






2022 COMPENDIUM OF SPEECHES BY THE CHRC CHAIRPERSON

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SUMMARY

SPEECHES 2022

I.	Opening Speech by the Chairperson at the First Extraordinary Session of Commissioners of the Cameroon Human Rights Commission 30 March 2022	P.1
II.	Statement by the Cameroon Human Rights Commission at the 106 th Session of the Committee on Elimination of Racial Discrimination April 2022	P.7
III.	Statement by the Cameroon Human Rights Commission at the 71 st Ordinary Session of the African Commission on Human and Peoples' Rights 21 April – 13 May 2022	P.17
IV.	Speech by the Chairperson at the Workshop on specific training for members and staff of the Cameroon Human Rights Commission on the Functioning of the National Mechanism for the Prevention of Torture 24 to 25 May 2022	P.22
V.	Speech by the Chairperson at the Installation ceremony of the Cameroon Human Rights Commission Permanent Secretariat officials 1st September 2022	P.30
VI.	Speech by the Chairperson at the Official opening ceremony of the International Seminar on the Appropriation of Legal Instruments for the Promotion and Protection of the Rights of Persons with Disabilities 21st September 2022	P.40
VII.	Speech by the Chairperson at the Experience-sharing Workshop on Monitoring Human Rights in Business Activities and State Engagement in the Negotiations on the Draft Treaty on Business and Human Rights 5 to 6 October 2022	P.48
VIII.	Speech by the Chairperson at the Planning session for the Cameroon Human Rights Commission's passage at the Sub-committee on Accreditation 7 October 2022	P.56
IX.	Statement by the Cameroon Human Rights Commission at the 73 rd Session of the African Commission on Human and Peoples' Rights 21 to 30 October 2022	P.62
X.	Statement by the Cameroon Human Rights Commission at the 8 th Session of the Working Group on Negotiating the treaty on Business and Human Rights 24 to 28 October 2022	P.66
XI.	Statement by the Cameroon Human Rights Commission at the 40 th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) 23 November 2022	P.68
XII.	Speech by the Chairperson at the Sub-regional Workshop on the Strengthening and establishment of National Human Rights Institutions (NHRIs) 14 to 16 December 2022	P.73
XIII.	Speech by the Chairperson at the Third and Fourth Ordinary Sessions of the General Assembly of Commissioners of the Cameroon Human Rights Commission 21 and 22 December 2022	P.81



FIRST EXTRAORDINARY SESSION OF THE COMMISSIONERS OF CAMEROON HUMAN RIGHTS COMMISSION (CHRC)

Hôtel Jouvence international, Yaoundé

30 March 2022

SPEECH BY CHRC CHAIRPERSON

- **The Vice-Chairperson of the Cameroon Human Rights Commission,**
- **Distinguished Chairpersons of the Sub-Commissions**
- **Distinguished Commissioners of the CHRC,**
- **The Permanent Secretary,**
- **Distinguished Deans of the Faculties of Law and Political Sciences of the University of Douala and University of Yaoundé 2 (Soa), Honourable Guests,**
- **Professor, Honourable Guest, we are honoured by your presence and your determination to demonstrate the relevance of the partnership between the University and the professional community,**
- **The Head of the Promotion and Protection Division,**
- **The Head of the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF),**
- **Distinguished guests,**
- **Dear colleagues, all protocols observed**
- **Distinguished representatives of the press,**
- **Ladies and Gentlemen,**

It is a privilege to address the First Extraordinary Session of the General Assembly of the Commissioners of the Cameroon Human Rights Commission (CHRC), which marks a decisive stage in the setting up of the new National Human Rights

Institution of Cameroon (NHRI). This institution was established with the swearing-in ceremony before the Supreme Court sitting in joint Chambers on 29 April 2021, after the members were appointed by Presidential Decree on 19 February 2021.

This Extraordinary General Assembly marks an important stage, as it is devoted to the examination and adoption of the CHRC Rules of Procedure, an indispensable working instrument, which constitutes a milestone in the regulatory framework for the functioning of the institution, already marked out by the Law of 19 July 2019 which established it. The second milestone in the regulatory framework of the CHRC is the decree on the organisation and functioning of the Permanent Secretariat, which was prepared in the Office of the Prime Minister, Head of Government.

The draft Rules of Procedure submitted for consideration and adoption to this august assembly constitute the culmination of a process that began in the early days of the emergence of our Commission. Indeed, from the first draft to the completion of the present draft Rules of Procedure, are divided into the following four phases:

- There was the setting up and numerous working sessions of the group of Commissioners, supported by some executives of the institution, in charge of developing a proposal for the Rules of Procedure.
- The 1st and 2nd Ordinary Sessions of the General Assembly of Commissioners on 21 and 22 December 2021 at the Yaoundé Conference Centre, during which the draft Rules of Procedure resulting from the work session of this group were adopted could not be examined because the tight agenda of each of these sessions, whose main lines of action are predefined, left no room for manoeuvre for us to engage in a such huge project.
- Thus, by its Resolution No. 7 of 21 December 2021, the General Assembly of Commissioners of the CHRC, meeting in the 1st Ordinary Session, decided to postpone the draft Rules of Procedure to the extraordinary session scheduled for March 2022. Here we are, on time!
- The last phase was the examination of the draft Rules of Procedure developed by the working group which the Chairperson constituted. Their work resulted in the draft Rules of Procedure that we will soon be considering.

This Extraordinary Session of the General Assembly could not be held in the first half of March, for the simple reason that, responding to duty and giving effect to Resolution No. 5 adopted during the General Assembly of 22 December 2021, the Commission was deployed for about 10 days, from 5 to 15 March 2022, in the Far North

Region of Cameroon for a double mission in Maroua and Kousseri, to perform its missions of promotion, protection of human rights and prevention of torture in detention facilities.

In the first part of this mission, the Commission seized the opportunity of celebrating the 37th International Women's Day (IWD) to invest in the promotion and protection of women's categorical rights in that region of the country. In the Far North, women and girls often encounter several challenges, especially concerning their low level of schooling and the domestic violence they often suffer, including sexual and gender-based violence, such as early marriage. In addition to these well-known and frequently mentioned challenges, the issues of climate change adaptation and mitigation have recently been added. Climate change is drastically reducing the vital resources of these communities, which are largely produced by women, as illustrated by Lake Chad, which has lost 90 per cent of its original surface area. This issue was rightly at the heart of the 37th International Women's Day, as were the tenacious conflicts that are tearing this region apart, whether it be the fight against Boko Haram, the external enemy, or the perpetual inter-ethnic clashes.

It was this last point that justified the second part of the mission, which concerned the Logone-et-Chari Division, where violent clashes between Choma Arabs and Mosgoums were making headlines at the time when the Commissioners were meeting for the first time in an Ordinary General Assembly. The Commission then resolved to carry out a reconstruction and peace-building mission in that Division, which it did in Kousseri, from 10 to 12 March 2022.

