246 of the same date on the conditions of entry, stay and exit of foreigners. Regulations relating to roadblocks should be mentioned here given their importance.

172. The only instances of encroachment on these rights, foreseen by the Charter (*Article 12 (1)*), are stipulated by Law No. 90/47 of 17 December 1990 on the state of emergency. These exceptions may also apply in periods of elections.

173. To date, prior authorization of a husband is no longer required for his wife to leave the national territory as hitherto required by Circular No. 00027/DGSN/DRG/E of 13 May 1982, particularly for spouses engaged in divorce proceedings.

X. RIGHT TO PARTICIPATE FREELY IN THE GOVERNMENT AND RIGHT OF ACCESS TO THE PUBLIC SERVICE *(Article 13)*

174. Article 13 of the Charter sets out as follows:

“Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives, in accordance with the provisions of the law (...).”

“Every citizen shall have the right of equal access to the public service of his country.”

“Every individual shall have the right of access to public property and services in strict equality of all persons before the law.”

175. Concerning participation in government, either directly or through chosen representatives, many political parties have been able to compete for votes of the electorate since the restoration of multiparty politics in 1990. Elections are organized by a number of texts:

- Law No. 92/2 of 14 August 1992 to lay down the conditions for election of municipal councillors;
- Law No. 91/20 of 16 December 1991 as amended and supplemented by Law No. 97/13 of 19 March 1997 relating to legislative elections;
- Law No. 92/10 of 17 September 1992, as amended by Law No. 97/20 of 9 September 1997 on the vacancy of and election to the Presidency of the Republic.

176. It is necessary to add to this series of laws the law to set up the National Elections Observatory (ONEL) as well as the law relating to the public financing of political parties. The role of ONEL is to supervise and control the electoral process in order to ensure transparency. It will comprise 11 members appointed by the President of the Republic and will have a permanent secretariat and branches throughout the national territory.

177. Political parties and their candidates for elections have equal access to public media for campaigns, following air time distributed periodically before each election by the Ministry of Communication, under the supervision of the National Communication Council.

178. It should be pointed out here that there is provision for independent candidatures for presidential elections.

179. Access to the public service is open to all citizens, especially through government competitive examinations. For certain professional schools which grant access to the public service, quotas are fixed per province to ensure equity and equitable geographical representation of all regions within the national elite group.

XI. RIGHT TO PROPERTY (*Article 14*)

180. Article 14 of the Charter guarantees the right to property which may be encroached upon, in accordance with the provisions of appropriate laws, only in the interest of public need or in the general interest of the community.

181. In Cameroon, the right to property is enshrined in the preamble of the Constitution of 2 June 1972 which stipulates:

“Ownership shall mean the right guaranteed every person by law to use, enjoy and dispose of property. No person shall be deprived thereof, save for public purposes and subject to the payment of compensation under conditions determined by law”.

182. In addition to the Constitution, a series of texts relating to land tenure and encroachment on landed property have been enacted. They are:

- Ordinance No. 74/1 of 6 July 1974 to lay down rules governing land tenure as amended by Ordinance No. 77/1 of 10 January 1977 which provides in Article 1 that "*the State guarantees all natural persons and corporate bodies owning land the right to enjoy and freely dispose of such land*";
- Law No. 80/22 of 14 July 1986 to repress infringements on landed property and State lands. Section 2 of this law provides for fines and imprisonment in the case of use or settlement on a piece of land without the prior authorization of the owner;
- Law No. 85/9 of 4 July 1985 to lay down the procedure governing expropriation for public purposes and the conditions for compensation, which provides for the compensation of victims prior to any expropriation.

XII. INDEPENDENCE OF THE COURTS AND PROMOTION OF THE RIGHTS AND FREEDOMS GUARANTEED IN THE CHARTER (Articles 25 and 26)

183. The Cameroonian Constitution establishes the independence of judicial power which is guaranteed by the President of the Republic.

184. The determination of Cameroonian authorities to give such independence of judicial power a more concrete content is seen in the enactment of a series of statutory instruments, particularly Decree No. 82/467 of 4 October 1982 which, in Article 5, provides: "*the members of the bench shall, in carrying out their judicial functions, be subject only to the law and their own conscience*".

185. The Cameroonian judge, member of the bench, is however appointed by the President of the Republic who is the President of the Higher Judicial Council. But this power of the Head of the Executive does not at all affect the independence of the magistrate in the performance of his duties which consist essentially in passing judgment. No legitimate instruction can be given to him concerning matters referred to him. Thus, cases are examined and judgment passed freely and independently, without any interference and pressure.

186. The oath taken by Cameroonian judicial and legal officers, contained in the above-mentioned decree, is also proof of the determination of the authorities. Article 23 thus sets out as follows: " I, ..., swear before God and all men honestly to serve the people of the Republic of Cameroon in my capacity as a member of the Judicial and Legal Services, to render justice impartially to all in accordance with the laws, regulations and customs of the Cameroonian people, without fear, favour or malice, and in all ways, in all places and at all times to bear myself as a worthy and faithful member of the service".
187. As the independence of judicial power is designed in the sole interest of the people, penalties have been provided for dishonest judicial and legal officers. These are contained in Articles 46 and 47 of the rules and regulations governing the legal service, as supplemented by the circular of the Minister of Justice which clarifies the notion of disciplinary offence by judicial and legal officers. The penalties range from a simple warning to dismissal.
188. Thus, the independence of judicial power aims at strengthening a State governed by law in order to guarantee public and individual freedoms and safeguard human rights.
189. However, because it is the President of the Republic, Head of the Executive, who is charged by the Constitution to guarantee the independence of judicial power, the Executive exercises authority over judicial and legal officers who, as civil servants, are, even when they are members of the bench, placed under the supervision of the Minister of Justice. The writing of reports towards the advancement of judicial and legal officers and the procedure for inflicting, where necessary, disciplinary sanctions on them are centralized by the Minister of Justice.
190. In contrast, judicial and legal officers in the Legal Department, by virtue of the principle of respect of hierarchy, receive instructions from their immediate superiors to whom they are accountable. They are placed under the authority of the Minister of Justice who coordinates, at the highest level, all their activities. Because they are responsible for defending the general interest by ensuring the application of laws, regulations and court decisions (Article 24 of Ordinance No. 72/21 of 19 October 1972), they receive from the Minister of Justice precise instructions which they must carry out and report thereon to him. They are also responsible for following up and examining cases. In this capacity, they control the legality of detentions and detentions awaiting trial and draw up control reports which are submitted to their immediate superiors for appraisal.

*CHAPTER IV
ECONOMIC AND SOCIAL
RIGHTS*

191. **E**conomic and social rights include:

- rights related to work;
- rights related to the protection of the family and vulnerable groups;
- the right to an adequate standard of living;
- the right to physical and mental health;
- the right to education.

I. RIGHTS RELATED TO WORK

192. The following will be addressed successively:

- right to work;
- right to equitable and satisfactory conditions of work;
- protection of some specific work-related rights.

1. RIGHT TO WORK (Article 15)

193. The right to work is guaranteed by the Cameroonian Constitution which provides in its preamble that "every person shall have the right and obligation to work". Likewise, Section 2(1) of the Labour Code confirms and establishes this right by stating that "the right to work shall be recognized as a fundamental right belonging to each citizen". The State has the duty to make every effort to help citizens to find and to remain in employment.

194. Moreover, Cameroon has ratified ILO Convention No. 111 on discrimination in employment and occupation and Convention No. 122 on employment policy, which guarantee each person the right to free access, without constraint and without discrimination of any kind, to employment and to earn the necessary income for his individual material and personal development. Furthermore, the Labour Code strictly prohibits forced and compulsory labour. Contracts of employment are freely concluded and result in an agreement between the employer and the worker.

195. Cameroon has been struggling, since independence, to formulate and implement economic and social policies for sustainable socio-economic development through investment and territorial development programmes that create productive and income-generating jobs in both urban and rural areas. Successive investment codes adopted by the National Assembly have always provided for incentives, particularly tax incentives, primarily for projects that create large numbers of jobs. The Investment Code instituted by Ordinance No. 90/7 of 8 November 1990 places special emphasis on the involvement of the private sector in job creation in the rural sector and on the promotion of small-and medium-size enterprises and labour-intensive projects. Hence, the implementation of a priority programme for the promotion of small-and medium-size enterprises.

196. Furthermore, the National Employment Fund (NEF) and the Social Emergency Programme (PSU) were set up in 1990 and 1994 respectively as part of the social dimension of structural adjustment in Cameroon. The purpose of NEF is to ensure the professional reintegration of persons who have lost their jobs, promotion of self-employment and the creation of micro-enterprises, occupational guidance and training and placement of jobless persons.

197. To improve the alignment of training to employment, the educational system is being reformed through the enactment, among other things, of a school orientation law and greater professionalization of higher education. All these actions have as a general framework the national employment policy document and the master plan for vocational training being finalized. The aim of the national employment policy is to systematically take account of the employment dimensions in the formulation and implementation of economic and social development policies.

198. With regard to the labour market, the Government of Cameroon is establishing a legal and institutional framework to ensure greater flexibility of the market. In this way, the Labour Code under revision aims at reducing the inflexibility of regulations relating to employment and more specifically the placement of workers. Henceforth, the Labour Code provides for the approval of private placement services and temporary employment enterprises alongside public employment services. Likewise, actions are being carried out with a view to organize and supervise the informal sector which, because of the economic crises, is seemingly the job-generating sector.

199. Concerning protection against unlawful termination of employment, Cameroon has ratified ILO Convention No. 158 relating to dismissal and the Labour Code (Sections 34 to 42) requires that valid reasons and a notice be given for any dismissal. It also provides for compensation in case of termination of employment and damages for unlawful dismissal.

200. In 1991, the active population was estimated at 4 370 000 and permanent paid jobs at about 659,302 broken down by sector as follows:

- primary sector: 283 500
- secondary sector: 131 860
- tertiary sector: 243 942

201. The general average unemployment rate in Cameroon is between 15% and 17%, with higher rates in Yaounde (30%) and Douala (27%). Considering its human capital potential, Cameroon has always underutilized its productive capacities, hence the permanent under-employment situation since independence.

202. Regarding statistics, efforts are progressively being made to collect more reliable employment data. An employment and vocational training observatory is being put in place. This will allow for better visibility of the job market which would facilitate relevant manpower planning and a more effective fight against unemployment.

2. RIGHT TO EQUITABLE AND SATISFACTORY WORKING CONDITIONS (*Article 15*)

203. Remuneration is determined by the Labour Code and by the General Rules and Regulations of the Public Service and their implementation instruments. The general principle regarding remuneration is as follows: "for the same type of work, qualifications and output, workers shall be entitled to the same remuneration, irrespective of their opinion, age, status and religion". Consequently, remuneration is guaranteed without any discrimination and in an equitable manner, depending on the means of enterprises and the state of the country's economy.

204. The Government, following the favourable recommendation of the National Labour Council instituted by the Labour Code, fixes the guaranteed minimum industrial, commercial and agricultural wage (SMIG) while the occupational categories and the wages applicable to such categories are determined through negotiation within the framework of collective agreements and establishment conventions provided for by the Labour Code. The SMIG concerns workers without recognized professional qualification in a given sector of activity. It is the minimum wage for any worker. Subject to reliable statistical data, it should be pointed out that most wage-earners are governed by collective agreements.
205. In addition to wages per se, workers may earn, under the law (Labour Code) and collective agreements, assiduity, output, housing and transport allowances as well as various bonuses.
206. Hygiene and safety at the workplace are a constant concern of Government which has put in place a National Commission for Industrial Hygiene and Safety instituted by the Labour Code. It is responsible for studying problems and making recommendations related to industrial medicine and the hygiene and safety of workers at workplaces. Every enterprise is obliged to provide a medical and health service for its workers.
207. Promotion and control of the implementation of laws and regulations are ensured by a system of labour inspection placed under the authority of the minister in charge of labour. Measures relating to hygiene and safety apply to all workers without discrimination. The difficulty faced here is lack of qualified hygiene and safety personnel, hence the need to promote training in this domain.
208. The Labour Code, the General Rules and Regulations of the Public Service and collective agreements lay down the terms and conditions of advancement of workers. Without discrimination of any kind, promotion is essentially dependent on the qualification and professional aptitude of the worker and longevity in the enterprise.

209. The Labour Code lays down the duration of work which may not exceed 40 hours per week. It also provides for a compulsory weekly rest period of a minimum of 24 hours. Overtime done by workers is subject to prior authorization by the labour inspector and gives entitlement to additional pay.

3. SPECIFIC RIGHTS RELATING TO LABOUR (*Article 15*)

a) RIGHT TO LEAVE

210. Section 89 of the Labour Code stipulates: " In the absence of more favourable provisions in the collective agreement or individual employment contract, paid leave at the employer's expense shall accrue to the worker at the rate of one and a half working days for each month of actual service." Payment of a compensatory allowance in lieu of the leave is strictly forbidden. Section 90 of the same Code provides for a more favourable scheme in this area for young persons under 18 (eighteen) years and for wage-earning mothers.

211. Law No. 73/5 of 7 December 1973 relating to public holidays provides for a supplement for work done on legal, civil or religious feasts declared as public holidays, whether they are paid or not.

212. Control of implementation of the measures relating to duration of work and rest is done by the inspectorate of labour.

b) RIGHT TO FORM TRADE UNIONS

213. Freedom to form trade unions is a fundamental right guaranteed by the Constitution of Cameroon. The conditions for exercising trade union rights are laid down by the Labour Code and by Law No. 68/LF/19 of 18 November 1968. According to the Labour Code, workers and employers are given freedom to form trade unions or to belong to trade unions, without any restrictions and without prior authorization. The 1968 law recognizes the same right for workers governed by public service rules and regulations.

214. The legal recognition conferring legal capacity is subject to a single formality, namely registration by the registrar of trade unions, for unions falling under the Labour Code, and approval by the minister in charge of territorial administration, for civil servants' unions. The only restriction concerns police and armed forces personnel.

215. Trade unions have the right to form federations or confederations and to join international trade union organizations.
216. Subject to compliance with the laws in force, trade union organizations have the right to draw up their statutes and administrative by-laws, freely elect their representatives and organize their management without interference from public authorities.

c) RIGHT TO STRIKE

217. The right to strike is guaranteed by the Constitution. Section 157 (4) of the Labour Code defines a strike as "the collective or concerted refusal by all or part of the workers of an establishment to comply with the normal labour rules, in order to bring the employer to meet their demands or claims." The settlement of any collective dispute provided for in Sections 157 to 165 of the Labour Code is subject to conciliation and arbitration procedures. In such case, any strike or lock-out effected after these procedures must have been exhausted is legitimate.
218. The exercise of this right has been softened and regulated by the introduction of the notion of essential services for some vital services like public health, public transport, etc.

4 - RIGHT TO SOCIAL SECURITY (Article 16 (2))

219. The right to social security is granted to all workers governed by the Labour Code. The system in force is that of apportionment, and it is financed by contributions from employers and workers.
220. The system of allowances is laid down by laws and regulations. The following allowances are in force:
- family allowances, governed by Law No. 67/LF/7 of 12 June 1967;
 - old age, disablement and survivor's benefits, governed by Law No. 69/LF/18 of 10 November 1969;
 - compensation for industrial accidents and occupational diseases, governed by Law No. 77/11 of 13 July 1977.
221. A reform of the social security system is currently being studied. In perspective, it aims at extending coverage to other categories of the population and to insure other risks such as sickness and unemployment.

II. RIGHTS RELATED TO THE PROTECTION AND PROMOTION OF THE FAMILY AND VULNERABLE GROUPS (Articles 16 to 18)

222. The preamble of the Cameroonian Constitution underscores the importance of the family and the attention that should be paid to it as the natural base for human society. In concrete terms, various actions have been undertaken with a view to protecting and promoting the family or the mother. These are backed by a collection of legal instruments.