Let me recall the highlights of this unprecedented deployment of Cameroon's NHRI in the Far North Region, as follows:

- the in-depth working sessions with the regional administrative, local and judicial authorities in Maroua, on 7 March
- the attendance of a large CHRC delegation at the march-past on 8 March, culminating in the solemn reading of the Commission's Declaration to mark the International Women's Day
- the organisation of a conference and a legal clinic for women in Bogo on 9 March. It is worth mentioning that a second legal clinic was held simultaneously on that day in Maroua, as part of conducting the activities of the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF)
- the visit and handing over of donations to the Bogo camp for displaced persons on that same day

- the meeting with community leaders of the Choma Arabs, Mosgoums, Kanuris and Kotokos at the Kousseri council hall on 11 March, followed by a dinner shared with them that evening as a sign of peace
- alongside which were meetings with the main administrative and traditional authorities of the Logone-et-Chari Division, and
- visit the Kousseri prison, to check on the conditions of detention there, and finally
- the working session with the authorities of the University of Maroua on 14 March.

Beyond this major activity, the Commission was not idle between January and February 2022. We organised:

- a wide communication campaign with a special statement on sport and human rights to call on all stakeholders to respect human rights during the TotalEnergies AFCON, which was held from 9 January to 6 February 2022 in Cameroon. This particularly vigorous campaign included the placing of banners in the headquarters of the 10 Regions, the design and dissemination of several visuals on social media, the production of several communication materials (polo shirts, T-shirts, caps, flags, etc.), the production of a brochure on sport and human rights, and the publication of a booklet on sport and human rights. It is with great pride that we acknowledged the fact that this human rights promotion campaign was commended and emulated by the Commonwealth Forum of National Human Rights Institutions (CFNHRI). I reiterate my deep gratitude to all those who contributed to its conception, preparation and implementation. Distinguished Commissioners, dear colleagues, I congratulate you
- the Commission has issued a total of six statements since January 2022, to mark various human rights commemorative days, as well as a press release on a case of torture and cruel, inhuman and degrading treatment inflicted by a traditional authority on a young man who subsequently died in Garoua, North Region
- More than 172 complaints were lodged at the Head Office and Branches, out of which 108 were handled, and there were 30 self-investigated cases
- by the end of the first quarter of 2022, the CHRC had conducted visits to 30 detention facilities in the Far North, North-West, West, South-West and Adamawa regions
- three audiences granted:
 - at the CHRC Head Office :
 - ✓ to the Cameroon Network of Human Rights Defenders (RECODH) and *Avocats sans frontières* on 25 February

- ✓ Ensemble contre la peine de mort on 7 March
- ✓ an official farewell audience was granted on 24 March to the regional representative, Director of the United Nations Centre for Human Rights and Democracy in Central Africa (UNCHR-AC), who had arrived at the end of his stay in Cameroon
- finally, the Ambassador of the Republic of Equatorial Guinea to Cameroon granted an audience to the Chairperson of the CHRC yesterday, 29 March, as part of following up on the situation of Cameroonians in an irregular situation in this neighbouring and brotherly country, which was the topic of discussion between the Chairperson of the CHRC and the Ambassador of Equatorial Guinea, in the audience the Chairperson granted the latter on 16 December 2021. At the end of this very fruitful meeting, it turned out that: (i) the Government of Equatorial Guinea is still regularising the situation of foreigners in its territory, (ii) according to the assurances given, no Cameroonian is currently held in custody in Equatorial Guinea for illegal immigration, (iii) Focal Points were appointed on both sides for ongoing monitoring of the situation of Cameroonians in Equatorial Guinea and (iv) Equatorial Guinea reiterated its invitation to the Commission to visit this brother and neighbouring country.

The Commission was represented, at the highest level on numerous occasions, in national and international meetings, including online. Among these were the Annual Meeting of the Commonwealth Forum of NHRIs on 7 March and the General Assembly of the Global Alliance of National Human Rights Institutions (GANRHI) on 9 March. Through Commissioner Souley Mane, the NHRI of Cameroon also participated in the 49th Session of the Human Rights Council in Geneva from 2 to 7 March. The PICEF head, who specializes in counterterrorism, represented the CHRC in Lagos at the Regional Expert Consultation on the Screening, Prosecution, Rehabilitation and Reintegration (SPRR) of Boko Haram Associated Persons, from 15 to 17 March.

I wish to take this opportunity to announce the expansion of the number of international networks of NHRIs of which the CHRC is a member, with the favourable response given to the CHRC's application to join the Association des ombudsmen et médiateurs de la Francophonie (AOMF), as an associate member.

After this overview of our key activities in the First Quarter of 2022, it is time to return to the topic of primary interest today, namely the examination and adoption of the CHRC Rules of Procedure. Although we have functioned until now according to emergencies and with some trial and error on certain points, it is to be hoped that with the clarity that the regulations we are adopting today will bring, we will move forward with

greater transparency, perceived objectivity and effectiveness in implementing the mandate we have been entrusted with as members of the National Human Rights Institution of Cameroon.

May deliberations be frank, constructive and fruitful, so that we can, by the end of the day, provide the CHRC with Rules of Procedure that are the expression of the finest expertise gathered in this beautiful room!

With this, I declare open the Extraordinary Session of the CHRC Commissioners.

Long live human rights,

Long live Cameroon Human Rights Commission,

Long live Cameroon!

Thank you very much.



106th SESSION OF THE COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Statement by the Cameroon Human Rights Commission APRIL 2022

The Cameroon Human Rights Commission (CHRC) is the national institution for human rights promotion and protection in Cameroon, established by Law No. 2019/014 of 19 July 2019 in compliance with the Paris Principles and accredited with Status A by the UN Sub-Committee on Accreditation. Based on the 8th indent of Section 5 of its founding law, concerning collaboration with United Nations agencies, the Commission is engaging in a constructive dialogue with the Committee on the Elimination of Racial Discrimination (CERD).

All of the CHRC's activities are accessible on its website: <https://www.cdhc.cm/>

1. Upon considering the 22nd and 23rd periodic reports concerning the implementation of the Convention on the Elimination of All Forms of Racial Discrimination (hereinafter: the Convention), the Cameroon Human Rights Commission (CHRC) hereby submits the following statement to the Committee on the Elimination of Racial Discrimination (hereinafter: the Committee), to contribute to this discussion and monitoring of the implementation of the provisions of the Convention.
2. As a preliminary remark, the CHRC commends the Government's commitment to respect its undertakings under the ratified legal instruments, particularly in the area of the periodic submission of reports attesting to the legislative, judicial, administrative or other measures adopted to give effect to the provisions of the treaties, including the International Convention on the Elimination of All Forms of Racial Discrimination.

3. The CHRC equally commends the Government's efforts to respect the participatory approach prescribed by the *guidelines on the form and content of periodic reports*. It was in the application of these guidelines that the CHRC was called upon to take part in the preparation of the Government's responses to the list of issues to guide the discussion with the Committee at its 106th session.
4. The CHRC wishes to reiterate its compliments to the Committee for offering it the opportunity to express its views on the implementation of the provisions of the Convention while expressing the wish for more sustained technical cooperation with the Committee to enable the new team of the CHRC to carry out its missions of monitoring more effectively the implementation of the Convention and recommendations made by the Committee. This approach will enable the CHRC to better advise the government, parliament and judiciary on the implementation of the Convention in the Cameroonian context.
5. The CHRC hopes that this statement, which is structured around five key points, will provide additional information for the Committee in the context of the constructive dialogue it wishes to engage in with the Government of Cameroon.

I. Statistical data on the demographic composition of the population (item 2 of the list of themes)

6. The CHRC notes that Cameroon is one of the countries that do not consider race or ethnicity variables in population censuses, as such data are discriminatory and considered contrary to its policy of national unity and integration¹. The institution appreciates the integration of certain indicators on national languages, indigenous groups eligible for constitutional protection and regional and international protections, and migration data in the preparation of the Fourth General Population and Housing Census (RGPH) instituted by Decree No. 2015/397 of 15 September 2015.

¹ Cameroon Report to the Committee on the Elimination of Racial Discrimination in 2019 (paragraph 31).

7. The CHRC is of the opinion that a *human rights-based approach* should be at the centre of the population census and demographic surveys conducted by the Central Bureau of Census and Population Studies (BUCREP) and the National Institute of Statistics (NIS). Such an approach would enable, for example, the inclusion of data on IDPs, whose rights would be better protected if official statistical data were available. In this vein, the CHRC reiterates the recommendation it made on 18 June 2021 to the Ministry of Decentralisation and Local Development and the Delegate General for National Security, on World Refugee Day, to further facilitate the procedure for obtaining identity documents for IDPs, for them to access public services such as health and education.
8. The CHRC hopes to be associated with the regional committees set up to monitor awareness-raising and field data collection activities as part of the RGPH and the NIS Demographic and Health Surveys (DHS).

II. Information on the establishment and setting up of the CHRC, its compliance with the Paris Principles on independence and financial autonomy, and its capacity to independently and transparently monitor progress in the implementation of the Convention (item 4 of the list of issues)

9. Concerning the establishment of the CHRC, after the promulgation of Law No. 2019/014 of 19 July 2019 relating to the establishment, organisation and functioning of the Cameroon Human Rights Commission, it was expected that the new members would be nominated and appointed to complete the transformation of the institution. This was done on 19 February 2021, the date when the Presidential decrees appointing the Chairperson, Vice-Chairperson, thirteen (13) members and the Permanent Secretary of the CHRC were signed. They were sworn in before the assembled chambers of the Supreme Court on 29 April 2021, thus marking the effective establishment of the institution.
10. Unlike the National Commission on Human Rights and Freedoms (NCHRF) which it replaces.-

- i. the new Commission is a smaller-size body consisting of 15 members, as opposed to the former NHRI which had 30 members
 - ii. the newly appointed members will work full-time (Article 14), whereas only two members were permanent under the former Commission
 - iii. provisions on the management of real or apparent conflicts of interest are provided to ensure greater objectivity, impartiality and independence (Section 15)
 - iv. all CHRC Senior Staff members shall take an oath before the territorially competent court
 - v. the CHRC now has three missions as opposed to two for the former one: human rights promotion, human rights protection and prevention of torture (Section 1 paragraph 3 and Sections 8 to 11)
 - vi. the CHRC may intervene before any court as *amicus curiae* (friend of the court) when human rights are at stake in a trial (Article 7)
 - vii. as a National Mechanism for the Prevention of Torture ('NMPT'), the new Commission's access to detention facilities is more 'regular' and has been extended and strengthened by Sections 9 and 11 of the 2019 Law. For example, the presence of the public prosecutor or the government commissioner is no longer compulsory, and even in exceptional cases where access to a facility may be denied for compelling reasons of national security, the relevant officials are obliged to provide the Commission with a minimum amount of information in writing (Section 8).
11. Concerning the CHRC's compliance with the Paris Principles in terms of independence and financial autonomy, it should be mentioned that the institution enjoys complete functional and operational independence, just as the Commissioners appointed on the proposal of various bodies enjoy personal independence. Such independence is based on the renewable five-year mandate given to the commissioners, who now work full-time, on the oath they have taken, on the regime of incompatibilities established by law, and on the mechanism for the prevention and management of real or apparent conflicts of interest, which will be further defined in the CHRC's Rules of Procedure. As for its functional independence and financial autonomy, the Commission does not receive any instructions from the Government in implementing its missions, its work plan is drawn up in complete independence and its budget, which corresponds to the nomenclature of a strategic performance framework, is the

subject of a specific chapter in Cameroon's finance law, in terms of appropriations.

12. Concerning the CHRC's capacity to monitor progress in implementing the Convention, independently and transparently, it is based on the wording of its mandate to collaborate with UN bodies (8th indent of Section 5 of the 2019 Law) and its materialisation in the various activities foreseen in its Strategic Performance Framework 2022-2030. These include awareness-raising, training, research, human rights education, monitoring of the human rights situation, advice and guidance, and organising constructive dialogues with the authorities, which will enable the implementation of the Convention to be monitored. In addition, the participation of the CHRC in this 106th session of the CERD confirms that the institution is properly implementing its mandate.
13. It is worth noting that the CHRC's statements relating to human rights commemorative days, together with its recommendations, are systematically transmitted to the administrations concerned so that measures can be taken to improve situations that violate human rights. Similarly, the CHRC coordinates consultations with Civil Society Organisations to gather their opinions on the state of implementation of instruments ratified by Cameroon, ahead of the submission of reports to the Treaty Bodies.
14. The CHRC believes that the adoption of the Rules of Procedure and the promulgation of the Decree relating to the establishment and functioning of the Permanent Secretariat are crucial to completing the application of the 2019 Law. It is for this reason that drafts were prepared by the Commission, in partnership with some State administrations and regional and international actors. These documents are now awaiting adoption after due consideration.

III. On the Civil Status Rehabilitation Programme (item 5 of the list of topics)

15. The CHRC observes that following a diagnostic study on its civil status system, the Government of Cameroon set up the Cameroon Civil Status Rehabilitation Programme (PRE2C) in 2010. In 2011, the President of the Republic promulgated Law No. 2011/011 amending and supplementing certain provisions of Ordinance No. 81-02 of 29 June 1981 on the organisation of civil registration and various provisions relating to the status of natural persons. This law brings important innovations to the national civil status system. The

National Bureau of Civil Status (BUNEC), whose organisation and functioning was established by Presidential Decree No. 2013/031 of 13 February 2013, is the body responsible for the new civil status system. Its activities were launched in 2016.

16. The CHRC commends the improvements observed in access to civil registration in Cameroon through the implementation of PROCIVIS and PRE2C, the strategic plan for the rehabilitation of civil registration in Cameroon (2018-2022), as well as the introduction in 2019 of the
17. Cameroon through the implementation of PROCIVIS and PRE2C, the strategic plan for the rehabilitation of civil status in Cameroon (2018-2022), and the introduction in 2019 of the module on civil status in the curricula of teacher training colleges.
18. As a National Human Rights Institution, the CHRC observes that despite the establishment of this normative and institutional framework, the national civil registry system still faces such phenomena as under-reporting of births (the Ministry of Basic Education has estimated the number of schoolchildren without birth certificates for the start of the 2019-2020 school year to be around 400,000, The total number of people without birth certificates is estimated at around two million), the defective archiving of registers, the lack of interoperability between health centres and civil registry centres, the inadequacy and remoteness of civil registry offices, the lack of technical, logistical and financial resources, as well as the corruption of some of the actors involved in the production of civil status certificates. This situation is aggravated by the problems of insecurity caused by Boko Haram and the secessionists in the Far North, North West and South West Regions, not to mention the recurrent inter-community clashes between Arab-Choas and Mousgoums in Logone et Chari (Far North).
19. It is involved, to the best of its ability, in promoting access to identity and citizenship for indigenous communities, children and IDPs, particularly through support for the establishment of court declarations.
20. The CHRC thinks that to remedy some of the difficulties encountered in the rehabilitation of civil status in Cameroon, the government should:

- ensure adequate funding for BUNEC to computerise the entire civil registration system
- revitalise the secondary civil status centres, by granting monthly allowances to agents to avoid all acts of corruption
- organise, at regular intervals, mobile court hearings without the intervention of magistrates throughout the country (which presupposes the prior amendment of the legislative framework)
- increase awareness of the significance of civil status documents and the procedures for obtaining them at low cost or free of charge, particularly for vulnerable groups.