1. SOCIAL ACTION IN FAVOUR OF THE FAMILY AND MOTHERS

223. The general policy relating to the protection of the family in Cameroon takes root from the need to respect the human person and hinges on the consolidation of the family base, reinforcement of intra-family solidarity, promotion of the rights of each family member and improvement of living conditions for families.

224. The State institution responsible for promoting the family and for protecting vulnerable groups has undergone many changes as follows: Social affairs service in the department of social affairs, Ministry of Health and Population, after which it became the Ministry of Social Affairs in 1975. By Decree No. 88/772 of 16 May 1988 to organize the government, this ministry merged with the Ministry of Women's Affairs (created in 1984) to form the Ministry of Social and Women's Affairs, organized by Decree No. 88/1281 of 22 September 1988, amended by Decree No. 95/100 of 9 June 1995. A split occurred following Decree No. 97/205 of 7 December 1997 to organize the government and create the Ministry of Social Affairs, organized by Decree No. 98/69 of 4 May 1998.

225. In this respect, many programmes have been prepared or are being finalized in the Ministry of Social Affairs comprising a Department of Family and Child Welfare, which has a Sub-Department of Family Welfare. These programmes embrace, among other things:

- assistance to the family: material, financial, psychosocial and legal assistance;
- development and reinforcement of production and management capacities for family resources as part of the poverty alleviation programme;
- the social dimension of the fight against HIV/AIDS, with emphasis on prevention within the family and community environment and sex education for adolescents, the psychosocial

and financial follow-up of AIDS-infected persons and orphans, assistance to families of victims and technical support to associations and NGOs;

- Education in Responsible Parenthood (ERP) comprising four components, namely sex education, education in mastery over procreation, education in family life and education in community life and in social and economic development;
- matrimonial education with a component on counselling in preparation for marriage;
- maintenance and strengthening of family cohesion.

226. Some 100 social centres situated in rural areas, urban perimeters or urban areas, as well as social posts, social welfare services, educative stations and rehabilitation centres run by social welfare professionals ensure the day to day application of these programmes. They are supported in the field by private social welfare services, non-governmental association and organizations.

227. Furthermore, various actions are carried out by the ministry in charge of social affairs for families. The following may be cited among others:

- daily interventions to resolve marriage and family conflicts;
- support in providing legal assistance as well as mediation for the payment of maintenance in cases of desertion of the family home;
- placement and/or aid towards schooling for children from poor families as well as for handicapped children;
- various cases of mediation in other departments notably for family reunification or for securing certain facilities;
- the survey on Cameroonian families carried out in 1987. This concerned a survey carried out on 1444 families across the 10 provinces of Cameroon, identifying the social problems experienced by these families and proposing strategies for improving their living conditions;
- the drafting of a code for persons and families. Work on the code began in January 2000. The said code intends to harmonize the rules in force in the francophone and anglophone parts of the country by adapting them to the socio-cultural realities of Cameroon, to bring in greater equity and justice in relations between family members, to strengthen family solidarity and ensure more efficient protection of the rights of women, children and other vulnerable categories. Further developments will be made on this point in subsequent reports;
- granting of material and financial aid to poor and needy families.

228. As concerns material and financial assistance, nearly 1000 million CFA francs of aid in cash and kind was distributed between 1981 and 1986 to poor and needy families and persons. The said assistance was a palliative which drew inspiration from charity and fitted well with the time of the welfare state. The advent and continuation of the economic crisis, together with structural reforms carried out by the State, brought about a sharp drop in budgets allocated for social services. Credits meant for baby wear provided by the State for children from poor families thus dropped from 25 million CFA francs in 1985/1986 to 3.5 million CFA francs in 1990/1991, representing a drop of more than 85%. Similarly, during the 1998/1999 budgetary year, out of 36,000 applications for assistance received, only 1663 families and persons who had various social problems received financial assistance amounting to 12,325,200 CFA francs, that is only 4.6% of overall demand for assistance.
229. The new approach to aid, known as "*participative assistance*," aims at reinforcing the capacities of poor persons and/or families in order to ensure their autonomy.

2. LEGAL MECHANISM FOR PROTECTING THE FAMILY AND THE MOTHER

230. Cameroon has ratified and incorporated in its internal legal framework many international legal instruments relating to human rights, with emphasis placed on the need to promote and protect the family, which is the basic unit of society. Cameroonian legislation in the area of family welfare comprises criminal, civil and labour provisions.
231. In criminal matters, the Penal Code devotes Chapter V, Part III of Book II to offences against the child and the family. Many offences against the family are thus punishable, namely abortion (S. 337), assault on woman with child (S.338), infanticide (S. 340), cloud on parentage (S. 341), prostitution (S. 343), homosexuality (S. 347 (a)), assault on ascendant (S. 351), forced marriage (S.356), abuse in respect of bride price (S. 357), desertion of the home (S. 358), bigamy (S. 359), incest (S. 360), adultery (S. 361).
232. There are other provisions which focus on promoting the welfare or preserving the intimacy or cohesion of the family, notably:
- Section 299 which punishes invasion of residence;
 - Section 323 which provides for immunities for the family in case of theft, misappropriation or false pretences. In fact, Sections 318 (theft),

319 (special theft and misappropriation) and 323 (false pretences) do not apply between spouses, legitimate or adopted ascendants and descendants or between natural ascendants or descendants up to the second degree, where they are living together or are recognized; against a surviving spouse in respect of necessaries which belonged to the deceased spouse;

- Section 27 (4) which provides that *“where a husband and wife have been sentenced for the same or different offences to imprisonment for less than a year, and are not in custody at the time of sentence, and show that they have a fixed common residence and child under the age of eighteen supported by them and in their charge, the sentence on one may be suspended until expiry of the sentence on the other.”*
- Section 180 on maintenance provides that *“whoever lets pass two months without paying in full any maintenance which he has been ordered by a court to pay to his spouse, ascendant or descendant, shall be punished with imprisonment for from one month to one year or with fine of from twenty thousand to four hundred thousand francs, or with both such imprisonment and fine.”* Subsection 2 of this section provides that failure to pay shall be presumed to be intentional.

233. Concerning civil law, there are equally many provisions drawn mainly from the Napoleonic Civil Code and from the Matrimonial Causes Act from English law in certain areas. Ordinance No. 81/2 of 29 June 1981 to organize civil status registration and the status of persons brought about the harmonization and adaptation to local realities of the two colonial texts. Generally speaking, these instruments regulate betrothals, marriage, divorce, parentage, parental authority, maintenance obligations, matrimonial systems and succession, as well as donations.

234. At the social level, the Labour Code of 14 August 1992 as well as other instruments on social security include many provisions on the welfare of the family and the mother.

235. The pregnant woman benefits from a special protection system during pregnancy. In this regard, Section 84(1) of the Labour Code gives her the possibility to terminate her contract of employment without notice and without having to pay compensation, whereas the employer may not terminate the woman's contract of employment because she is pregnant. Furthermore, she has, by virtue of Section 2 of the same Code, the right to 14 (fourteen) weeks of maternity leave, which may be extended by 6 (six) weeks in case of duly certified illness resulting either from the pregnancy or confinement. During such leave the employer may not terminate the contract of employment of the woman. Furthermore, subsection 4 provides that

where confinement occurs after due date, the leave taken before may be extended to the date of confinement without this extension leading to the reduction of the postnatal leave.

236. Also, during her leave, the woman continues to receive a certain number of benefits. In this connection, Section 84 (5) provides that "Apart from the various benefits provided for by legislation in matters of social and family welfare, the woman shall be entitled, during the maternity leave, to a daily allowance, payable by the National Social Insurance Fund and equal to the wages actually received at the time of suspension of the employment contract; she shall retain the right to benefits in kind".

237. Furthermore, Section 85 provides that the mother shall be entitled to nursing breaks of 1 hour per working day for a period of 15 (fifteen) months following the birth of the child. During this period, the mother may terminate her contract of employment without notice.

238. In other respects and to enable the woman to devote her time to her family obligations, Section 82 provides on the one hand that women are entitled to a minimum rest period of 12 (twelve) consecutive hours, and, on the other hand, that night work in industries by women, that is, work carried out between 10 p.m. and 6 a.m., is forbidden.

239. Lastly, in a bid to free mothers so that they can devote their time to economic production activities, provision has been made for the establishment of several public institutions of education from early childhood such as day-care centres, after-school centres, day nurseries.

3 - PROTECTION AND PROMOTION OF CHILDREN'S RIGHTS (Article 18 (3))

240. Protection of the rights and promotion of the child's welfare have always been at the forefront of the Cameroon government's concerns.

241. The principle of non-discrimination is enshrined in the Constitution which, in its preamble, proclaims inter alia that: "*the State shall provide all its citizens with the conditions necessary for their development.*"

242. As concerns social welfare and security, there are instruments designed to prevent the marginalization of children, who form the category of vulnerable persons. These include:

- the decree of 30 October 1935 relating to child protection. This decree is still in force and places emphasis on the follow-up of children neglected or abandoned by their parents or orphans sent to appropriate special institutions or given public assistance;
- Law No. 83/13 of 21 July 1983 relating to the protection of disabled persons and its 1990 decree of implementation which contains special provisions on handicapped children, especially the provision of school and medico-social needs;
- the Labour Code which in its Section 61 (2) enshrines the principle of equal pay for the same type of work and level of proficiency, irrespective of sex, age, status and religion;
- the Ordinance of 29 June 1981 to organize civil status registration in which Articles 43, 45 and 46 facilitate the legitimating of natural children.

243. Other special measures protect the child in the area of criminal, civil, labour, administrative and health matters. Along with the enactment of the laws and statutory instruments aimed at realizing these constitutional prescriptions, many structures have been put in place to promote the life, survival and development of the child. Concerning placements, the following institutions are open:

- the Borstal Institute of Buea 120 places
- ICE (Cameroon Child Welfare Institute), Betamba120 places
- The Reception and Observation Centre, Douala..... 60 places
- ICE (Cameroon Child Welfare Institute), Maroua..... 60 places
- The Home-Workshop, Douala 180 places
- Centre for the admission of minors, Bertoua 60 places

244. Concerning permanent placement in an institution, two draft decrees regulating specialized children's institutes on the one hand, and child misfits and delinquent or abandoned children on the other hand are being finalized.

245. The treatment reserved for children deprived of their freedom is determined by separate instruments.

246. A child in custody, detained or kept in a rehabilitation centre continues to enjoy all the other rights compatible with his situation. Part 8 of Decree No. 92/52 of 27 March 1992 relating to prison administration in Cameroon, with particular reference to leisure, cultural activities and social assistance, provides that each prison establishment shall set aside part of the prisoners' time table for physical exercise and recreation and cultural activities.

247. To date, some prison establishments, for example, those of Yaounde and Douala, organize educative and socio-cultural activities for children imprisoned there. Sport is a prominent activity in prison. Each establishment is required to organize courses for minors and to make available to detainees the necessary books and works for the improvement of their knowledge. Children are given classes and write examinations to obtain official certificates.

248. Special conditions of interrelations between the social welfare services, justice and prison administration were discussed and adopted in MINAS-UNICEF seminars organized in 1997 and 1998 in several places in the country.

249. In Cameroon, conventions have been ratified and laws have been passed. Internal norms relating to child labour are as follows:

- Decree No. 68/DF/253 of 10 July 1968 to lay down the general conditions for employing domestic servants and household staff;
- Decree No. 69/DF/287 of 30 July 1969 relating to the apprenticeship contract, in particular to the lodging of an apprentice by a master who is male and single (Art. 2);
- Order No. 16/MTLS/DEGRE of 27 May 1969 relating women's labour, the annex of which indicates the work prohibited for women and for children;
- Order No. 17/MTLS/DEGRE of 27 May 1969 relating to child labour.

250. As concerns the minimum age for employment, the above legal framework puts this age at 14 years for labour not involving special risks (Article 2 of the Convention, Sections 138 and 93 of the Labour Code), and to not less than 18 years for dangerous, hard and unhealthy work that is likely to jeopardize the morality and health of the child.

251. As concerns the determination of working conditions for the child, the laws and regulations of Cameroon prescribe positive discrimination measures, some of which are:

- prohibition of night labour for women and children (Section 89 of the Labour Code). In the day, the maximum duration of work may not exceed 8 hours, with a compulsory break of not less than one hour for children (Order No. 17/MTLS/DEGRE of 27 May 1969);

- compulsory rest of a minimum of 12 consecutive hours (Section 98 of the Labour Code);
- compulsory granting of leave, calculated on the basis of two and a half days per month instead of one and a half days for adults.

252. The local Labour Inspector monitors the implementation of these legislative and statutory measures (Sections 113 to 118 of the Labour Code). To ease the monitoring of child labour by the Inspector, any employer who recruits a child, even for a trial period, with or without an apprenticeship contract, must inform the Labour Inspector within the eight days and nights which follow. A duly filled in form is attached to the medical certificate of the child concerned.

253. Criminal sanctions are provided in Sections 178 and 179 of the Labour Code for offenders who contravene the provisions of Sections 89, 93 and 91 of the same code relating, inter alia, to conditions of work for children.

254. In short, it should be mentioned that any work carried out by children under conditions falling outside those fixed by the above norms is qualified as economic exploitation and may be punished as such.

4 - PROTECTION AND PROMOTION OF THE RIGHTS OF DISABLED PERSONS AND AGED PERSONS (Article 18 (4))

255. According to Article 18 (4) of the Charter, "the aged and the disabled shall also have the right to special measures of protection in keeping with their physical and moral needs".

256. In this regard, the preamble of Cameroon's Constitution affirms "the nation shall protect (...) the elderly and the disabled".

a) PROTECTION OF THE DISABLED

257. Cameroon shows concern for the well-being of the disabled through a set of legislative, statutory and institutional measures which serve as a basis for social intervention.

258. Under legislative and statutory measures, the following may be cited:

- Law No. 83/13 of 21 July 1983 relating to the protection of disabled persons, and its decree of implementation No. 90/1516 of 26 November 1990;
- Law No. 96/9 of 5 August 1996 to lay down the Sports Charter;
- Decree No. 71/DI/315 of 9 July 1971 to set up the National Federation of the Handicapped of Cameroon (FENAHCAM);
- Decree No. 78/56 of 21 February 1978 to set up the National Centre for the Re-education of the Handicapped, as amended by Decree No. 89/141 of 27 January 1989;
- Decree No. 80/380 of 13 September 1980 to set up the Bulu Blind Centre, Buea;
- Decree No. 82/412 of 29 September 1982 to lay down the conditions for State grants to the poor and needy;
- Decree No. 96/379/PM of 14 June 1996 to set up the National Committee for the readaptation and socio-economic rehabilitation of disabled persons;
- Order No. 39/45 of 4 August 1953 concerning aid to the blind in Cameroon.

259. In general, the instruments mentioned above provide for many measures in favour of disabled persons in the area of health, education and labour, as well as other diverse measures.

• **HEALTH**

260. Section 2 of Law No. 83/13 exempts disabled persons from any fees for establishing medical certificates. Section 5 (1) stipulates that these persons should receive early medico-social help in order to prevent or reduce the gravity of their handicap. Section 10 of the same law provides for placement in specialized institutions.

261. Article 25 of the decree of implementation also recognizes medical assistance for disabled persons. This concerns consultation, tests and medical care, which may be free of charge or whose costs may be reduced.

In the same vein, mention should be made of the decree to set up a Committee for the rehabilitation of disabled persons.