IV. On the situation of minorities and indigenous peoples (items 6 to 10 of the list of issues)

21. The CHRC recalls that the Preamble of the Constitution of Cameroon of 18 January 1996 provides that 'the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations per the law'. Furthermore, the National Action Plan for the Protection of Vulnerable Indigenous Populations, adopted in 2020, outlines solutions to several problems raised by the Committee on the Elimination of Racial Discrimination.
22. Concerning the English-speaking minority, it observes that through Law No. 2019/024 of 24 December 2019 on the General Code of Regional and Local Authorities, the President of the Republic of Cameroon promulgated, the public authorities have taken the firm option of granting special status to the North-West and South-West Regions, of instituting in the North-West and South-West Regions an independent authority known as the Public Independent Conciliator, and of reserving the post of town mayor throughout the national territory for the Region's indigenous municipal councillors. All these measures contribute to protecting ethnic and linguistic minorities and indigenous populations from discrimination and guaranteeing their right to participate in the management of public affairs.

23. Despite Government efforts to protect indigenous peoples, they remain vulnerable and subject to various forms of discrimination due to
- the:
 - illegal takeover of their land by the coloniser, the state or large agricultural and mining companies
 - limited access to the benefits generated by the resources of their immediate environment
 - limited access to citizenship, education, health, land and other basic social services
 - bullying, intimidation, violence and exploitation of their labour by other communities and limited access to the labour market, etc.
24. The CHRC equally deplores the adverse effects of the outbreaks of tension and conflict on indigenous peoples' rights in the Far North, North-West and South-West Regions, rights of indigenous groups in the Far North, North-West and South-West Regions. It observes that Mbororo communities are victims of kidnapping for ransom, confiscation of livestock, forced displacement and violation of their right to life in various communities in these Regions. The CHRC has repeatedly condemned these abuses and reiterated the position it has expressed on several occasions in its statements, concerning the urgent need to search for, arrest and bring to book the perpetrators of these abuses.
25. The CHRC underlines the concern of the UN Committee on Economic, Social and Cultural Rights regarding the discrimination and exclusion of indigenous peoples in Cameroon and the lack of recognition of their rights of access to land, ancestral territories and natural resources²
26. In addition, the CHRC encourages the Government to conclusively resolve the debate raised by several human rights monitoring mechanisms on the study concerning the identity of minorities and indigenous peoples in Cameroon, which is still underway or has been abandoned. This study aims to achieve a

² Concluding observations of the Committee on Social, Economic and Cultural Rights on the 4th periodic report of Cameroon of 25 March 2019.

contextualised and official definition of these people groups in Cameroon and to provide them with specific protections.

27. The CHRC advocates for an affirmative action policy and full implementation of the 2007 UN Declaration on the Rights of Indigenous Peoples in the tenure reform process in favour of indigenous peoples as regards the acquisition of land and land titles.
28. The CHRC recommends that, in communities where indigenous peoples involved in seasonal activities such as hunting, harvesting, fishing and transhumance live far from their homes, the school year should take on board the specificity of these indigenous communities by developing specific curricula and a school timetable for indigenous children.

V. General recommendations for implementing the Convention

29. In addition to the recommendations arising from the above rationale, the CHRC makes the following recommendations.

To Government

- Adopt a new National Plan of Action for human rights promotion and protection based in part on the implementation of the recommendations of the treaty bodies and key challenges in the implementation of some of the provisions of ratified conventions
- Present, in terms of good practices, all measures to combat racial discrimination included in the National Development Strategy 2020-2030
- Make technical and financial resources available to the National Commission for the Promotion of Bilingualism and Multiculturalism (CNPBM), to enable it to monitor the implementation of certain provisions of the Convention and the Committee's concluding observations. From this perspective, the establishment of a framework for collaboration between the CHRC and the CNPBM will be beneficial.

To the Committee on the Elimination of Racial Discrimination

- to bear in mind the need for technical and financial support for State structures, including the CHRC, in the production and dissemination of statistics broken down according to vulnerability criteria, in combating racial discrimination.



**CAMEROON HUMAN RIGHTS COMMISSION (CHRC) STATEMENT DELIVERED
AT THE 71st ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN
AND PEOPLES' RIGHTS**

21 April – 13 May 2022

Affiliate status: No. 08

Name and title of the CHRC representative: Prof James MOUANGUE KOBILA,
Chairperson of the CHRC

Law establishing the NHRI: Law No. 2019 / 014 of 19 July 2019

**The representative of the Chairperson of the African Union Commission,
The Chairperson of the African Commission on Human and Peoples' Rights,
Honourable Commissioners,
Your Excellencies, Distinguished Representatives of States,
Distinguished Representatives of National Human Rights Institutions (NHRIs),
Distinguished representatives of non-governmental organisations and civil
society organisations,
Ladies and Gentlemen, all protocols observed,**

I am privileged to speak this day at the Open Session of the African Commission on Human and Peoples' Rights (ACHPR) where the 20th anniversary of the Working Group on Indigenous Populations/Communities and Minorities in Africa (WGIP) will be commemorated. I am here to briefly present to you the positive developments (I) and the challenges raised by the human rights situation in Cameroon (II) since the last ordinary session of the ACHPR in November 2021, and the recommendations made by the CHRC (III) to improve this situation.

I. Summary of positive human rights developments in Cameroon, November 2021 to April 2022

The main positive facts that the CHRC wishes to communicate to the audience, concerning the human rights situation in Cameroon, refer to the actions undertaken by the NHRI of Cameroon to implement its mandate in full independence and also to Government actions and commitments to improve the situation of human rights in Cameroon.

Concerning the actions of the CHRC, I would like to announce that the CHRC adopted its Rules of Procedure at the 1st Extraordinary Session of the General Assembly of Commissioners on 30 March 2022. The adoption of this indispensable working instrument constitutes the culmination of a process that began the day after the 15 members of the institution were sworn in, to implement the mandate entrusted to it with greater transparency, objectivity and efficiency. These Rules of Procedure constitute, according to the law establishing the CHRC, a milestone in the regulatory framework of the institution, whereas the other is the Decree on the organisation and functioning of the Permanent Secretariat, which is currently being drafted by the Office of the Prime Minister, Head of Government. These rules of procedure clarify, *inter alia*, the procedure for handling complaints on alleged human rights violations, and the modalities for managing real or apparent conflicts of interest of commissioners, which is an important aspect of strengthening the institution's independence.

In addition, during the period under review, the CHRC was involved in following up on some worrying human rights issues by releasing 12 statements dealing with the right to education, female genital mutilation, rights of persons with disabilities and police violence, among others. The CHRC also organised, during the period under review, training workshops for 330 CSO leaders of the Cameroon Freedoms Observatory (CFO) and awareness-raising sessions for about 320 Human Rights Focal Points of public administrations, both at national and local levels.

The CHRC is especially pleased with the positive response to its vigorous communication campaign with a specific statement on Sports and Human Rights, calling on all stakeholders to ensure that human rights are respected during the AFCON TotalEnergies, which took place from 9 January to 6 February 2022 in Cameroon. This campaign was featured in the Newsletter of the Commonwealth of Nations NHRI Forum.

Finally, the CHRC welcomes the constructive dialogue initiated with the competent authorities during the visit to 30 detention facilities conducted between

December and March 2022 in the Adamawa, Far North, North West, West and South West Regions, to improve conditions in detention facilities.

Concerning **the measures taken by the State to improve the human rights situation in the country**, the CHRC is very pleased to announce the completion, in December 2021, of the process of ratification of the protocols to the African Charter on Human and Peoples' Rights relating to persons with disabilities and the elderly. This action will undoubtedly enable these vulnerable groups to benefit from better legal protection against the forms of discrimination to which they are often subjected, particularly in terms of the care of elderly people with pre-existing chronic diseases or the inclusion and adaptation of elderly people to information and communication technologies.

Furthermore, given the importance that the NHRI of Cameroon has given to the issue of access to birth certificates, which concerns about four million people in Cameroon, a priority that has been reflected in the passionate advocacy that the NHRI has conducted on this issue with all concerned administrations, up to the highest level of the Government, the CHRC can only applaud the operation of the Minister of Decentralisation and Local Development on 10 March 2022, followed by the campaign for the mass issuance of birth certificates launched on 1 April 2022 by the same Minister, as given that birth registration is a competence transferred to the local authorities. This operation, which will last three to four years, is part of the reform and modernisation of the civil status system. It will ensure that the right to identity and citizenship of the four million people at risk of statelessness in Cameroon is respected and avoid jeopardising the right to education of 1.4 million children in primary and secondary schools who do not have birth certificates.

II. Summary of key human rights challenges, November 2021 to April 2022

The main human rights concern the CHRC wishes to raise has to do with the effects of the ever worrying security situation in the North-West and South-West Regions, with a lull in the Far-North, the pressure on the right to education due to violence in schools and the working conditions of teachers who went on indefinite strike, as well as the health situation marred by the resurgence of the cholera epidemic.

Since November 2021, despite the Government's repeated efforts to restore peace and provide frameworks for dialogue with the secessionists and terrorists in the North-West and South-West Regions, the security situation in these Regions has continued to claim victims. After surveying various sources, the CHRC observes that between January and March 2022, security problems in these regions have led to the

death of 17 people, including three soldiers and four separatists. Another 14 civilians were kidnapped during the first quarter of 2022.

In the Far North Region, the CHRC is particularly attentive to developments in the Logone-et-Chari Division, where violent inter-community clashes among the Massa, Shoa Arabs and Musgums, who have settled in the area, have led to the burning, destruction and looting of houses, granaries and various socio-economic infrastructures, along with the theft of livestock in 112 villages. The violence, which broke out again in December 2021, following the August wave of the same year, resulted in the internal displacement of more than 36,000 people and more than 35,000 Cameroonian refugees in Chad, according to the UN Office for the Coordination of Humanitarian Affairs in Cameroon. This crisis is partly rooted in poor local governance and the impact of climate change, which is drastically reducing people's vital resources, produced largely by women in the region.

This situation warranted the peace building mission that a large CHRC delegation undertook in the Logone-et-Chari Division from 10 to 12 March 2022. The mission was defined by working sessions with the main administrative and traditional authorities of this area, and with the community leaders of the Shoa Arab, Musgum, Kanuri and Kotoko communities; the latter was concluded with a dinner that was shared as a sign of peace.

Furthermore, since 21 February 2022, secondary school teachers have been on strike, focusing on their right to remuneration. These legitimate demands prompted the Head of State to give instructions to the government to respond promptly. However, it is unfortunate that this movement has already greatly hampered the smooth running of the school year. Added to this situation is the phenomenon of violence in schools, which is often perpetrated by students under the influence of drugs. The traffic and consumption of these substances have become a real scourge in these environments, with young people falling easy prey to the sellers of psychotropic substances.

Finally, although the Covid-19 pandemic seems to be under control in the country, Cameroon has been confronted with a resurgence of the cholera epidemic since the end of 2021, with 4,627 cases and 105 deaths on 6 April 2022, the South-West Region being the most affected. Response measures are being put in place by the Ministry of Public Health. However, the CHRC is concerned that the situation could worsen due to the difficult access to water in several urban and rural localities.

III. The Commission's recommendations

Once again, the CHRC urges all peace-loving souls, national, sub-regional, regional and international actors and partners, both bilateral and multilateral of

Cameroon, to increase their efforts to pursue, and bring to book the perpetrators and sponsors of terrorist acts and all those who instigate, support or advocate them, according to international law on the fight against terrorism.

In addition, the CHRC reiterates the need already expressed to be accompanied by the Committee for the Prevention of Torture in Africa, in implementing its mandate as the National Preventive Mechanism for Torture.

Furthermore, the CHRC recommends that the Government be inspired by the Guidelines on the Right to Water in Africa published in 2020 by the ACHPR, against the backdrop of a health emergency that highlights the need to provide universal access to quality water and sanitation services.

Finally, the CHRC expresses the wish to see the promotion and protection of human rights objectives of the ACHPR fulfilled, especially as part of following up on the implementation of the recommendations expected after the submission of the periodic report of the State of Cameroon in 2020. I reiterate the firm and resolute support of the CHRC in this regard.



**TRAINING WORKSHOP FOR COMMISSIONERS AND STAFF MEMBERS
OF CAMEROON HUMAN RIGHTS COMMISSION (CHRC) ON THE FUNCTIONING
OF THE NATIONAL MECHANISM FOR THE PREVENTION OF TORTURE**

Hôtel Mont Fébé

Yaounde, 24 to 25 May 2022

OPENING SPEECH BY THE CHAIRPERSON OF THE CHRC

**The Acting Director of the United Nations Centre for Human Rights and
Democracy in Central Africa,**

The Coordinator of the National Mechanism for the Prevention of

**Torture of the prestigious National Human Rights Council of Morocco,
Representative of the *Organisation internationale de la Francophonie* (OIF) and the
Association francophone des commissions nationales des Droits de l'homme
(AFCNDH),**

The Vice-Chairperson of the CHRC,

Distinguished Commissioners of the CHRC,

The Permanent Secretary of the CHRC,

Distinguished Representatives of public and para-public administrations,

Distinguished Representatives of the Agencies of the United Nations system,

Distinguished guests, all protocols observed,

Exactly one year ago, on 25 May 2021, I was speaking in this very room at the opening of the accelerated induction training workshop for members and staff of the Permanent Secretariat of the Cameroon Human Rights Commission (CHRC). This workshop was the first of a long series, further to the effective assumption of office of the Chairperson, Vice-Chairperson and 13 other members who were sworn in on 29 April 2021 before the Supreme Court, sitting in assembled chambers in its ceremonial courtroom, under the drum sounds of the army band.