• **SCHOOL ATTENDANCE**

262. Many provisions focus on promoting school attendance among disabled persons. This is the case with Section 5 (2) of the 1983 law as concerns the age waiver which may be granted to disabled persons. Similarly, Article 4 of the 1990 decree of implementation provides for handicapped persons to repeat classes exceptionally. Article 6 of the same decree regulates payment of all expenses for general education and for the first course of vocational training. In this connection, Circular No. 80/L/658/MINEDUC/CT2 of 13 January 1986 issued by the minister in charge of national education emphasizes the age limit waiver and settlement of school expenses.

263. Section 6 of the 1983 law provides for social aid for education and Section 9 exempts children born of handicapped parents from paying school fees.

• **EMPLOYMENT**

264. Article 11 (2) of the 1990 decree establishes the principle of non-discrimination against disabled persons in the area of employment. Article 12 of the same decree lays down the minimum job quotas to be set aside for the disabled in private enterprises, namely a minimum rate of 10%.

265. Articles 18 and 19 of the 1990 decree specify the conditions under which disabled persons should work. It is under this head that provision is made for protected workshops as well as protected jobs within enterprises reserved for this category of workers. Provision is also made for job centres.

266. All private promoters who have set up the above types of workshop are granted softer taxation measures. Articles 15 and 16 of the 1990 decree also provide the possibility for disabled persons who create independent jobs to benefit from tax exemptions.

267. For all private social welfare activities which improve the living conditions of disabled persons, Article 17 of the decree of implementation provides for subsidies and support granted by the State. The same article provides for credit guarantees and technical support for the disabled who create independent employment, as well as assistance towards their establishment.

• MISCELLANEOUS SOCIAL MEASURES

268. Among the other social measures provided for, the following may be cited:

- Section 8 of the 1983 law which talks of possible individual and collective aid in form of disablement pension and various forms of assistance granted disabled persons;
- Section 9 of the same law which makes provision for easing access to public buildings using special architectural facilities;
- Article 26 of the decree of implementation which offers the possibility of material and financial assistance in form of pension and help, which may be emergency, ad hoc or long duration;
- Article 33 of the decree which mentions preferential measures, notably the carrying of a white stick, reduction of transport tariffs and priority service;
- Article 37 of the same decree which provides for special facilities in houses as well as help in housing.
- Order No. 3945 of 4 August 1953 which is still in force, relating to help for the blind in Cameroon, also makes provision for monthly pensions which the State is expected to pay to the blind and the free grant of white sticks.

269. Some other rights are recognized for the disabled in the area of sports and leisure. This is the case with Articles 21 and 22 of the 1990 decree which recommend the development of appropriate sports and leisure activities for handicapped persons, and provide for this category of persons a reduction of the tariffs for access to sporting and cultural activities.

270. Cameroonian legislation in the area of protection of disabled persons seems to be very generous in view of the number and diversity of rights provided in favour of the target population.

271. It should be noted, however, that the effective enjoyment of the various rights by the beneficiaries is encountering some obstacles among which are:

- the absence of coercive measures in the 1983 law and its 1990 decree of implementation against defaulters. In fact, the constant use of expressions such as "*as far as possible...*", "*may...*", "*within the limit of the available means...*" is not such as to force offenders to comply nor to punish them for infringing legislative and statutory provisions;

- the absence of concerted action (considering the multi-sectoral and wide-ranging action to be taken) between the various departments concerned, on the one hand, and, on the other hand, between these departments, partners and beneficiaries. The National Committee for the readaptation and socio-economic rehabilitation of disabled persons is, in this regard, an appropriate platform for concerted action.

272. There is ongoing reflection towards strengthening the legal framework that governs the protection of disabled persons through the revision of the 1983 law and its decree of implementation.

273. As concerns institutions, Cameroon has created follow-up institutions among which are:

- the National Centre for the Re-education of the Handicapped, Yaounde;
- Bulu Blind Centre, Buea;
- the Rehabilitation Centre for Deaf Children (CRES).

274. Apart from these State structures, there are several cooperatives for the blind as well as associations and private social welfare services, prominent among which are:

- the out-patient medical/pedagogic centre known as La Colombe in Yaounde for the mentally handicapped;
- the special school for children with hearing defects (ESEDA), Yaounde;
- the SETA Handicapped Training Centre, Mbengwi, Bamenda;
- ARCH Centre for persons with motor disability, Mutengene;
- PROMHANDICAM;
- Centre for the Re-education of Deaf Children and Social Welfare (CRESAS), Garoua.

275. In general, the Ministry in charge of Social Affairs undertakes, in so far as is possible, a series of diverse and multiform actions in favour of the disabled.

b) PROTECTION OF THE ELDERLY

276. There is no special instrument on elderly persons. However, a few scattered provisions are used for their protection.

277. The Civil Code provides for certain types of special obligations, notably the maintenance obligation, which is incumbent on descendants towards their ascendants. This implies the obligation to assist them in case of need.

278. The Penal Code too comprises provisions aimed at protecting the elderly. The following may be noted among others:

- Section 180 on maintenance which punishes default of payment of maintenance owed ascendants in particular;
- Section 282 which punishes desertion of an incapable person;
- Section 283 which punishes failure to assist any person in danger;
- Section 351 which makes assault on ascendants an aggravating circumstance in case of murder (S.275), grievous harm (S.277), and assault occasioning death (S.278) which entails doubling the punishment under Sections 279 (1) (assault occasioning grievous harm), 280 (simple harm) and 281 (slight harm).

279. At the social level, several instruments organize the social protection of retired elderly persons. These include:

- Law No. 67/LF/8 of 12 June 1967 to organize social insurance in Cameroon;
- Law No. 69/LF/18 of 10 November 1969 to institute an insurance scheme for the provision of old age, disablement and survivors' pension, as amended by Law No. 84/7 of 4 July 1984;
- Decree No. 94/199 of 7 October 1994: General Rules and Regulations of the Public Service.

280. It should be pointed out that the allowances under social security are only paid to former wage-earners. Most elderly persons in the rural area and those who have never been wage-earners do not benefit from these allowances. The latter category of the elderly, who form the majority, are thus left in the care of their families, private or public welfare services or charity organizations.

281. There are, however, plans to set up the National Intervention and Social Welfare Authority. The project will put in place a supplementary social welfare system for social categories not covered by the NSIF and the public service. The studies agreement is being negotiated with the ILO.

282. At the institutional level, Decree No. 98/69 of 4 May 1998 to organize the Ministry of Social Affairs sets up in this Ministry a department of national

solidarity comprising a sub-department responsible for issues of elderly persons.

283. In perspective, there are plans to set up "*Old Peoples' Homes*," which will be places for meeting and sharing experiences between generations and for taking care of the elderly. There are also plans for setting up and running a national committee on aging, in pursuance of the international action plan on aging and United Nations principles in favour of the aged.

III. RIGHT TO ADEQUATE LIVING CONDITIONS *(Articles 16 to 18)*

284. The right to adequate living conditions, which is a corollary of the right to development enshrined in Article 22 (2) of the Charter, is the result of the institution of an array of rights comprising notably the right to food, clothing, physical and moral health, as well as to education.

1 – RIGHT TO FOOD

285. The institution of the right to food is incumbent on many ministries, in particular the ministries in charge of livestock, fisheries and animal industries, of agriculture and of public health.

286. From 1960 to 1990, the national food policy has had as a general objective the improvement of food balance, which should bring about food self-sufficiency in the population. To do this the fisheries, animal industries, agriculture and public health sectors experience real promotion.

287. To reach this general objective, the fisheries and animal industries sector in particular should make a commitment to increase the number of fishery resources and quality of livestock through improved health equipment, zootechnical and livestock equipment with a view to intensifying output, and the reproduction capacity of animals, and lastly commercial equipment to limit losses.

288. Agricultural policy focuses on two main roles: satisfying domestic demands with a coverage rate that is as high as possible, secure for the country through exports the foreign exchange it needs to be able to acquire capital and consumer equipment it cannot produce.

289. Policies have been defined and carried out by public authorities to effect the right to food in the areas of livestock, veterinary health protection, fish production and agriculture.

290. The State of Cameroon strives to make available to all its citizens food in sufficient quantity and quality, and the possibility for all to have access to these foods always and everywhere. An IBRD/Japan food security project was launched from 1991 to cover:

- the organization of foodstuff markets in secondary towns, with the support of local councils;
- support to disadvantaged segments through nutritional education;
- support to the Aerial Pest Control Unit (UTAVA) by means of crop protection by air;
- Financing Agricultural and Community Micro Projects (FIMAC);
- instituting a National Rapid Alert System (SNAR) to provide information on foodstuff markets, harvest forecasts and populations at risk of food shortage;
- activities of the project to limit after-harvest losses now cover the whole country so as to extend food preservation technology and small-scale processing.

291. Food production has not, however, followed demographic growth, which stands at 2.8% per annum. While food availability dropped from 96% of demand in 1980 to 81% of demand in 1992, calorific values dropped from 2 340 kcal/person/day in 1979-1981 to 2 170 kcal in 1992-1994. This food shortage is particularly caused by poverty, which remains a rural phenomenon with 87% of poor households living in these areas. It is also due to the absence of an appropriate agricultural financing mechanism following the liquidation of the only agricultural bank (Credit Agricole) in 1998.

292. New agricultural policy guidelines focus on three major areas:

- increasing production through an improvement of food security, promotion of processing and an integrated development of the main production lines;
- improving environmental factors and incentives to agriculture through financing of the agricultural sector, rational management of land resources, taking into account the peculiarity of young persons and women, with a view to changing land into a true instrument at the service of agricultural and livestock development;
- modernizing the institutional framework of the agricultural sector.

2. RIGHT TO SHELTER

293. Government housing policy aims at financing housing for each citizen at the least cost in towns especially, improving housing in the rural areas through the insertion of local building materials which make it possible to own convenient houses at reasonable prices. Apart from the Ministry in charge of Town Planning and Housing created in 1977, special public structures are at work, namely the Cameroon Real Estate Corporation (SIC), the Urban and Rural Lands Development and Equipment Authority (MAETUR), the Housing Loans Fund (CFC). MAETUR upgrades lands for use by SIC or individuals; SIC builds houses it lets or sells to individuals; CFC is the housing bank.

294. Forty-nine years after the launching of the initial bases of government's housing policy, and confronted with demographic expansion and accelerated urbanization in Cameroon today, the government committed itself to reforming the entire social housing sector. This reform policy, which was at the forefront in the period 1992 to 2000, was drawn up in collaboration with all the direct intervention structures of the housing sector (SIC – MAETUR – CFC – FEICOM (Special Council Support Fund)). Its objectives are:

- to fight against the spread of squatter settlements;
- to facilitate access to social housing to a larger segment of the population;
- to satisfy basic infrastructure and socio-collective equipment needs of the population;
- to control urban growth.

295. The realization of these objectives will unavoidably improve the living conditions of the population and, by the same token, contribute to reducing poverty, in conformity with the commitment made by Cameroon as part of the Libreville Declaration to reduce poverty by nearly 50% between now and 2015.

296. Furthermore, all the structures set up during a certain period to handle the housing sector should now be readjusted to suit the new market economy and decentralized government. In concrete terms, the State is still concerned about social housing and living conditions of the population and it takes appropriate measures.

297. On 7 December 1997 government created the **Ministry of Urban Affairs**, which comprises in its organization chart a Living Environment Enhancement Department responsible, inter alia, for:

- conducting local development and/or restructuring plans;
- promoting and monitoring constructions,, maintaining city parks, public gardens and other leisure areas;
- analysing housing segments;
- preventing and curbing squatter settlements;
- promoting public hygiene and sanitation; coordinating waste-collection, removal and treatment;
- coordinating cleaning-up activities.

298. Some intervention structures in the social housing sector have carried out internal restructuring. This is the case with the Cameroon Housing Loans Fund, which has recommenced financing. Its first programme after restructuring is in the start-up phase. This concerns the "OLEMBE – HORIZON 2001" programme. 1 800 (one thousand eight hundred) houses are projected for Olembe near Yaounde 129 (one hundred and twenty-nine) houses will soon be built and sold there. In order to acquire a house there, the Cameroon Housing Loans Fund offers loans to its customers at attractive rates.

3 – POPULATION'S ACCESS TO POTABLE WATER

299. Government policy to provide the population with potable water concerns both urban and rural areas. The Cameroon National Water Corporation (SNEC) is at the heart of this process. In conjunction with external partners,

Cameroon has undertaken a policy in favour of village water supply. A national water committee was recently put in place.

300. Despite these efforts, a sizable proportion of the population, even in urban areas, does not have access to potable water. The situation in the rural areas, even with the proliferation of SCANWATER and other stand pipes, is still a matter for concern.

4 – ADEQUATE CLOTHING

301. From 1960 to 1980, the clothing industry was in full blossom and co-existed with small-scale production of clothes and importation of second-hand clothing.

302. In the period 1980 – 1991, the clothing industries (CICAM and SIBACO), which, through agreements, enjoyed certain benefits granted by the State of Cameroon, denounced “the unfair business practice” they suffered by the massive importation of second-hand clothing, a sector which failed to pay the taxes levied by the government and whose products were unfit for use. Second-hand clothing was thus outlawed in the General Programme on Trade (PGE) of 1980 and 1989 by Decision No. 232/MINDIC/CAB/IG2 of 29 June 1989.

303. In 1991, the persistent economic crisis diminished the purchasing power of Cameroonians. Although second-hand clothing was outlawed, it was smuggled to satisfy the urgent needs in clothing by the population.

304. A ministerial order is being finalized. It will determine the conditions of importing second-hand clothing into the Republic of Cameroon in such a way that after appropriate treatment, the product should not jeopardize the health of the population.

305. To date, the clothes and clothing sector is totally liberalized in Cameroon, both from the point of view of local production and import. Through special publicity activities (fair, clothing show, fashion parades...) access to dressing is democratized. Furthermore, the production and sale of special protective clothing (for doctors, fire fighters, workers) is encouraged.

VI. RIGHT TO PHYSICAL AND MENTAL HEALTH (*Articles 16 to 18*)

306. Total health coverage for the infant and adult population remains one of the major objectives of Cameroon. In order to provide adequate health services, especially medical care, for all age categories of the population, certain choices have been made.

307. From 1926, Cameroon experimented and applied the system known as "the Jamot Strategy" to complement indigenous medicine of the moment. The purpose, for this type of health action, was to achieve three objectives, namely the treatment of patients and their cure, the protection of healthy subjects and communities and the implementation of an original strategy to fight epidemics, whose characteristics in Africa were: open spaces, dispersal, abruptness, brutality and speed. The instrument for action in this case was the mobile medical team comprising appropriately trained and equipped personnel.

308. From 1968, Cameroon began to experiment the community medicine approach, which should ensure for the population health care that is technically valid and matches local realities.

309. From 1960 to 1980, public health turned towards full coverage of the population in all aspects of medicine: health care, prevention and education. This full health coverage was characterized by the eradication, or at least the beginning of eradication, of the most widespread endemic diseases; the reduction, following hygiene and sanitation measures, of diseases linked to water and danger from faecal matter; progress in the general health level and life expectancy which reached 50 to 55 years in 1980/1981.

310. After the Alma-Ata International Conference of 1978, Cameroon undertook the implementation of primary health care.

311. Primary health care constitutes a choice public health approach on which Cameroon relied to achieve its objective "*Health for All By the Year 2000*".

312. Unfortunately, this approach met with constraints which led to its re-direction, with the advent of a reorganization strategy for primary health care. It goes without saying that the government could not aim for "Health for All By the Year 2000" if the population did not have access to essential drugs, with the understanding that health spending represents 7.6% of all

spending on household consumption in “poor” homes and 6.6% in “intermediate” homes. Each Cameroonian household spends on average 83,400 CFA francs on health care, that is, 13,900 CFA francs per person and per average family of 6 persons.