After that initial training workshop for the members and staff of the CHRC held from 25 to 28 May 2021, live here and in virtual session, in collaboration with the Global Alliance of National Human Rights Institutions (GANHRI), the *Association francophone des institutions nationales des droits de l'homme* (AFCNDH) the Network of African National Human Rights Institutions (NANHRI), the *Organisation internationale de la Francophonie* (OIF), the United Nations Centre for Human Rights and Democracy in Central Africa (UNCHR-AC), and hallowed by the presence of the Chairperson of the National Human Rights Council of Côte d'Ivoire, two other training or capacity building workshops followed:

- The training workshop on litigation before African regional human rights bodies, held from 15 to 16 June 2021 in Mbankomo, with the support of the Network of African National Human Rights Institutions
- The consultation workshop to implement an action plan on business and human rights held at the Merina Hotel in Yaoundé from 30 June to 1 July 2021, with the support of the United Nations Centre for Human Rights and Democracy in Central Africa (UNCHRD-CA).

While extending a warm welcome to everyone in this magnificent hall of Mont Fébé, I would like to once again express my gratitude to our partners, first and foremost the United Nations Centre for Human Rights and Democracy in Central Africa (UNCHR-AC), a constant partner. Once more, I am pleased to express my deep gratitude for your multi-faceted support and your unceasing efforts to accompany us in implementing our mandate.

To the *Association francophone des Commissions nationales des Droits de l'homme* (AFCNDH), I once again express my sincere thanks for its unfailing support since the Commission's effective establishment. We are constantly benefiting from the experience of our colleagues, such as the National Human Rights Council of Côte d'Ivoire, a year ago, and the National Human Rights Council of Morocco, today. With the help of AFCNDH, the Moroccan NHRC has sent Dr Mohammed BENAJIBA, its most experienced commissioner on the functioning of National Preventive Mechanisms for Torture (NPMTs), to help us build our own, drawing from best practices and the challenges faced by the Moroccan NHRC. Dr BENAJIBA, thank you for having accepted to pay, by your presence, for the training of the Commissioners of the CHRC. Please convey to my counterpart, Mrs Amina

BOUAYACH, Chairperson of the Moroccan NHRC, who is also ViceChairperson of the Global Alliance of National Human Rights Institutions (GANHRI), my immense gratitude for this exemplary cooperation.

My gratitude also extends to the Ministry of Justice, the National Human Rights Institutions of Mauritius and Togo, the Association for the Prevention of Torture (APT), and the World Organisation Against Torture (OMCT). Your enthusiastic contribution to the organisation and success of the activities of the CHRC bears witness to the strong expectations you place on this new team, which must live up to the expectations of the people, the State authorities, the United Nations agencies, civil society and various other partners among us.

Distinguished guests,

You are once more gracing the opening ceremony of this workshop devoted to the functioning of the National Mechanism for the Prevention of Torture (NMPT) in Cameroon by the force of your presence, which is both impressive and comforting. It should be remembered that in line with the Convention against Torture ratified by Cameroon on 19 December 1986 and which entered into force for our country on 26 June 1987, the Optional Protocol to the Convention (OPCAT) was adopted by the United Nations in 2002. Opened for signature and ratification by States in 2002 according to its articles 27 and 28, it entered into force in 2006. The Protocol was drafted to implement the solemn affirmation in Article 5 of the Universal Declaration of Human Rights that "no one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment". That is the protocol that establishes the mechanisms for the prevention of torture.

It has certainly not escaped your attention that one of the most important innovations of the transformation that entered into force on 29

April 2021, sending the National Commission on Human Rights and Freedoms back to the museum of institutional paleontology, is the broadening of the missions of the NHRI of Cameroon and strengthening of its means of action. The history of this innovation irresistibly recalls that during its passage before the Committee against Torture in September 2017, Cameroon announced the establishment of its NMPT and chose the option of having the Commission on Human Rights of Cameroon (CHRC) assume its missions. This position was subsequently reaffirmed during its successive appearances before the Universal Periodic Review in May 2018 and then before the Committee against Torture and various other UN and African human rights monitoring mechanisms.

The process of reforming the laws of the Cameroon National Human Rights Institution led to the promulgation of Law No. 2019/014 on 19 July 2019 relating to the establishment, organisation and functioning of the CHRC, followed by the decrees of 19 February 2021 related to the appointment of the Chairperson, Vice-Chairperson, members and Permanent Secretary of the CHRC, thereby initiating the setting up of the National Preventive Mechanism, provided for by the said Protocol. In addition to the

promotion and protection of human rights, the CHRC's founding law has thus made it the National Mechanism for the Prevention of Torture in Cameroon.

This innovation marks the commitment of the public authorities to wage a fierce battle against torture, which is synonymous with contempt for human beings. This commitment was renewed in 2020 by the President of the Republic of Cameroon in his speech to mark the graduation of the 37th Batch of the Yaounde Combined Services Military Academy (EMIA) when he addressed the Defence and Security Forces, declaring: "*in performing your duties, you must respect human rights.*" The Government's option to fight against torture was also recalled in the State-owned daily Cameroon Tribune, which ran the headline on 17 February 2021: "*Dérives dans les forces de défense et de sécurité: Tolérance zéro [Zero Tolerance for Misconduct in the Defense and Security Forces]*". These calls undoubtedly motivate us to fulfil this mandate effectively, especially in a context of preventing and combatting terrorism.

Thus, while several countries, such as Italy, France, Mauritania and Senegal, have chosen to distinguish NMPTs from NHRIs, making them separate structures, Cameroon has chosen, like South Africa, Rwanda, Togo and obviously, Morocco as already mentioned, to extend and strengthen its NHRI's access to detention facilities by giving it the role of NMPT. I would say that this was a judicious and enlightened decision by reform actors, coupled with a determination to maintain efficiency because beyond the urgency of helping the authorities respond to the problem of torture, which is one of the most serious human rights violations, the intention was also to rationalise the resources available, especially, by enabling the country's NHRI to continue operating in detention facilities, while at the same time providing it with permanent members who are competent, committed, sensitive to human rights and inspired by an intense need to protect, rescue and assist, given their varied and relevant profiles when interacting with persons deprived of their liberty. The members of the CHRC include representatives of the academic world, the medical profession, the prison administration, the judiciary, the bar, etc. In any case, and regardless of the decree on the organisation and functioning of the Permanent Secretariat, which will indicate the backbone of the NMPT in Cameroon, the CHRC will already be equipped to play the role expected of an NMPT.

This is evidenced by the track record of the new team at the CHRC in implementing its mandate to prevent torture. Such record over a year is as follows:

- the conduct during 2021, throughout the national territory, of visits to 21 prisons, 93 police custody units and two other detention facilities (Jamot psychiatric hospital in Yaoundé and the Meri Disarmament, Demobilisation and Reintegration Centre)

- during the first quarter of 2022, the CHRC conducted visits to 30 detention facilities in the Far North, North West, West, South West and Adamawa Regions, including a civic re-education centre in the Far North Region
- the appropriate dissemination, since 2021, of statements containing messages on the prohibition of acts of torture or aimed at forestalling such acts. In this regard, we can cite the statements to mark the commemoration of the World Day against Police Brutality (15 March), the African Day on Pre-trial Detention (25 April), the
 - International Day for the Protection of Education against Attacks (9 September), the International Day of Non-Violence (2 October)
- the development of a statistical diagnosis of alleged cases of torture and cruel, inhuman and degrading treatments received between 2016 and 2020, both as part of handling complaints and from the CHRC's self-initiated investigations, at head office and branches. It should be noted that the findings of such diagnosis show the follow-up of 24 cases in 2016, 27 in 2017, 3 in 2018, 49 in 2019 and 30 in 2020, the statistics for 2021 are currently being compiled...
- contributing to the drafting of the State report as part of examining its 6th periodic report before the Committee against Torture and organising the day of consultation with civil society organisations (CSOs) to enrich the report in October 2021
- developing a fact sheet on visits to places of deprivation of liberty in 2021 and the first quarter of 2022, including information on the number of remand prisoners, with data disaggregated by sex, type of offence and age group (minor/adult) where available. Such report is accompanied by recommendations addressed to the Minister of Justice, prison officials and local authorities.

Ladies and Gentlemen,

This balance sheet may seem eloquent, but it does not exclude persistent challenges, one of the most significant being the completion of our passionate advocacy for the State of Cameroon to deposit the instruments of ratification of the Optional Protocol to the Convention against Torture, instituting the National Mechanisms for the Prevention of Torture. The ratification process has been underway since 2010 and we hope that the official response given to us by the Ministry of External Relations in July 2021 will fulfil its promise, especially since the government's determination to fight against torture is undeniable.

For the time being, we rely on the national legal and institutional framework, with, on the one hand, paragraph 3 of Article 277 of the Law of 12 July 2016 on the Penal Code, which punishes acts of torture, and, on the other hand, the strategies available to combat torture, among which we can mention the invalidity of confessions obtained through torture (Article 315 of the Criminal Procedure Code), the possibility for persons who consider that their arrest or detention is abusive to apply for immediate release (habeas corpus) under articles 584 to 588 of the Criminal Procedure Code, the guarantees granted to detainees concerning medical care (article 37 of the Criminal Procedure Code) or the compensation of victims of torture as provided for in articles 236 and 237 of the Criminal Procedure Code establishing the Commission for Compensation in Cases of Arbitrary Pre-trial Detention and Abusive Police custody.

Honourable Commissioners,

Dear staff members,

We need to learn new skills and strategies, to meet the best regional and international standards and provide national and context-specific solutions for the prevention of torture. This is how we will honourably carry out this mandate, which raises so many hopes among the people, our partners and observers from all horizons.

I urge everyone once again to humbly put on our learners' shoes and enter the lab offered by this workshop to understand and apply the experiences and best practices of sister institutions to our context. Let us be shaped by this training, which I imagine will be challenging and exhilarating.

Ladies and gentlemen, representatives of public and parastatal administrations,

The choice we made to invite you to this opening ceremony is not insignificant. You can read in the documentation you have received that the NMPT must cover a wide range of detention facilities throughout the country:

- police and gendarmerie custody cells
- prisons
- borstal institutes
- transit zones at land, sea and airport borders
- customs detention areas
- psychiatric centres and hospitals
- defence and security forces' cells or disciplinary facilities

- detainee escort vehicles
- police custody cells of State counsels' offices - any other place where persons may be detained.

This task requires close and increased ties with each of the authorities you represent here, and we are delighted at the open-mindedness with which some of you have already accepted this new mission. I will mention especially the Ministry of Justice, with which we hope to sign a memorandum of understanding very soon, crystallising the conclusions of the audience granted by the Minister of State, Minister of Justice, Keeper of the Seals, to a delegation from the CHRC that I led on 30 November 2021, regarding the implementation of our mandate to prevent torture.

I am also aware of the challenges that still await us in carrying out this mission, but through consultation and constructive dialogue that we wish to strengthen or establish with each of our partners on this important issue, there is no doubt that we will overcome them one after the other.

Distinguished representatives of the United Nations system agencies,

Dear partners,

I equally welcome your presence here, as we will need your support to fulfil this mandate. We intend to focus more on the most vulnerable persons in detention facilities. I am thinking especially of minors in conflict with the law, women and persons with disabilities in detention.

The CHRC wants to have effective tools to map detention facilities and to report, with reliable statistics, on the visits it makes to places of detention. This requires a user-friendly digital platform based on pre-defined structural, process and outcome indicators that ensure reliable and real-time data. Such platform would help to reduce the statistical data deficit in our country regularly criticised during the periodic review of the implementation of certain duly ratified conventions.

It would also be an effective tool for increasing the credibility of the advocacy we would have to make, particularly in favour of:

- improving the legal framework for the prevention of torture, including improving the working conditions of officials in detention facilities
- improving the regulatory framework relating to the penitentiary system in Cameroon
- making effective the prisoners' and family members' right to information

- decongesting prisons by applying alternative sentences to imprisonment
- guaranteeing the right to health in detention facilities and reducing the number of deaths in custody.

You have understood that my expectations, and the hopes of all commissioners and staff of the CHRC, will be fully met if we collaborate to provide Cameroonians with the best possible NMPT.

Distinguished participants,

I hereby declare open the Training Workshop for Members and Staff of the Cameroon Human Rights Commission on the functioning of the National Mechanism for the Prevention of Torture.

Long live human rights and the protection of human dignity!

Long live Cameroon, unified and indivisible!

Thank you for your kind attention.



Installation ceremony of the CHRC Permanent Secretariat officials

Speech by the Chairperson of the Cameroon Human Rights Commission (CHRC)

Yaoundé Multipurpose Sports Complex

1 September 2022

The Vice-Chairperson of the Cameroon Human Rights Commission (CHRC),

Distinguished Chairpersons of the Sub-Commissions,

Distinguished Commissioners,

The Permanent Secretary,

The *outgoing* Head of the Division for the Promotion and Protection (CDPP),

The *incoming* Head of the Division for the Promotion and Protection (CDPP),

The incoming Chief of Staff,

Distinguished Heads of the Regional Branches,

The National Coordinator of the Cameroon Freedoms Observatory (CFO),

The Coordinator of the Cameroon Network of Human Rights Organisations here represented (RECODH),

Dear colleagues, all protocols observed,

Distinguished guests,

Ladies and gentlemen,

It is with a bundle of joy that I take the floor on this joyous occasion, which follows the launch of the CHRC toll-free number, **1523**, on 27 July 2022. The test phase of the operation of this public utility number will continue until the launch campaign scheduled for November.

I am all the more excited, I must say, as this ceremony is taking place at a time when the CHRC is in the process of obtaining an enormous donation of materials and equipment from the UNDP, one of the best partners of the Cameroon National Human Rights Institution (NHRI), following the needs assessment of the CHRC in 2021, as part of the Peace Building Project in the North-West and South-West Regions, a project that was also meant to strengthen the NHRI in the country.

This demonstrates that the process of setting up the country's new NHRI is actively underway, and the newly appointed officials bear witness to the ongoing changes at the Commission. This is indeed the first time that Heads of Branch Offices of the Cameroon NHRI are appointed from among the staff. Under the former structure, members served as Heads of Branch Offices, while senior staff members were Regional Secretaries.