313. The adoption of a National Essential Drugs and Supplies Procurement System (SYNAME) brought about increased accessibility to drugs by the population through:

- the adoption of the policy of Essential Generic Drugs (MEG);
- the establishment of community pharmacies in Integrated Health Centres;
- the establishment of Provincial Pharmaceutical Supply Centres (CAPP) and a National Essential Drugs and Consumer Medical Supplies Office (CENAME).

314. In a similar bid to provide the population with drugs at little cost, in vein of the economic crisis, the State adopted Law No. 90/62 of 19 December 1990 granting special financial derogation to health establishments to sell essential drugs and use the funds generated for further provisions.

315. Besides, traditional pharmacopoeia is drawing special attention from public authorities as part of community health. Promotion is done by the Institute of Medical Research and Medicinal Plants Studies (IMRMPS). Traditional medicine is encouraged and tradi-practitioners work hand in hand with local authorities to cater for patients. A law on traditional medicine is being drafted.

316. Current government policy consists in pooling the health services to be provided for the population. Such is the spirit of Decree No. 95/13 of 17February 1995 to organize basic health services, which enshrines the “Health District” approach.

317. The Health District which corresponds to a locality of about 100,000 inhabitants, comprises:

- a District Health Service (DHS);
- a District Hospital (DH);
- Integrated Health Centres (IHC);
- Dialogue structures: Health Committees and Management Committees.

There are about 135 health districts in Cameroon.

318. In this new set-up of the health system, and to further empower health facilities, these are classified into 6 categories:

- 1st category: general hospitals (3 in number) plus a university teaching hospital;
- 2nd category: central hospitals (3 in number, one of which is a para-public body);
- 3rd category: provincial hospitals (8 in number);
- 4th category: district hospitals;
- 5th category: integrated health centres (IHC).

319. The ratio of hospital beds, hospital structures and health centres to the number of inhabitants is as follows for the year 2000:

Province	No. of inhabitants per hospital bed	No. of inhabitants per hospital structure	No. of inhabitants per centre
Adamaoua	749	35 801	7 439
Centre	761	31 846	6 772
East	1 036	31 478	6 407
Far North	2 025	93 306	14 562
Littoral	576	49 435	9 789
North	1 998	69 580	10 024
North West	704	42 563	11 013
West	475	34 998	7 338
South West	639	44 058	7 115
South	462	19 961	4 850

320. As concerns human resources, considerable efforts have been made to reach reasonable proportions between the number of medical personnel and the population considered. The table below shows the health personnel/population ratio for the year 2000:

Province	No. of inhabitants in the Province per doctor	No. of inhabitants in the Province per nurse
Adamaoua	8 183	2 767
Centre	4 941	1 425
East	12 483	2 335
Far North	31 102	6 205
Littoral	7 243	1 791
North	16 660	3 853
North West	13 234	2 758
West	12 465	1 884
South West	12 728	2 102
South	5 831	1 207

321. Concerning financial resources, although the goals set in the 20/20 initiative are still far off, the health sector has remained the prime concern of the government, even in the hard economic recession. The percentage of the budget allocated to the Ministry in charge of Public Health is situated around 6% of the national budget, as shown in the table below:

Financial year	Executed budget in millions of CFA F		
	National	Public Health	%
1991-1992	517 864	27 217	4.76
1992-1993	466 847	22 820	4.89
1993-1994	427 812	25 059	5.86
1994-1995	536 537	15 676	2.92
1995-1996	616 530	16 251	2.64
1996-1997	863 906	23 156	2.68
1997-1998	862 302	26 388	3.06

322. The government has taken measures to reduce the infant mortality rate, to prevent, treat or control epidemics and endemic diseases (like malaria, onchocerciasis, leprosy) as well as AIDS.

323. The National AIDS Control Committee (known by its French acronym, CNLS) spearheads HIV/AIDS control efforts. In the wake of short- and medium-term plans implemented up to 1995, and faced with the spread of this pandemic, whose sero-prevalence in the sexually active population was estimated at 11% in Year 2000, that is, 22 times more than its 1987 level of 0.5%, the CNLS designed a framework plan, followed by a strategic plan that was launched by the Prime Minister, Head of Government, on 12 September 2000.

324. The AIDS control strategy comprises several dimensions:

- prevention: this is the main control strategy. Its essential components are Information, Education and Communication (IEC), which involve providing the general public and special groups at risk with knowledge on the following:
 - the means of transmission;
 - preventive measures based on responsible sexual conduct and use of disposable or sterilised medical equipment;
 - safe transfusion, which consists of minimizing blood transfusions, such that they are effected only in case of necessity, and after a prior screening of the blood sample to be transfused. For this purpose, a network of laboratories with HIV screening equipment will provide coverage to all health districts.
- effective treatment of patients, orphaned children and HIV positive persons: Approved treatment centres for persons with HIV using anti-retroviral (ARV) drugs were created by decision No. 118/MSP/CAB of 16 March 2001, and the monthly cost of treatment with anti-retroviral drugs reduced.

325. Accessibility to this tri-therapy significantly increased, due to effective co-operation between the Ministry of Public Health, associations and NGOs involved. As a result, the cost of these drugs has dropped from 370,000 CFA francs to 67,000 and recently, to around 21,000 CFA francs per month. This followed the agreement reached between the Government and one pharmaceutical company, to reduce costs of treatment for in-patients, especially for opportunistic infections.

- Monitoring epidemics: besides the routine monitoring of epidemics, sentinel monitoring remains the main source of information. Various surveys and studies provide information on the pandemic from time to time.

- research: this activity is directed towards forms of the virus, the search for a vaccine and treatment, in conjunction with traditional doctors.

326. The increasing exposure of some socio-professional groups to the disease has permitted the identification of four major groups at risk in Cameroon. These are: prostitutes, the military, police and equivalent categories, truck drivers and prisoners.

327. To ensure that the whole community is treated within the framework of the programme, STDs and AIDS control activities are part of the minimum package of activities of health institutions. The information, education, communication (IEC) component also gives importance to this control effort.

V. THE RIGHT TO EDUCATION (*Article 17(1)*)

328. Public authorities are committed to promoting basic education for all. Thus, the preamble of the Constitution states: "the State shall guarantee the child's right to education. Primary education shall be compulsory". Furthermore, the preamble continues, the State shall guarantee all citizens of either sex the enjoyment of the right to education.

329. In the same direction, Law No. 98/4 of 14 April 1998 on the orientation of education in Cameroon, stipulates in Section 6 that: "The State shall ensure the child's right to education". Section 7 continues: "The State shall guarantee for all citizens equal opportunity for access to education, without discrimination based on sex, on opinion whether political, ideological or religious, on social, cultural linguistic or geographic origin". Finally, Section 8 affirms that primary education is obligatory.

330. Cameroon's Head of State, in a statement made on 10 February 2000, decided to cancel fees in government primary schools. Finance Law No. 2000/8 of 30 June 2000, in Section 11 (new), subsection 3 incorporates the principle of free education in government primary schools.

331. Primary education aims to grant to all Cameroonian children the satisfaction of basic educational needs, to give all children of school-age the training and basic education that is indispensable to their own development and to that of the country. In addition, rendering primary education

accessible to all is in the nature of respecting the child's right to education and contributes to poverty alleviation.

1. SELECTED DATA ON THE SYSTEM OF FORMAL EDUCATION

a) TRENDS IN SCHOOL ENROLMENT

- Table 1: Total school enrolment trends and private sector share in 1999:

School Year	Nursery		Primary		Secondary			
	Enrolment	% of private sector	Enrolment	% of private sector	Total	% of private sector	Techn. And Vocat.	% of private sector
1990/91	93,605	37	1,964,146	25	409,765	39	90,051	59
1995/96	51,504	44	1,786,340	23	480,190	29	109,061	38
1996/97	87,318	48	1,921,186	25	441,549	31	108,020	38
1997/98	91,708	54	2,023,809	27	475,526	26	112,085	38
1998/99	103,908	57	2,133,707	28	504,677	28	122,122	37

332. The number of pupils in nursery schools has increased slightly since the beginning of the 90s (see Table 1). This trend results from two other contrasting developments: private education recorded progress, while government schools lost one quarter of their enrolment during the early years of the decade and then stabilized later.

333. Primary education in the French-speaking sub-system that is dominant in 8 out of 10 provinces in the country lasts 6 years and 7 years in the English-speaking sub-system that is dominant in the two other provinces. Primary education recorded a 9.05% drop in enrolment between 1990/91 and 1995/96, that is, losing 177,806 pupils in five years, and began to record increases from 1995/96 at an average rate of about 2.8% per year. This increase is more evident in private education.

334. The drop in school attendance observed between 1990/91 and 1995/96 can be attributed to the drop in registration as a result of the harmful effects of the economic crisis on the living conditions of populations since the late 1980s. These effects, amongst others, are the drop in the purchasing power of people, an increase in unemployment due to many lay-offs, the absence of job opportunities for school graduates, loss of parental confidence in the school system and, above all, the cessation of the recruitment of primary

school teachers in the public service. The increase in enrolment observed since 1997/98 is explained by the noticeable economic recovery over recent years and the change in the attitude of parents with respect to sending their children to school. Table 2 below is a comparison of trends in primary school enrolment and number of school-age children. It shows a significant 2% gap between the number of children of school age and those enrolled, which globally corresponds to the potential effective enrolment of over 115,000 new pupils entering the first year of primary education.

• **Table 2: Comparison of population growth trends and primary school enrolment**

Period	Average annual growth rate (%)	
	School age population	Enrolment
1990 - 91	3.0	1.0
1995 - 96	2.3	2.6
1996 - 97	0.7	5.3
1997 - 98	3.4	5.3
1998 - 99	1.8	

335. General secondary education enrolment in 1999/2000 was 537,654 in two cycles. The first cycle had 410,197, or 76.3% of students, compared to the second cycle with 127,367 or 23.7 % of students (see Tables 1 and 2). After a regular increase at the beginning of the decade up to 1995/96, enrolment in this level and sector of education dropped by 8.04% between 1995/96 and 1996/97 before resuming growth.

336. Secondary technical and vocational education, which provides education to a little over one quarter of the enrolment in general secondary education, recorded notable progress (see Table 1).

b) DISTRIBUTION OF ENROLMENT BY GENDER

337. The gender distribution of enrolment shows a significant gap between boys and girls. This distortion, which affects girls, is greater in technical and vocational education than in primary and general secondary education. In the primary sector, the girls/boys ratio is estimated at 0.82. While in provinces with high enrolments, these ratios tend towards one, in the Adamaoua, Far-North and North Provinces, due to traditions and/or religious beliefs, this

ratio varies around 0.5. In technical secondary education, even if the regulation does not show any discrimination in access with respect to girls, in 1997/98, there were only 44,278 girls in school, that is, 39.5% of the enrolment (see Table 4). Most of the girls study commercial subjects, sewing or home economics, to the neglect of industrial subjects.

• **Table 3: School attendance disparities by region and by gender in 1998/99, calculated on the basis of boys and girls attending schools**

Province	Nursery	Primary			General Secondary	Technical Secondary	
	Total SAR	Total SAR	SAR for girls	Ratio Girls/boys	Total SAR	Total SAR	Ratio Girls/boys
Adamaoua	3.24	52	43	1.69	10	2	0.41
Centre	35.98	118	115	0.98	31	8	0.67
East	10.20	81	74	0.83	12	5	0.57
Far-North	0.67	51	34	0.48	6	1	0.52
Littoral	21.87	111	92	0.72	36	10	0.67
North	3.76	54	39	0.55	9	2	0.41
North-west	4.39	64	61	0.88	16	4	0.47
West	10.44	103	98	0.93	26	6	0.49
South	16.95	118	114	0.94	28	9	0.56
South-west	7.50	61	58	0.89	20	3	0.48
National average	11.49	80	72	0.82	20	6	0.57

c) STATUS OF THE SUPPLY OF EDUCATION

338. Regarding educational facilities, there were 42,036 classrooms in the 8,753 primary schools operating in 1998/99. Of these, 19,956 were built with provisional materials and surely require rehabilitation. While waiting to attain the net school attendance rate of 75% between now and Year 2005, and the adoption of an accepted standard of 50 students per class and per teacher, the number of classes and teachers necessary is estimated at 536,511. This will require that about 11,612 new classrooms be built between now and Year 2005 (at a rate of about 2,900 classrooms each year). The magnitude of classrooms needs does not reflect the real situation, because many classrooms are used by several grades.

339. In secondary general education, a drop by 116 classrooms was noted in the private sector between 1997/98 and 1998/99. This was due to the economic crisis that caused the closure or temporary suspension of certain private establishments. In 1999/2000, general secondary education had 13,191 classrooms, with 1,869 of these built with provisional materials and 40.7% of them in private schools.

340. Technical and vocational secondary education comprises 298 establishments (excluding RAC/HEC), that is, 110 government and 188 private technical schools. In 1998/99, there were 1,557 classrooms and 442 workshops in government technical schools compared to 2,651 classrooms and 718 workshops in private technical schools.

341. Available data on¹ the strength of the teaching staff (Table 5) show that the number of teachers in primary schools dropped by 2.02% in government schools between 1997/98 and 1998/99. This decrease is explained, among other reasons, by the freeze on recruitment of primary school teachers in the public service since 1987.

d) EXPENDITURE ON EDUCATION

Table 4: GDP and MINEDUC, MINREST and State budget trends

	1990/91	1991/92	1992/93	1993/94	1994/95	1995/96	1996/97	1997/98	1998/99
GDP at constant prices (1)	3,423	3,207	3,125.5	3,417	450	4,571	4,932	5,250	5,406
State Budget (2)	579,281	572,800	573,600	576,000	581,000	682,000	1,113,000	1,256,750	1,230,000
MINEDUC Budget (3)	65,021	70,772	80,710	76,908	49,214	55,961	65,630	84,697	102,772
MINESUP Budget (4)	9,947	10,947	10,309	16,145	14,498	3,337	13,016	11,795	12,974
Education Budget (5)	74,968	81,719	91,019	93,053	63,712	59,298	78,646	96,492	115,746
MINEDUC Budget/GDP (in %)	1.9	2.2	2.58	2.25	1.18	1.22	1.33	1.6	1.9
MINEDUC Budget/ State Budget (in %)	11.2	12.3	14.7	13.3	8.4	8.2	5.8	6.7	8.3
Education Budget/ State Budget (in %)	12.9	14.2	15.8	16.1	10.9	8.6	7.0	7.6	9.4
Education Budget/ GDP (in %)	2.19	2.54	2.9	2.7	1.53	1.29	1.59	1.83	2.14

(1) in billion CFA F (2), (3) and (4) in million CFA F

342. In light of Table 4 above, public expenditure on education recorded fluctuations induced by the repercussions of the economic crisis. Thus, after reaching a high of nearly 3% of GDP in 1992/93, the share of the education budget in the GDP continuously dropped until 1995/96. It stabilised in 1996/97 without exceeding the 2% limit below which it had been since 1993/94. In 1998/99, this indicator crossed this limit to reach 2.14%.

343. With regard to private education, State contribution to its financing dropped from 7.305 billion in 1996/97 to 3.15 billion in 1999/2000. This reduction of over 50% can be attributed to the harmful effects of the economic crisis that hit Cameroon since the 80s. While still acknowledging the usefulness of this sector of education as a public utility, the State revised its policy by Law No. 87/22 of 17 December 1987, which granted full financial responsibility in respect of private establishments to their promoters. The allocation of subsidies became a possibility. In addition, neither the contribution of families, nor that of the promoters can ensure the supply and quality of private education. The lack of financial audits of private education management fosters laxity that is harmful to the quality of education.

2. SPECIFIC PROBLEMS OF EDUCATION AND ATTEMPTED SOLUTIONS

344. It should be recalled that, although our educational system, all said and done, appears to have progressed satisfactorily during the twenty years from 1960 to 1980, certain problems persist, depending on the branch of education.

345. In general primary and secondary education, the problems revolve around four issues that reflect the difficulty this system faces in dealing with the rapid increase in school enrolment. These are: inadequate facilities, insufficient number of teachers, inadequate resources for functioning, low output levels.

346. With regard to technical and vocational education, the situation of inadequate resources delayed the establishment of technical high schools. It is also evident that lecturers are not adequately qualified, especially in technical education; with inadequate equipment, special classrooms and workshops, laboratories and libraries.

a) DIFFICULTIES INHERENT IN EDUCATION FOR ALL

347. The economic recession of the 1980s increased the problem of infrastructure and overcrowding. Teaching staff is in short supply, both in terms of quantity and quality.
348. Furthermore, the nomadic life style of the children or the assignment of girls to agro-pastoral activities and/or domestic chores should be regretted. Certain conservative communities do not view modern schools favourably, whether they are English or French schools, and especially so for girls. This leads to early marriage and pregnancy.
349. The burden of some traditions causes inequality in schooling opportunities between girls and boys.
350. Access to the various levels of education is related to the standard of living and purchasing power of each parent. Poverty or low purchasing power is a handicap for over 70% of the population. These poor groups comprise people living in rural or border areas, including single parents, who are largely women.
351. The highly selective nature of the system is disadvantageous to children from low-income social groups.
352. Costs borne by parents at all levels of education (for textbooks, learning aids, educational materials, other fees, etc.) are quite high. In addition, there is a serious imbalance in the allocation of credits for education; the trend is reversed in favour of secondary and primary education.
353. Since 1987, the financial difficulties faced by the State led public authorities to increase the registration fees paid by families. Each student is required to pay a registration fee for admission to public schools. These fees vary between general and technical secondary education.
354. In private schools, parents have always paid fees that are higher than registration fees for public schools. Whether in public or private schools, parents have always been responsible for buying textbooks, uniforms and other school requirements for their children.

b) MEASURES TAKEN BY THE GOVERNMENT FOR EQUAL OPPORTUNITY AT VARIOUS LEVELS OF EDUCATION

• **Priority to basic education**

355. To reduce the negative consequences of the low purchasing power mentioned above, basic education is allocated a bigger budget. This makes basic education a top priority.

• **Giving the handicapped equal opportunity**

356. Law No. 83/13 of 21 July 1983 provides for an age waiver for handicapped persons and exempts them from paying school fees, especially if their parents are indigents.

• **Special measures for women and girls in general secondary education**

357. Circular No. 10/A/162 of 19 January 1980 provides that a pregnant female student be suspended from school temporarily, as well as the male student responsible for the pregnancy, until the birth of the child. Both students may be readmitted after the child is born, provided they fulfil the admission conditions in terms of age, school performance and discipline. The same provision applies to single or married women who are attending public secondary schools. The same circular stipulates that any teacher or other employee of the State who is responsible for the pregnancy of a female student shall be liable to administrative sanctions, without prejudice to any legal proceedings.

• **Promoting the teaching of national languages**

358. Concerning the teaching of national languages, an alphabet has been established for all national languages in Cameroon. In terms of methods, experimental research is under way in denominational educational establishments, based on the main vernacular language of each region. The results are encouraging. Based on a scientific analysis, three tendencies emerge:

- those who advocate for one major language in each region;
- those who suggest that more than one language would be preferable;

- those who recommend that each ethnic group should teach its language.

On this issue, the debate is still open.

c) International assistance

359. International assistance takes the form of :

- substitution co-operation that is concretised by the provision of personnel; and
- financial contribution that constitutes an important aspect.

360. Substitution co-operation is diminishing significantly. On the contrary, in the context of international assistance through financial contribution, a large number of projects are being studied or designed:

- the European Development Fund (EDF) project should finance primary education, particularly through the purchase and supply of teaching materials, including replenishing the libraries of teacher training schools;
- the African Development Bank (ADB) project, which aims to improve the quality of teaching, especially in the field of staff training, and the construction and equipment of classrooms;
- the Islamic Development Bank (IDB) project, which is to construct 42 primary schools in the northern provinces of the country;
- Japanese grant for the construction of demonstration primary schools in Yaounde and Douala;
- the World Bank plans to fund a study on school zoning map, and educational costs and funding;
- the French Assistance and Co-operation Fund (FAC) intends to finance the improvement of the education system, the school-life project, and to provide support to Administration. This project is known as the "Cameroon Education System Support Project" (PASECA);
- British Council support is directed to creating and equipping teachers' resource centres in Buea and Bamenda;
- the support of German Co-operation is directed towards the continuous training of trainers;

- various assistance packages for holding seminars on curriculum content and adapting teaching resources; for studies and experiments conducted by IPAC Buea; for developing activities of the centre for publishing and production of teaching aids (CEPMAE) and of the International Book Centre.

3. HIGHER EDUCATION

a) Summary

361. Until 1993, higher education revolved around the University of Yaounde and four university centres in Douala, Dschang, Buea and Ngaoundere.

362. The system established in 1961 was marked, towards the end of the 1980s, by an exponential growth in student enrolment at the University of Yaounde, compounded by an imbalance in the spatial distribution of university institutions. The serious economic crisis, which hit African countries at the time, hampered the implementation of relevant policies and strategies. Thus, most student assistance programmes set up during the years of growth (transportation, housing, scholarships, feeding, etc.) progressively decreased and completely disappeared. Apart from the above-mentioned risk suffocating the University of Yaounde, other handicaps facing the higher education system are cited below.

363. Like infrastructure, the recruitment of lecturers did not match the rate of increase in student enrolment. The lecturer/student ratio was 1/32 in 1990/91 at the Faculty of Arts and Social Sciences (FASS), 1/42 at the Faculty of Science. As a result of this low ratio, the undergraduate pass rate at the University of Yaounde was about 30%. This poor performance is explained by mass education, in overcrowded lecture rooms, in the form of lectures and almost without practicals.

364. With regard to the external output, it is evident that thousands of graduates are unable to find jobs. Thus, over 8,000 higher education graduates are jobless, due to training that is not adapted to the job market, or to lack of training geared towards self-employment.

365. State subsidies thus remained higher education system's only funding source. In particular, due to the economic situation and the absence of assistance from social partners, higher education budget became rescue budget over the years.

366. For purposes of illustration, in 1990/91, the University of Yaounde budget structure was as follows:

- personnel expenditure: 46.3;
- scholarships, student grants, room and board for students: 43.3%;
- recurrent expenditure, fixed assets maintenance costs and sundry expenses: 8.9%;
- credits for research and laboratory equipment: 1.5%.

367. In all, administrative expenditure took precedence over teaching and research, which really are the fundamental and universal purpose of any university institution.

368. Overall, the university community is in disarray. With respect to the teaching staff, this is caused by the absence of a clearly-defined career profile and career management practices that obviously foster mediocrity. As for students, this disorder translates into high failure rates.

369. Furthermore, the higher education environment is choice ground for producing and developing social ills, such as tribalism and politicising the university. All said, in 1992 the higher education system was sick and convulsive; from 1993, it needed to be revitalised for it to fulfil its traditional aims.

370. Faced with the above situation, in 1993, Government undertook to reform higher education, not only in view of improving the internal and external performance of the system, but also and above all, to respond to an increasing social demand for education. Thus, Decree No.93/26 of 19 January 1993 established six(6) universities as follows:

- University of Yaounde I;
- University of Yaounde II;
- University of Douala;
- University of Buea;
- University of Ngaoundere.

371. Some guiding principles for these universities are:

- participation;
- openness to the environment;
- revitalising afresh the teaching staff.

372. Participation is the keyword in the new approach to managing and financing the higher education system. It seeks to enhance the involvement of various officials, as well as the whole university community in the functioning of the institution, particularly through ensuring their representation on university councils.

373. With respect to financing, it should be underscored that, far from the complete withdrawal or abandonment of higher education, the State continues to grant subsidies from its budget. These, however, are mainly directed to support the fundamental purpose of any university institution, that is, to teaching, research, and support to development. In this regard, the State henceforth invites beneficiaries of education to contribute to costs by paying a fee of 50,000 CFA francs each academic year.

374. In the same way, the State intends to correct the imbalances observed in higher education budget structure. A new policy for student assistance and welfare services has been put in place. Above all, it seeks to support specifically targeted actions and fosters the correction of regional imbalances in higher education, by giving greater consideration to the candidate's social status, as well as previous and current performances, in view of promoting excellence. That is why Order No. 22/MINESUP/DAO of 13 September 1995 to define conditions for State assistance to Cameroonian students in Professional Schools and Faculties abroad was published.

375. Within the same context of participation, the State encourages private investment in higher education. Thus, a Catholic University and several private Institutes already operate within the national territory.

- Table 5: Total student enrolment in private higher education institutions in 1999/2000

No.	Private higher education institution	No. of Students
1	Catholic University of Central Africa (Catholic Institute of Yaounde)	1,237
2	Cosendai Adventist University, Nanga-Eboko	147
3	Faculté de Theologie Biblique du Cameroun (FATICAM)	39
4	Protestant Faculty of Theology, Yaounde (FATPY)	172
5	British College of Professional Management(BCPM), Douala, Buea and Bamenda	901
6	BTS Professeurs réunis, Douala	256
7	Ecole Supérieure de Gestion(ESG), Douala	577
8	Ecole Supérieure des Sciences et des Techniques (ESSET), Douala	102
9	Fonab Polytechnic, Bamenda	54
10	Groupe Tankou Enseignement Supérieure (GTES), Bafoussam	121
11	Institut de Sciences Economiques et Informatiques et de Gestion (ISEIG), Yaoundé	13
12	Institut des Technologies de l'Information(ITI), Douala	187
13	Institut Samba Supérieure, Yaounde	1,242
14	Institut Siantou Supérieure, Yaounde	1,132
15	Institut Supérieure de Développement Informatique et Commerciale (ISDIC), Yaounde	52
16	Institut Supérieure de management(ISMA), Douala	136
17	National Polytechnic	49
TOTAL		6,417

376. New universities aim to be institutions that are closely linked to their immediate environment, to their region, or to the job market. They aim to provide education that is increasingly professional and suited to national realities, rather than to job market demand. In the same vein, emphasis shall be placed on rendering training more professional by creating institutes of technology within universities.

377. The university provides teaching staff with resources for their teaching and research activity, under conditions of independence and serenity, which are indispensable for intellectual creativity. The new rules and regulations governing university lecturers introduced by Decree No.93/35 of 19 January 1993 provides more incentives in this.

378. The decree of 19 January 1993 referred to above not only compiles all previous statutory provisions into a single regulatory instrument, but also clearly defines a career profile (conditions for recruitment and promotion) by creating specific institutions for monitoring and evaluation (particularly the University Institutions Consultative Committee). Similarly, it provides for the pursuit of a career in a clear and objective manner, and restores its prestige. We refer here to the increase in the retirement age for professors (to 65 years), to the introduction of the rank of Professor Emeritus, etc. Other specific benefits are included therein. Some of these are: sabbatical leave for lecturers of professorial rank, and study leave for the others. The purpose of these measures is to attain and maintain the most current and highest scientific level.

• **Table 6: Distribution of lecturers by university in 1999/2000**

University	No. of lecturers
Buea	215
Douala	295
Dschang	340
Ngaoundere	181
Yaounde I	858
Yaounde II	264
TOTAL	2153

• **Table 7: Distribution of lecturers by rank and university in 1999/2000**

University/Rank	PR	SL	LE	AL	OTHERS	TOTAL
Buea	3	15	51	146	-	215
Douala	4	9	78	201	3	295
Dschang	8	21	89	222	-	340
Ngaoundere	3	9	49	105	15	181
Yaounde I	50	121	394	270	23	858
Yaounde II	14	29	123	98		264
TOTAL	82	204	784	1042	41	2153

PR : Professor; SL: Senior Lecturer; LE: Lecturer; AL: Assistant Lecturer.

379. It should be noted that the rules and regulations subject the above entitlements to a true sense of duty and values, such as, a cult for truth, for excellence, for effort and for Man. They also contain disciplinary provisions.

380. The university is open to students, subject to the capacity of facilities for students and teaching staff, and to special requirements for the award of diplomas and certificates for each establishment. Thus, Government efforts are geared to providing university institutions with viable social and academic infrastructure.

381. The combined effect of incentives for the teaching staff and the development of academic infrastructure have raised the student/teacher ratio.

• **Table 8: Number of students per lecturer by university in 1999/2000**

University	No. of Lecturers	No. of students	Ratio
Buea	215	5,834	1/27
Douala	295	8,847	1/30
Dschang	340	10,518	1/31
Ngaoundere	181	3,424	1/19
Yaounde I	858	19,459	1/23
Yaounde II	264	11,198	1/42
TOTAL	2,153	59,280	1/28

382. Equally, interest in social and cultural activities increased, as these activities open minds, teach sociability and induce a true balance in Man. The institutionalisation of such activities as the University Games, the University Festival of Arts and Culture address these concerns.
383. With regard to student welfare services, although no new scholarships are awarded due to budgetary constraints, Government continues to assist in providing student room and board services. Each university has a restaurant and halls of residence for students. Students pay a small fee for these services (150 CFA F for a meal the cost price to the university of which is 750 CFA F, and 2,000 CFA F for a room, including water and electricity). To provide more services, the Minister in charge of higher education has set up a company known as *Société de Promotion Immobilière des universités du Cameroun* (SPI-UNICAM). This company, set up in partnership with private national capital, seeks to construct very low cost houses for students and university lecturers.
384. With regard to specific groups, for example, girls and handicapped persons, special incentives have been introduced.
385. Concerning scholarships for studies abroad, Government has frozen such grants. Consequently, the number of students on scholarship abroad has considerably reduced.
386. All in all, between 1992 and 2000, higher education advanced as a result of a global and systematic reform, which permitted it to meet the expectations of the country today. In fact, the purpose of universities is to raise knowledge and thinking to the highest levels and speed up their progress. An additional stage was attained, with the adoption by the National Assembly and the promulgation by the Head of State on 16 April 2001 of the law on the orientation of higher education.
387. Of course, there have been difficulties, some of which are:
- resistance to change arising from a mentality of the welfare state;
 - economic constraints arising from the implementation by the State of Structural Adjustment Plans designed in conjunction with international donors since 1988.

These constraints on higher education rub off on scientific research.

b) FREEDOM TO CONDUCT SCIENTIFIC RESEARCH, UNDERTAKE CREATIVE ACTIVITY AND THE RIGHT TO SCIENTIFIC PROGRESS AND ITS APPLICATIONS

a) Research policy and the status of the researcher

388. The regime of research in Cameroon has gone through several stages.

389. The National Office for Scientific and Technical Research (ONAREST) was created by Law No. 65/LF/5 of 22 May 1965, with the following responsibilities:

- Orienting, co-ordinating and supervising research activities in the Republic of Cameroon;
- Inducing and facilitating scientific and technical research that promotes the economic and social development of the nation;
- Continuing these research activities, and where feasible, in its own laboratories, as well as collecting and compiling documentation on research being conducted;
- Liaising, on behalf of the Government, with foreign and international scientific bodies;
- Providing training for researchers and technicians, as is necessary for the accomplishment of its purpose.

390. Decree No. 79/495 of 4 December 1979 transformed ONAREST into a General Delegation with operational structures on the field.

391. The General Delegation for Scientific and Technical Research shall translate Government's development policy into concrete and practical terms, through the field activities of its seven specialised bodies and institutions:

- Institute of Agricultural Research (IAR);
- Institute of Medical Research and Medicinal Plant Studies (IMRMS);
- Institute of Geological and Mining Research (IGMR);
- Institute of Zootechnical Research (IZR);
- Institute of Human Sciences (IHS);
- National Committee for Man and the Biosphere (MAB);
- National Committee for the Transfer of Technology (CNTT).

392. The General Delegation for Scientific and Technical Research merged with higher education within the Ministry in charge of higher education and scientific research, which was later split, giving rise to a distinct Ministry in charge of scientific and technical research, with supervisory powers over the bodies cited in the previous paragraph. These institutes comprise many research centres, stations, laboratories and departments, with over a hundred sections and some fifty branches, units and workshops.

393. Although institutions thus created constitute the skeleton of scientific and technical research in Cameroon, it should be recalled that research is also conducted at the National Centre for Education, in university institutions, in some ministries and other public, semi-public and private structures. Furthermore, it should be mentioned that isolated researchers and foreign bodies outside Cameroon contribute to broadening scientific and technical knowledge, as well as conducting applied research in their respective fields.

394. In addition, the publishing of general rules and regulations governing researchers on 18 July 1980 certainly filled the regulatory void in research, improved and strengthened the morale of researchers, thus rendering scientific research very attractive to qualified staff.

- **Assessment of research activity**

395. The trend of financing for research from 1974 to 1980 is as follows:

Financial Year	Recurrent Budget	Investment Budget	Total
1974 – 1975	755,000,000	255,432,875	1,030,432,675
1975 – 1976	1,210,000,000	546,786,000	1,576,786,000
1976 – 1977	2,027,778,086	400,000,000	2,427,778,086
1977 – 1978	2,126,486,687	132,882,655	2,259,365,342
1978 – 1979	2,446,907,023	140,000,000	2,586,907,023
1979 – 1980	2,343,233,631	946,000,000	3,289,233,631
1980 – 1981	2,589,827,000	2,112,000,000	4,701,827,000

396. Soon after independence, the State of Cameroon undertook major scientific and technical research in the following fields:

- Agriculture and forestry;
- Animal husbandry;
- Geology and mining;
- Medical and medicinal plants; and,
- Human sciences.

i) Agriculture and forestry research

397. On 28 October 1963 in Yaounde, representatives of the governments of Cameroon and France signed a Co-operation Agreement on scientific and technical research, which defined the conditions for the intervention of the French *Office de la Recherche Scientifique et Technique d'Outre Mer* (ORSTOM) and its 8 specialised agronomic research institutes.

398. Agricultural research aims to provide producers with the following:

- Plants and seedlings with increasingly high yields;
- Better planting techniques;
- Plant protection methods, which are specific to crops and parasites;
- Fertilisation techniques for preserving and increasing the soil fertility.

399. Results have been obtained for industrial crops destined for export. Thus, intensive agro-industrial activities can be observed, particularly for rubber, oil palm, cocoa, cotton, coffee, banana, timber and food crops, especially cereals (sorghum, maize, rice), tubers, oil-yielding plants (groundnuts) and fruits.

400. Results obtained for perennial crops helped to extend or create agro-industrial complexes such as the Corporation for the Expansion and Modernisation of Rice Cultivation in Yagoua (SEMRY) and the Mbo Plain Rice Development Corporation (SODERIM).

ii) Research in animal husbandry

401. Just like for agricultural research which, in the past, placed emphasis on perennial crops destined for export, research in animal husbandry was restricted to beef cattle and grazing lands. With the creation and start of ONAREST, research was extended to dairy production, small ruminants (caprines) and mono-gastric species (pigs and poultry).
402. Research on beef cattle resulted in the creation of ranches for SODEPA and MIDEBOM, the Mbandjock cattle fattening authority.
403. Research on dairy products, which began in 1968, produced encouraging results, with the introduction of high milk-producing foreign species, like holstein Frisonnes, Jersiaises and Montbéliard crossbreeds. Two experimental dairy farms exist in Bambui and at the Wakwa research centre. Adaptation tests and milk production data are analysed at the Mankon station, from research work on imported milk goats, which can readily be raised by many of the small breeders with limited financial resources.
404. Research on mono-gastric species is under way. Crossing the Goudali breed from Ngaoundere with the Brahman breed from America resulted in the creation and establishment of Wakwa breed as a Cameroonian breed of cattle. These improved breeds are distributed to extension ranches owned by farmers assisted by SODEPA and to individual farmers.

iii) Geological and mining research

405. Geological and mining research, in the past, was directed towards basic surveys on national water resources, mining prospecting and geological surveys and mapping.

iv) Medical and medicinal plant research

406. Studies conducted on medicinal plants begun in 1975 permitted the identification, in co-operation with traditional healers, of 500 medicinal plants. During the 5th Plan, studies enabled the identification of 156 additional species of medicinal plants and the cultivation of 5 species deemed worthy of interest, with the following accomplishments:

- the study and identification of the properties and active principle of 24 plants according to their effects (antiseptic, antihelmintic, antibacterial, anti-inflammatory);
- the discovery of certain drugs (anti-scurf ointment, cassilata ointment, quinine capsules and syrup, antihelmintic syrup).

407. In addition, the translation of the late Sultan Njoya's book on traditional medicine permitted the identification of plants likely to contain active principles that could be useful in the treatment of such diseases as filariasis, jaundice, intestinal and other parasites, as well as poisoning.

408. Furthermore, research work by the Institute of Medical Research and Medicinal Plant Studies:

- permitted the epidemiological mapping of cancer in Cameroon and the determination of the epidemiological characteristics of certain forms of cancer;
- entailed the updating of certain aspects of the physiopathology of trypanosomiasis;
- involved the study of the malacological fauna of certain regions (discovery of a new mollusc) and the development of methods for biological control of intermediary hosts, as well as the assessment of risks introducing and spreading bilharzia and distomatosis in the execution of some agro-industrial projects;
- enhanced knowledge on the epidemiological characteristics of some parasitic diseases, such as malaria, onchocerciasis and schistosomiasis;
- enabled the specification of diarrhoea-causing factors and to recommend appropriate preventive measures.

v) Research in human sciences

409. Research activities generally grouped under "human sciences" have been intensive. The following studies were conducted and their results are available to Government and the public sector.

410. In the field of social sciences:

- monographs on rural communities and migration of people;
- socio-economic impact of agro-industrial plantations on populations and use of labour in agro-industrial complexes;
- demographic surveys.

411. In the field of geographical sciences:

- dictionary of villages;
- national and regional atlases;
- monographs on some regions and villages in Cameroon;
- factors that promote or obstruct development;
- mapping the country at various scales;
- geodesic, astronomical and hydrometric mapping of Cameroon.

412. In the field of science of education:

- analysis of the education system in Cameroon;
- innovations in schooling (pilot project);
- theoretical studies on the system of education and training.

413. In the field of economics:

- analysis of changes in rural and urban settings: the case of SOSUCAM;
- overpopulation in Lekie Division;
- priority integrated development zones in the East province;
- studies on socio-economic variables, like the budget/consumption survey in Douala and socio-economic surveys in Mbo Plain.

414. In all, on examination of the table on the financing of research in subsection 395 above, it will be observed that funds increased from 1 billion CFA francs to 4.7 billion, a 47% rise in seven years.

c) Difficulties encountered

415. During the first four development plans, scientific and technical research faced the following obstacles:

- lack of an institutional framework;
- inadequate human resources;
- limited financial resources;
- lack of information.

416. Concerning the institutional framework, what existed hampered the liaising between research activities and researchers. With the creation and organisation of research institutes, the publishing of instruments governing the functioning of institutes, especially those for the boards of directors, programme committees, as well as evaluation and recruitment commissions, the issue of the institutional framework has been practically resolved.

417. Concerning financial resources for research, their apparent inadequacy in the past was rather due to the inability of the research sector to judiciously use available funds than to inadequate government grants.

d) Prospects

- **At the national level**

418. The scientific and technical policy in place tends to make research an instrument of economic development and a true support of the production system. To attain these goals, the orientations and actions shall take into account the following:

- The needs of the users of research results;
- The economic, social and cultural development objectives of the nation;
- The need to strengthen the national scientific and technical potential and to judiciously use the various national resources;
- The need to contain technical development;
- The need to bring teaching programmes in faculties and professional schools in line with research objectives;
- The need to encourage research at universities and university centres by providing the necessary financial resources;
- The goal of allocating about 1% of the Gross Domestic Product to funding research;
- Improving the quality of co-operation between MINREST and public and private national bodies within the framework of their specific research and development programmes.

• **At the level of international co-operation**

419. Emphasis will be placed on strengthening regional and sub-regional co-operation, particularly with member countries of CEMAC, OAU and ECA, without undermining co-operation with specifically non-African international organisations and non-African countries.

420. Government should vitalise and diversify cultural, scientific and technical co-operation through:

- The extension and containment of bilateral co-operation with countries of the North within the framework of North-South relations;
- The implementation of a dynamic and ambitious policy of regional and sub-regional co-operation within the framework of South-South co-operation;
- The judicious development of multilateral co-operation.

CHAPTER V
PEOPLES' RIGHTS

421. **B**y adhering to the Charter of the United Nations, Cameroon accepted the principle of equal rights of peoples. Pursuant to the United Nations Declaration of 1986 relating thereto, Cameroon also upheld the right of the Cameroonian people to development in the Constitution promulgated on 18 January 1996 (Articles 21 and 22).
422. In the preamble of the said Constitution, the Cameroonian people also assert their desire to maintain peaceful relations with other peoples. Cameroon is committed to the maintenance of good relations with its neighbours, and participates in various regional peace-keeping mechanisms. In this connection, it should be recalled that Cameroon referred the territorial dispute with Nigeria over the Bakassi Peninsula to the International Court of Justice (Articles 19, 20 and 23).
423. Cameroon is party to some thirty multilateral, regional and sub-regional conventions relating to the protection of nature and natural resources, pollution and the conservation of marine life, protection of the atmosphere, chemical and nuclear safety. However, such participation has led not only to certain institutional conflicts, but also to a number of difficulties such as those relating to its reality and scope on the one hand, and the conditions of accepting international standards and standards on the implementation of international commitments on the other hand (Article 24).
424. Environmental protection has motivated the enactment of laws on rural matters, the urban milieu, forestry, mining, quarries, hydrocarbons, water resources, waste, industrial pollution and protection of marine life. A full ministry in charge of the environment and forestry was created. (Article 24).
425. The importance of the environment and its stakes have led to various conflicts which the Government is doing all it can to prevent or to manage. The main ones include:
- conflicts over natural resources;
 - green conflicts;
 - institutional conflicts.

426. Conflicts over natural resources are related to the exploitation or ownership of a natural resource. They include land disputes which are the most common and most sensitive, and involve parties disputing over a piece of land. Depending on the status of the parties involved, five main types may be outlined:

- land disputes between individuals and the State;
- land disputes between villages;
- land disputes between individuals, which are often due either to the ignorance of the instruments governing land ownership in Cameroon, or to a deliberate will to increase one's hegemony;
- agro-sylvo-pastoral disputes often involving farmers and stockbreeders, farmers and farmers, stockbreeders and stockbreeders, in protected areas;
- disputes relating to the exploitation of fish, oil or mineral resources, often involving the people versus local government, or Cameroon and neighbouring countries.

427. "*Green conflicts*" are those arising from various forms of environmental pollution. They include marine pollution, atmospheric pollution, noise pollution and solid waste pollution disputes.

428. Marine pollution disputes result from water pollution caused by the activities of some economic operator. A case in point is the dispute in the South-West province between the people and the authorities of the Ministries of the Environment and Forestry (MINEF) and of Livestock, Fisheries and Animal Industries (MINEPIA) over the use of chemical products for small-scale fishing. Another is the dispute between the South-West elites and oil companies operating in the area over the pollution of the RIO DEL REY River whose water is often used for domestic purposes. Similar disputes have been recorded in Littoral Province concerning ALUCAM, and in the Douala area.

429. Atmospheric pollution disputes on the contrary arise from the pollution of the surrounding air during certain activities. A typical case is that of people living in CIMENCAM production areas (in the Littoral and North provinces) where fine cement dust pollutes the surrounding air and causes diseases such as bronchitis and pneumonia.

430. Noise pollution disputes are related to excess noise the number of decibels of which exceeds the tolerable level of the human eardrum. Such disputes occur mostly in urban areas, close to popular entertainment spots (bars, night clubs, etc.).
431. Solid waste pollution disputes are those that most often exist between council authorities and the inhabitants when the latter fail to cooperate in the disposal of household waste or when, as a result of financial difficulties, the council authorities cannot regularly collect waste.
432. As regards institutional conflicts, they are struggles for power in connection with the environment among various State institutions. They arise when the duties of certain administrative services overlap if they are poorly defined, and seem to encroach on those of the new ministry in charge of the environment and forestry.

PARTICIPATION IN THE CULTURAL LIFE OF THE COMMUNITY (Article 17(2))

433. According to Article 17 of the African Charter on Human and Peoples' Rights, "*Every individual may freely take part in the cultural life of his community*". The Charter therefore formally sanctions not only man's economic and social rights but also his cultural rights. Essentially, these are the so-called second generation or credence rights, that is, they require the State to provide certain services.
434. Cultural rights are regarded as collective rights, and enhance the exercise of the other individual rights mentioned in the Charter. They are particularly essential for the right to education (Article 17(1)), the right to information (Article 9), the right to express and disseminate one's opinions (Article 9), the right to work (Article 15), the right to respect for one's life and the integrity of his person (Article 4).
435. Law No. 96/6 of 18 January 1996 to amend the Constitution upholds these rights by ensuring the full exercise thereof. In the preamble, it affirms Cameroon's "*attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations and the African Charter on Human and Peoples' Rights, and all duly ratified international conventions relating thereto...*".
436. With the economic crisis and the liberalization of economic activity in Cameroon, the State has recognized the major role of the private sector in financing cultural activity.

437. Following the setting up of the ministry in charge of culture in 1992, the government earmarked substantial budgetary allocations to finance cultural projects. The budgetary heads known as "*Assistance to Artists and Cultural Associations*" were created for this purpose. Furthermore, a support fund for creation was set up to finance the writing of scenarios.
438. The National Festival of Arts and Culture, created in 1991, has held regularly (1994 in Douala, 1996 in Ngaoundere, 1998 in Ebolowa, 2000 in Limbe). The purpose of these events, which are often accompanied by workshops on specific topics, is to highlight the local cultural specificities of each region, and to popularize them at national and international level with the special participation of national and foreign artists and creators as well as of economic operators. The aim is to involve the various segments of civil society in the promotion of dialogue among cultures and the building of national cohesion.
439. Besides the National Festival of Arts and Culture, the Ministry of Culture also variously supports other festivals, namely:
- the Nyem Nyem festival, Adamawa Province;
 - the Mbam' Art cultural festival, Centre Province;
 - the Ngondo cultural festival, Littoral Province;
 - the Nguon cultural festival, West Province;
 - the Medumba cultural festival, West Province;
 - the Feokague cultural festival, North Province;
 - the Macabo feast, West Province;
 - the Batanga cultural festival, South Province;
 - the Kanuri cultural festival, Far-North Province;
 - the MbogLiaa festival, Littoral Province.
440. By Decree No. 98/3 of 8 January 1998 to organize the Ministry of Culture, 8 (eight) specialized institutions of a cultural nature were set up and attached to the ministry, namely:

- the National Library;
- the National Archives;
- the National Institute of Arts and Culture;
- the Conference Centre;
- the National Ensemble;
- the Public Reading Centre;
- the National Museum;
- the National Film Library.

441. The procedure for commissioning these institutions has already begun with the drafting of the various instruments organizing them.

442. To encourage cultural works, the State has taken measures to protect the patrimonial and moral rights of authors, literary and artistic creation associates such as performers, audiovisual communication enterprises and phonogram or video-gram producers.

443. Law No. 2000/11 of 19 December 2000 relating to copyright and neighbouring rights instituted a cultural policy support fund and upheld the possible existence of several collective management bodies.

CHAPTER VI

*ELIMINATION OF ALL FORMS
OF RACIAL DISCRIMINATION*

444. Cameroon is constantly concerned with the elimination of all forms of racial discrimination, which is the corollary of the principle of equality of every individual and of all peoples. This concern is reflected not only by the policy of protecting minorities and indigenous populations as well as by specific measures to implement this policy but also by Cameroon's participation in the international effort to fight against apartheid. (Articles 2 and 19).
445. The principle of participation has dominated the political and administrative practices which have often been summarily termed "*regional balance*", though not without some opprobrium. The guiding force behind this policy is the idea according to which the various social segments have to participate in all spheres of national life, according to their respective weight, and in the conduct and management of the destiny of the community.
446. Cameroon's first President, Amadou Ahidjo, at the time of independence defended this policy as follows: "*How can we, in a new country like ours which is still being built, which is still moulding its national unity, in domains where the administration and the government are directly involved, how can we let the law of the jungle which seeks to allow the powerful to completely crush the weak to set in? As you well know, there are examples of countries in Africa where such disparities have, if not destroyed the country, at least caused serious problems*".
447. The advent or restoring of political pluralism and of multi-party democracy has created a new landscape and complicated the political context, destroying the structures of power as well as the conditions in which the various segments participate in the management of national affairs. Elections and majority voting have ushered in a new situation with objective relations of forces, and consequently of situations of weakness or domination which had hitherto been tactfully concealed, subdued or confined by the monolithic grip. Hitherto hidden peculiarities have been brought to light, specificities have been brandished, while demands for local autonomy have resurfaced. This explains why the protection of the rights of minorities and indigenous populations have been taken into account by the constitutional reform of 1996.

448. It is stipulated in the preamble of the 1996 Constitution that "*the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations(...)*".
449. While subscribing to the universal principle of equal representation of all citizens in deliberative bodies, Cameroon's law has however introduced mechanisms to take into account the special situation of certain socio-political cases, and to preserve the rights of minority indigenous populations. This concern is reflected by the distribution of constituencies.
450. Law No. 91/20 of 16 December 1991 to fix the conditions for the election of Members of Parliament lays down in Section 3 that "*The national territory shall be divided into as many electoral constituencies as there are divisions. However, certain electoral constituencies could be warded on grounds of their peculiar situation*". The notion and practice of special constituency shall be treated in depth in the next report.
451. The requirement for the sociological component of the constituency to be taken into account seems to stem mainly from the need for equitable representation. Section 5 (4) of Law No. 91/20 of 16 December 1991 mentioned above provides that "*Each list shall take into consideration the various sociological components of the constituency concerned*". This requirement devolves primarily on political parties which are solely empowered to present candidates for legislative and municipal elections.
452. By avoiding the negative political and psychological effects of random implementation of the majority principle, we are contributing to the building of a democracy with national consensus, a democracy from which no one feels in advance excluded or sure to be marginalized. It is therefore to avert the dangerous effects of the feeling of exclusion that the laws governing elections require the sociological component of each constituency to be taken into account.
453. Special attention is paid to some ethnic minorities in order to make them feel like belonging to the national community. The main ones concerned are creek inhabitants, nomadic Bororo, mountain inhabitants and Pygmies (Baka, Bakola). An example is the measures taken in favour of the nomadic people of North Cameroon. The aim is to initiate them to farming in addition to stockbreeding. Research is under way to find plants that are resistant all year round for animal feed.

454. The State has also taken measures in favour of the Pygmies in the East and South provinces within the framework of the "*Socio-economic integration of the Baka/Bakola*" project that the Ministry of Social Affairs has been conducting since 1988. The strategy is aimed at:

- getting the Pygmies settle down in their camps;
- initiating them to farming for their own sake;
- improving and humanizing inter-personal relations between the Pygmies and their Bantu neighbours;
- building health centres and initiating the Pygmies to health and sanitation;
- sending Baka/Bakola children to school through the construction of schools in camps. Some 12% of children were enrolled in schools in 1990. The State also gives them special school assistance.

455. Special measures have moreover been taken in favour of Pygmies. For example, the basic qualification for admission of Pygmies to the Grade II Teachers Training Colleges in the East Province is the First School Leaving Certification, while a higher certificate (Brevet d'études) is required of candidates from other ethnic groups.

456. In general, the policy of "*regional balance*" is intended to facilitate access to higher education institutions by candidates from areas with low school attendance; in this connection, Order No. 10467/MFP/DC of 7 September 1982 instituted quotas per province for admission to professional schools.

457. Studies have been conducted within the framework of international cooperation (bilateral and multilateral) to understand the philosophy of life of these groups in order to give them appropriate assistance for their self-reliant development while laying emphasis on the preservation of their cultural identity. A support project for the self-promotion of Pygmies has been started to this end. The Research, Action, Training (RAF) project being conducted by a French NGO with the support of "*INADES-FORMATION*" aims to contribute to the creation of a Pygmy organization that will enable them to:

- express themselves and be understood;
- be recognized as a minority group;
- seek a development strategy that integrates their culture.

458. The RAF project is working together with Pygmies. The various Pygmy groups are thus called upon to themselves seek their own development with the support of project supervisors. The research is aimed at enabling them to talk about themselves, how they perceive their environment and what they think of their place in this context. It should lead to initiatives chosen by them and deemed priority for their future.
459. INADES-FORMATION is thus seeking to help the Pygmies in the search for a development that would be appropriate for them and allow them to maintain their fundamental cultural values, while at the same time not remain marginalized and find a more comfortable place in Cameroonian society.
460. Furthermore, various actions have been taken in favour of marginalized populations, and are intended to:
- provide them legal protection, notably civil status, the right to real property, work and health;
 - improve living and health conditions;
 - facilitate their socio-economic reintegration, through community networks, in the fields of agriculture, stockbreeding, fishing, trade, public and private administration.
461. Apart from these specific measures to protect minorities and indigenous populations, it should be recalled that Section 242 of the Penal Code punishes with imprisonment for from one to two years or with fine of from 5,000 to 50,000 francs whoever refuses another person access to a public place or to a job on account of the latter's race or religion.
462. Concerning the fight against apartheid, since Cameroon's Constitution and criminal laws punish all forms of racial discrimination, the political authorities have naturally been bound to adopt an anti-apartheid policy. In this respect, Cameroon, as a member of both the United Nations and the OAU, has constantly maintained an anti-apartheid attitude. The first president of the Republic of Cameroon, the late Amadou Ahidjo, presented before the United Nations the Lusaka Manifesto on Southern Africa in 1969. For decades, Cameroon's passport was not valid for racist South Africa. Cameroon complied with all decisions taken by international, political, technical and sports bodies against the crime of apartheid.

CHAPTER VII

*ELIMINATION OF ALL FORMS
OF DISCRIMINATION AGAINST
WOMEN*

463. **C**ameroon's Constitution upholds the principle of the equality of men and women in its preamble: "... *the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights...*"; "... *all persons shall have equal rights and obligations...*"; "... *the State shall guarantee all citizens of either sex the rights and freedoms set forth in the preamble of the Constitution...*" **(Article 18 (3))**.
464. The law in Cameroon recognizes legal capacity for both men and women. Section 216 of the Civil Code provides that "*Women shall have full capacity before the law. The exercise of such capacity shall be limited only by the marriage contract and the law*".
465. In the body of laws and institutions put in place by Cameroon to protect human rights, the convention on the elimination of all forms of Discrimination against Women (CEDAW) ratified on 23 August 1994, takes pride of place, considering the special attention given to women. Cameroon ratified the convention on 23 August 1994.
466. The creation of the ministry in charge of social affairs in 1975, the year in which the first world conference on women was held in Mexico City, led to the setting up within that ministry of a service for population activity and the advancement of women.
467. Furthermore, the creation in 1984 of a ministry in charge of the advancement of women translates into action the firm will of the public authorities to underscore and actually implement the concept of advancement of women. This involves promoting and applying measures intended to obtain respect for the rights of Cameroonian women in society, eliminating all discrimination against women and granting more guarantees for equal treatment of women in the political, economic, social and cultural domains.
468. Since the issue of Decree No. 97/205 of 7 December 1997 to organize the government, as amended and supplemented by Decree No. 98/67 of 28 April 1998, government has taken a number of measures to promote the image of women in various aspects of life.

469. The departments set up in the Ministry of Women's Affairs (MINCOF) included:

- the Department for the Promotion of Women's Rights;
- the Department for the Socio-economic Promotion of Women;
- the Studies, Planning and Co-operation Division;
- the Legal Unit.

470. These departments have been operational since 1998, with the main duty of ensuring the advancement of women in all aspects of socio-political life.

471. The following specialized technical units were also set up:

- centres for the promotion of women which are mainly concerned with the socio-professional guidance of young school drop-out girls and women in urban and semi-urban areas. Twelve centres have become operational, raising the number to 19, 14 of which already have permanent premises;
- co-ordination pools whose activities include sensitizing, educating and informing women in the field. Thirty-four coordination pools are functional with 376 women coordinators and leaders in all the provinces;
- protected workshops which are specialized establishments for the re-education and reintegration of socially maladjusted young women who are morally exposed or come from needy families;
- home-workshops which are specialized institutions of MINAS in charge of guiding socially maladjusted young girls through training and apprenticeship;
- private bodies for the advancement of women. The main ones are NGOs and women's associations which, through the association movement governed by Law No. 90/53 of 19 December 1990, are multidimensional:
 - economic development associations and NGOs: 70%;
 - associations and NGOs for the defence of women's rights: 16%;
 - socio-cultural associations and NGOs: 7%;
 - health-related associations and NGOs: 5%;
 - educational associations and NGOs: 2%.

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

473. Although there are no discriminatory laws against women, and despite the good intentions professed in policies, women continue to be poorly represented in decision-making circles. Their effective presence in Cameroon's main power and management circles is still low, and progress in this direction is relatively slow.
474. Although women do not have the same opportunities as men to enter and operate in the business world, they have made commendable efforts to become integrated in some sectors of the national economy. This situation can be attributed to the constant emancipation of women during the last decade which has seen the advent of the wind of democracy.
475. The entry of Cameroonian women in the economic network has been fostered not only by the legal framework, which grants women the freedom to engage in trade and industry as laid down in instruments, but also and above all by the institutional framework which further encourages the advancement of women. This equally applies to institutions of the United Nations system, and to national NGOs and other associations whose contribution to the socio-economic advancement of women has today become indispensable.
476. Women provide 90% of national output of basic foodstuffs and 70% of total agricultural activity in Cameroon. They are increasingly involved in income-generating activities, and presently account for 40% of the total working population, and 60% of casual jobs. The number of women seeking self employment has increased, thus reflecting a favourable climate for women entrepreneurs.
477. All the same, the Cameroonian woman still has many socio-economic obstacles to overcome.

I - PROPORTION OF WOMEN IN MAJOR STATE BODIES

478. Cameroon has positive laws and female human resources, but who are inadequately represented in various public institutions.

1. WOMEN AND POLITICS

a) Proportion of women MPs since 1988

TERM	NUMBER OF MPS	NUMBER OF WOMEN MPS	% WOMEN
1987 - 1992	180	26	14.5
1992-1997	180	23	12.8
1997 -	180	10	5.5

b) Proportion of women in town councils

YEAR	TOTAL NUMBER OF COUNCILLORS	NUMBER OF WOMEN COUNCILLORS	%	NUMBER OF WOMEN MAYORS
1982	5107	336	6.6	0
1987	5345	446	8.3	1
1996	9932	1061	10.7	2

479. The first table shows that since 1992 the number of women in the National Assembly has been falling. This is due to the low investiture of women at the primaries. Furthermore, some political parties do not present women to head their lists. Despite the efforts made by the government and political authorities (party leaders, MPs, etc.), it is a paradox to note that the number of women in an institution like the National Assembly has been falling.

480. In 1997, for the first time women filled the following positions:

- Bureau Secretary in the National Assembly (2);
- Chairperson of Commission (2);
- Vice-leader of parliamentary group (1);
- 1 (one) woman out of 13 (thirteen) members in the conference of chairpersons where major parliamentary decisions are taken.

481. The second table shows that no woman has yet held the post of government delegate. In 1992, for the first time, a woman was elected mayor following the resignation of the incumbent.

2. WOMEN IN SOME SPECIFIC FIELDS

PROFESSIONAL CORPS	PERCENTAGE (%)
Posts and telecommunications	11.6
Forestry	14.1
Stockbreeding and sea fishing	0.8
Registration, stamp duty and trusteeship	4.4
Court registry	30.7
Civil engineering	1.8
Nursing	47.9
Animal industries	15.2
Computer science	18.4
National Printing Press	28.6
Youth and sports	23.1
Youth and action	21.8
Medicine	21.4
Mines and geology	4.7
Meteorology	16.9
Prices, weights and measures	12.7
Financial services (taxation)	10.2
Financial services (treasury)	20.6
Statistics	6.97
Geographic services	6.3
Labour and social insurance	19
Translation and interpretation	15.5
Sanitary services	28.23
Medical technology	31.2
Telecommunication techniques	13.2
Industrial engineering	4.7

482. It is worthy to know that 30.6% of public employees in Cameroon are women. They are found in all administrative corps. However, they are mostly concentrated at the lower levels of the public service hierarchy. Their distribution obviously varies with the corps and the professional category; this is linked to the level of education, the interest women attach to some sectors and the roles that men are willing to consent to women. Their presence is low in certain professional categories and absent in others.

• **PROPORTION OF WOMEN IN THE LEGAL PROFESSIONS**

483. Women are substantially represented in the legal professions in Cameroon, but the proportion is far from being reached.

PROFESSION	TOTAL STRENGTH	NUMBER OF WOMEN	PERCENTAGE (%)
Judicial and legal officers	645	129	20
Lawyers	498	95	19
Bailiffs	118	7	5.9
Notaries	50	19	38

PROPORTION OF WOMEN IN DIPLOMATIC MISSIONS

484. Female representation in diplomatic missions is insignificant. There is only 1 female ambassador out of 26 in this sensitive sector of diplomacy. However, the representation is higher at the lower levels.

POST	NUMBER OF POSTS	NUMBER OF WOMEN	PERCENTAGE %
Ambassador	26	1	3.8
1 st + 2 nd Counsellor	44	4	9.1
1 st Secretary	37	2	5.4
2 nd Secretary	27	4	14.8
Minister plenipotentiary	25	3 (1 in active service)	12
Foreign affairs counsellor	4	0	0
Foreign affairs secretary	140	17	12.1

485. Analysis of the degree of involvement of women in the various sectors of national life shows that much is still left to be done in order to improve the lot of women in the political and public domains in Cameroon.

II. CONCRETE ACTIONS CARRIED OUT IN FAVOUR OF WOMEN

486. This concerns a set of measures carried out to improve the political, legal and socio-economic status of women.

1. AT THE POLITICAL LEVEL

487. The Cameroon government has formulated a policy of integrating women in development. It consists in programmed objectives, strategies and actions for integrating women in various aspects of life. Among the 7 (seven) priority strategic actions, we may cite the effective participation of women in decision-making, the aim being to increase the proportion of women in the decision-making process. In this respect, a seminar was held in 1997, bringing together women candidates for the elections organized in Cameroon that year. The purpose was to assess the performance of female candidates, prepare for the next elections and educate them.

488. For practical reasons, an aide-mémoire was prepared to serve as a reference document for candidates. The practical guide was entitled: "*I am a woman, I want to become a member of parliament*". To further encourage greater involvement of women in politics, a caucus of women was formed. Press campaigns, seminars and colloquia were organized on the advancement of women.

2. AT THE LEGAL LEVEL

489. Various measures have been taken to improve the legal status of women in Cameroon:

- suppression of the requirement for married women to present an authorization from their husbands before leaving the national territory;
- granting of housing allowances to working women same as to men;
- precedent-setting affirmation by court of the woman's right to inheritance from her parents, contrary to certain discriminatory customs in this respect (Order SC No. 14/L of 4 February 1993);
- ratification without reservation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW);
- presentation of Cameroon's initial report to CEDAW;
- conduct of a study on violence against women;
- setting up of a committee to draft a bill on violence against women;

- conduct of a study on female genital mutilation;
- formulation of a draft bill on the family code.

3. AT THE SOCIO-ECONOMIC LEVEL

490. A good number of actions have been carried out by both the public authorities and civil society. They were realized through the mobilization of resources to fund productive micro-projects and the creation and strengthening of SME. Decentralized financial networks, savings and loan cooperatives and certain projects all contributed to foster the economic advancement of women. Some of the projects followed up and executed by the Ministry of Women's Affairs include:

- **Productive micro-projects for women in Cameroon**

491. It is a Canada/Cameroon cooperation project with the objective of promoting female entrepreneurship in Cameroon. It is based in the Centre and Littoral provinces. Four savings and loans cooperatives have been set up in Yaounde, Douala, Sa'a and Zoetele to grant credits to women to realize their micro-projects.

- **The "Support for the integration of women in micro-enterprise" project**

492. As part of this project, the government gives equipment to women organized in sub-divisional networks towards the realization of their projects, which cover several domains: stockbreeding, agriculture and petit trading.

- **The "Gender, population and development" project**

493. The objective is to set up a global framework for the follow-up of population activities that integrate the gender approach. It is being executed in the Far-North and South-West provinces and to date several women's groups have received credits to carry out their projects. The rate of reimbursement is about 80%.

- **The “Global Programme for the Advancement of Women and Gender Equality”**

494. This programme covers four provinces: Adamawa, West, North and Littoral (excluding Douala). To date, 44 (forty-four) projects are being financed.

4. OTHER ACTIONS

1. Organization of women's days

495. Cameroon joins the international community to celebrate:

- International Women's Day, 8 March;
- African Women's Day, 31 July;
- International Day for the Equality of Women, 6 September;
- World Day of the Rural Woman, 15 October;
- Mothers' Day, in May.

These days offer opportunities to widely sensitize and mobilize the public about problems relating to the promotion of women in Cameroon.

- **Guidance of women promoting income-generating activities.**

496. This is done by MINCOF field services, NGOs and consulting firms. Exchange visits are often organized between female groups to foster national and/or regional integration and build women's entrepreneurial capacities.

- **Closer attention to rural women**

497. Rural women play a vital role in the achievement of food self-sufficiency and security. As such, they are a key asset for economic development in Cameroon, justifying:

- the holding of the World Summit of Spouses of Heads of State and Government for the Advancement of Rural Women (Geneva 1992);

- the organization of the Conference of African First Ladies, spouses of OAU Heads of State and Government, (Yaounde 1996);
- the Head of State, H.E. Paul Biya's programme speech made in Maroua in October 1997;
- the celebration in Cameroon since 1997 of the world day of the rural woman, on 15 October;
- the creation in MINCOF in May 1998 of a Support Service for the Activities of Rural Women, which today consolidates the constant desire to valorize the abundant potential of women in rural areas.

498. Other activities in favour of rural women include:

- the sensitization of women to form groups to better defend their interests (network of subdivisional associations). About 6000 common initiative groups and cooperatives have been recorded in provincial registers;
- the involvement of rural women in the exploitation of development projects initiated by other ministries (MINAGRI).

499. Within the framework of the Economic Promotion of Women programmes being executed by other ministries, the Ministry of Women's Affairs has participated in sectoral meetings and activities of the following projects:

- Telefood;
- Investment Fund for Agricultural and Community Micro-Projects (FIMAC);
- Central Unit for the Organization of Rural Area Reform (CURROR/FONDAOR);
- National Agricultural Extension and Research Programme (PNVRA).

5. Educational promotion of the girl child

500. The economic development of women entails their adaptation to modern world demands, which can only be achieved through education. The holding of a colloquium on education in 1995 bears testimony to the importance attached to the education of the youth by the Cameroon government. Education has always been considered fundamental, and is not only compulsory at primary level, but is also currently accessible to everyone thanks to free primary education since the beginning of the 2000-2001 school year.

6. Formal education

501. The government is working in close cooperation with UNICEF in this direction with the aim of:

- fighting discrimination and violence against girls in schools and universities;
- reducing the rate of repeating classes and school drop-outs;
- mobilizing society to send girls to school;
- promoting scientific hobbies as an incentive for girls to be interested in the domain of science.

7. Non-formal education

502. It is being promoted by technical units such as the Centres for the Promotion of Women and the Appropriate Technology Centres with the support of external partners and NGOs.

503. All told, considerable efforts have been made over the last decade by government, foreign partners, NGOs and other associations to improve the economic performances of women in both urban and rural areas. There is urgent need for Cameroonian women to get involved in certain key sectors of the economy, although there are lingering difficulties to overcome.

III. DIFFICULTIES AND PROSPECTS

1. DIFFICULTIES

504. Women face difficulties in obtaining credits to finance their activities. Some of these include:

- the lack of expertise in designing their projects, resulting from their low propensity to seek information or training;
- the negative view women have of themselves;
- the stereotype image of society;
- institutional problems.

505. Institutional problems include:

- the absence of a central mechanism to coordinate and monitor the activities of donors, ministries and other development agents, notably NGOs and associations for the promotion of women;

- the shortage of personnel and material, information and financial resources by the central and external services of MINCOF to efficiently coordinate the field activities of development actors geared towards the promotion of women;
- the meagre resources earmarked for the promotion of women .

506. The problems peculiar to rural women include:

- the almost generalized absence of rural women in community decision-making;
- illiteracy;
- difficulties in obtaining financing from the United Nations agencies and the National Employment Fund for agricultural projects;
- family education: according to the common man, power belongs to men.

2. PROSPECTS

507. Prospects mainly concern:

- strengthening political will: although it exists, it has not brought any significant changes in the involvement of more women in the management of political power;
- education and training: actions taken to foster the education of girls need to be reinforced;
- advancement of women: by setting up a national support fund for the political activities of women; a quota policy should be introduced at national level and within political parties;
- adoption of the bill on violence against women;
- the popularization of CEDAW and the Beijing platform relating to women's rights nationwide as well as in other legal institutions, both national and international, concerned with women's rights;
- the setting up of a home for women who have been subjected to any form of violence;
- the opening of legal clinics within ministries and women promotion centres.

508. The Government is also envisaging to undertake the priority actions defined in its sectoral strategy for the promotion of women in poverty alleviation. The following activities have been earmarked:

- struggling for the recognition of women's fundamental economic rights;
- encouraging the spirit of initiative and the emergence of a class of business women;
- facilitating access by women to credit;
- facilitating access by women to production, management and marketing techniques that are adapted to the milieu;
- reviving the women promotion centres, the appropriate technology centres and the subdivisional networks.

CHAPTER VIII
OBLIGATIONS

509. **T**he Charter, true to the African inspiration of its authors and editors, has upheld the obligations of individuals towards their kin, the State and the international community. Cameroon has tried to reflect this concern in its laws.

I. OBLIGATION TO RAISE CONSCIOUSNESS OF THE CHARTER (Article 25)

510. The obligations to raise consciousness of the Charter devolves upon the National Commission on Human Rights and Freedoms, hereinafter referred to as the "Commission", which was set up by Decree No. 90/1459 of 8 November 1990. Article 2 of the said decree stipulates that the Commission shall:

- "popularize by all possible means instruments relating to human rights and freedoms;
- collect and disseminate international documentation relating to human rights and freedoms;
- co-ordinate, where necessary, the activities of non-governmental organizations wishing to participate in its tasks and whose stated objective is to work in Cameroon for the defence and promotion of human rights and freedoms".

511. The Commission is involved in promotion, protection and even reconciliation activities.

512. It has the duty, through its promotion activities, to inform the citizens of Cameroon of their rights and duties. It also has the duty to inform the people of the contents of conventions signed and ratified by Cameroon. It reminds the government of the need to respect its international commitments.

513. Various ministries and NGOs are also involved in the promotion of human rights, and the government is drawing up a national plan for the popularization of human rights. These will be detailed in future reports.

II. OBLIGATIONS OF THE INDIVIDUAL TOWARDS HIS FAMILY, SOCIETY, THE STATE AND THE INTERNATIONAL COMMUNITY (*Article 27*)

514. In a bid to harmonize life in society, by guaranteeing respect for others, collective security, morals and the common interest, the Charter has, in Article 27, assigned to each individual obligations, not only towards his family and society, but also towards the State and its institutions as well as the international community.
515. The specific obligations devolving upon everyone in Cameroon are implied in the preamble of the Constitution which states that: *“every person shall share in the burden of public expenditure according to his financial resources”*.
516. These specific obligations are generally fulfilled through the various taxes to which everyone is liable. To this may be added the public clean-up campaigns, not forgetting the national office for participation in development, a body created by the State to encourage youth participation in the development of their country through common interest works.
517. Moreover, Sections 102 and 103 of our Penal Code lay down severe sanctions for offences against the internal and external security of the State, thus restraining the behaviours of nationals and foreigners alike, both in time of peace and in time of war.
518. Concerning the family, reciprocal obligations have been laid down by the Civil Code, particularly under Sections 203, 207, 371 and 374⁽¹⁾:

Section 203: Spouses shall together be bound, by the very fact of marriage, to feed, care for and raise their children.

Section 205: Children shall provide alimony for their father and mother or any other ascendants who may be in need.

Section 206: Sons-in-law and daughters-in-law shall also provide alimony for their fathers-in-law and mothers-in-law. The relevant expenses shall be tax deductible.

Section 207: The obligations resulting from these provisions shall be reciprocal.

Section 371: Children of all ages shall honour and respect their father and mother.

⁽¹⁾ Translator's note: All sections of the code translated by us.

Section 374: Children may not leave the family home without their father's permission, unless for voluntary enlistment when they are over 18 years of age.

III. OBLIGATION TO PROMOTE, SAFEGUARD AND REINFORCE MUTUAL RESPECT AND TOLERANCE (Article 28)

519. All these obligations fall under an ethical principle which establishes self-censorship of individual liberties. As part of day-to-day life, it calls for particular attention to be paid to both civic and religious education. This is just what the Ministries of National Education, Youth and Sports, Culture, Social Affairs, and Communication as well as the religious orders and media are doing in their respective action programmes.

IV. OBLIGATION TO GUARANTEE THE INDEPENDENCE OF THE LAW COURTS (Article 26)

520. Cameroon's Constitution upholds the independence of the judiciary power, of which the President of the Republic is guarantor. In this connection, see the chapter dealing with civil and political rights – Chapter I of this Report.

V. SPECIFIC OBLIGATIONS DEVOLVING UPON EVERY INDIVIDUAL (Article 27)

521. The specific obligations devolving upon everyone are implied in the preamble of the Constitution which states that:
“Every person shall share in the burden of public expenditure according to his financial resources”.

522. In this respect, civic and moral education lessons prepare the youth, right from the first years of school, to live in society, by kindling their sense of responsibility as well as the desire to participate in social life. Such education contributes to the moulding of a person and a citizen, that is, a person capable of practising the principal human virtues, reinforcing national integration and promoting understanding and international peace.

523. The purpose of civic and moral education is to:

- stimulate the desire to conserve and transform the environment for the well-being of children and of the community;
- stimulate and boost the child's interest in his immediate milieu;
- develop the sense of responsibility in a bid to prepare and improve the national heritage through:
 - respect for the rights of man and of the citizen;
 - respect for private and collective property;
 - patriotism;
 - national integration.
- contribute to respect for the diversity of civilizations and cultures;
- arouse the desire and will to participate in community development, taking into account all national fragments;
- foster understanding of the importance of dialogue, cooperation and tolerance among individuals, groups, tribes, peoples, nations and generations;
- foster participation in both the preparing and making of decisions;
- learn to use all means available;
- foster participation in project design and supervision of the execution thereof;
- develop a sense of beauty, truth and the good.

524. The civic and moral education programme is mainly aimed at:

- raising awareness of morality and good habits such as respect for self and others, cleanliness, generosity, honesty, assiduity, punctuality, etc.;
- accepting differing opinion, duties and obligations in class and at school, tolerance, etc.;
- fostering cooperation, mutual understanding, and respect for other Peoples' opinions, religion, origin, culture and customs;
- ensuring peace, solidarity, integration, frankness, charity, and the citizen's duties and rights such as the right to education, the right to protection and to medical care, etc.

525. Adult sensitization is generally done through the various taxes to which everyone is liable.

526. To the foregoing may often be added public clean-up campaigns, both in schools and at workplaces.

GENERAL CONCLUSION

527. **C**ameroon recognizes the fundamental human rights as stipulated by the African Charter on Human and Peoples' Rights. Considerable efforts have been made to conform national laws to international instruments upon ratification thereof. Also, various measures have been taken to give them substance in the day-to-day activities of the people.
528. In this respect, with regard to civil and political rights, after three decades of a reign characterized by repressive, emergency laws, the State in 1990 adopted a series of laws known as freedom laws, governing, among others, freedom of expression, freedom of mass communication, freedom of association, the conditions for entry and residence in and exit from the national territory, and political parties.
529. With regard to economic, social and cultural rights, various programmes and projects were designed and implemented through multifarious actions with the intention of improving the living conditions of the population and promoting individual and collective well-being.
530. However, contingencies arising from the international economic crisis and internal structural adjustment demands forced the government to adopt restrictive budgetary policies, entailing drastic cuts in expenditures earmarked for the social sectors. This situation was a setback to the government's desire to attain a standard of living compatible with human dignity.
531. All the same, the good number of reforms under way and untold sacrifices so far conceded by the people give hope for promising signs of growth, the fruits of which will be used for the well-being of all. Cameroon will also be able to make steady progress in its democratic process.
532. Future reports will provide an occasion to assess what progress Cameroon has made in the protection and promotion of human rights.

ANNEXES

- Law No. 96/6 of 18 January 1996 to amend the Constitution of 2 June 1973
- Law No. 90/56 of 19 December 1990 relating to political parties
- Law No. 90/55 of 19 December 1990 to lay down regulations governing public meetings and processions
- Law No. 90/54 of 19 December 1990 relating to the maintenance of law and order
- Law No. 90/53 of 19 December 1990 relating to the freedom of association
- Law No. 90/47 of 19 December 1990 relating to the state of emergency
- Ordinance No. 72/4 of 26 August 1972; Judicial Organization, as amended by Law No. 89/19 of 19 December 1989 and Law No. 90/58
- Law No. 90/43 of 19 December 1990 relating to conditions for entry and residence in and exit from the national territory
- Law No. 90/59 to organize the profession of advocate
- Law No. 92/7 of 14 August 1992 to institute the Labour Code
- Law No. 90/60 of 19 December 1990 to set up and organize the State Security Court.
- Law No. 2000/15 of 19 December 2000 relating to the public financing of political parties and election campaigns
- Law No. 2000/16 of 19 December 2000 to set up a National Elections Observatory
- Decree No. 90/1459 of 8 November 1990 to set up the National Commission on Human Rights and Freedoms
- Decree No. 92/57 of 27 March 1992 to lay down prison regulations
- Decree No. 95/48 of 8 March 1995: Special Rules and Regulations governing the judicial and legal service