The appointments we are celebrating today are therefore an important step towards the restructuring of the New Commission, while waiting for the cards to be reshuffled once the decree on the organisation and functioning of the Permanent Secretariat is issued. Today's appointments also reflect the desire to inject new blood into the Head Office and all the Branches of the Commission. The rate of renewal at the Permanent Secretariat since the beginning of the CHRC's operationalisation is especially eloquent in this respect:

- CDPP: 100 per cent
- Units: 100 per cent
- Services: 80 per cent
- Bureaus: 0 per cent
- Regional Branches: 100 per cent, of which 50 per cent are transfers

- Total: 72 per cent (21 out of 29), with 41 per cent of women in senior positions, i.e. 12/29 positions.

Ladies and Gentlemen promoted,

You have each largely earned your appointment on merit, with the criteria sometimes varying from position to position or from person to person.

Every appointment brings a number of benefits, but these symbolic, material and financial benefits are in return for the constraints imposed on you and the work you are called upon to do to enable the CHRC to achieve its objectives. These constraints and obligations determine your daily behaviour, the way you perform your duty, your relations with your superiors and colleagues, and the management of the material and financial resources at your disposal.

As regards your daily behaviour, as leaders in the CHRC, you have an obligation to exemplify the vision and values of the Commission, including respecting the human rights of all: those of your respective family members (children, spouse, parents, and siblings), those of your collaborators, and those of the service users. You must not be among those who use their social ascension to monopolise family property or to spread terror around them.

The CHRC is indeed an institution of compliance whose members must take ownership of the missions, values and principles in their daily lives. In fact, if I hear that a staff member of the Commission has beaten his wife, he will first be given an eight-day suspension. Now, if the opposite happens... if a woman beats up a man who is a staff member of the Commission... the Observation, Investigation and Alert Unit - which should probably be renamed: Prevention of Torture Unit - will automatically take up the case to protect the rights of my staff member. As you can imagine, my collaborators can only defend the rights of other Cameroonians if their own rights are protected. In general, the Sub-commission in charge of protection will have to deal with any case of violation of the rights of the Commissioners, the Permanent Secretary and any member of the Commission's staff.

As far as your colleagues are concerned, they must at all times be treated in a proper manner, i.e. with attention, a great deal of consideration,

respect for the weakest and a smiling and fine courtesy, but without losing the firmness required for operational efficiency, whenever that is necessary. Even the superior's right to admonish-should be exercised according to the rules of the art. But no laxity, no nonchalance and no indolence must be tolerated.

As far as your duties are concerned, you should never lose sight of the fact that the Commission is a public service. We are at the service of the public. With reference to the principle of good governance that the public sector should be managed according to the methods that have proved successful in the private sector, I would compare the CHRC to a business whose customers are the people.

In business, we all know that the customer is king. Any person concerned by our actions to promote human rights, to protect human rights - whether on complaint or on self-initiated investigation - any person concerned by our actions to prevent torture is a *customer of the Commission* and should therefore *be treated like a king*. You must always be committed to providing our clients with a memorable "*customer experience*" through a princely welcome, empathetic listening, diligent handling of complaints.

Update your knowledge of human rights and especially in your area of specialization: either as a focal point or concerning the Service for which you are responsible. Everyone should seek to be a leader or co-leader on a topic. Developing competence is an ongoing process and categorical imperative. Make your mark through your expertise, but also through your soft skills and your ability to evolve.

To achieve this, stay focus. Lack of focus is the main cause of inefficiency. Keep in mind that a human being can only have two priorities. Anyone who has tried to have three or four has failed miserably - and that includes me. Yes, two priorities, the rest on auto-play mode. And your focus must be one of the two.

I should explain that the priority area is the one that keeps you busy beyond working hours. If work is your priority, as it should be, then you must still work off-duty, even at nights and weekends. A contemporary in our country has always said that "*the 40-hour week is a luxury for developed countries*". It is worth remembering that in Japan, the model worker puts in 17

hours a day. It is at this price that this country has risen to the level of the Western countries. During the International Economic Conference that His Excellency Paul Biya, President of the Republic organised on 17 and 18 May 2016, former South Korean Prime Minister UN-CHAN CHUNG taught us that "many South Koreans have worked very hard to support themselves, their families and their communities in order to escape from poverty."

However, to work meaningfully, you need to read a lot. As they say, the difference between the reader and the non-reader is abysmal. It is reading that allows us to escape the routine of work, discover new ideas, be creative, inventive, proactive and able to anticipate many things. Many of us do not know this, but the standard of our belated modernity requires every adult to read at least a book a month.

As concerns, your relations with your superiors and collaborators, now that you have been appointed, transferred or confirmed in your positions, learn how to deal with your superiors and lead your teams to produce the expected results. This cannot be improvised. Management exists. It is a science and an art. As soon as your appointment is announced, you should take notes on what you would say at your first meeting with your new colleagues, to avoid moments of uncertainty. Be clear with your staff by clearly allocating tasks and setting the rules from the start. Tell them what you expect from them and *what you would like to bring to the table*.

There is nothing worse than a leader who is disrespectful to the hierarchy, dawdles when instructions need to be carried out, imagines that he or she has a choice between carrying out instruction and not doing so, is slow, indolent or sleepy when it comes to dealing with complaints or carrying out human rights promotion activities, does not know how to work in a team, how to organize the work of their team, or does not know how to work at all. Yes, you are equally judged by your ability to adapt, forge ties and even secret alliances with others.

Update or suggest to the hierarchy the organisational chart of the Division, of your Service or Unit or even of the Branch. Write down procedures. The compilation of procedures for all services and structures by

the Permanent Secretariat will make it possible, in due course, to consolidate a procedure manual with the help of a specialist firm.

Show your added value in small steps and learn from your failures, in the manner of Nelson Mandela who had as a viaticum: "*I never lose, either I win or I learn*".

Let us conclude this point by mentioning the management of the material and financial resources the Commission has made available to you. Management should be administered in a reasonable manner – in the past, it was recommended to manage "*as a good father*" – in strict compliance with the regulations in force. Do not be those officials who refuse to replace a ruler in their own office or abandon a photocopier or a printer, make do with an air-conditioning unit that is running at low speed because they cannot bear the idea of spending a single franc for public service, forgetting that when we speak of the Republic, we are speaking of the *res publica*, the public affairs, that is to say, everyone's affair, which is equally *our affair*. What you don't allow at home, don't accept at the Commission. I mean to say things such as broken chairs, missing ceiling panels, hanging wires, non-functional toilets, dilapidated walls, rubbish, etc.

In any case, those who deviate from the norms of the management of the Commission's resources know what awaits them, the recent dismissal of the former Regional Secretary of the Far North Branch, for reasons such as misappropriation of the Commission's assets is illustrative in this regard.

The Vice-Chairperson,

Distinguished Commissioners,

Dear collaborators,

Distinguished guests,

I would now like to dwell on two collaborators who occupy key positions at the Commission: the Head of the Promotion and Protection Division and the Chief of Staff at the Chairperson's Office, before talking to the Branch Heads.

The Head of the Division for the Promotion and Protection,

Your rise at the Commission can rightly be described as dazzling. Recruited in the former structure, the National Commission for Human Rights and Freedoms on 1 December 2016, you were assigned to the Vice-Chairperson's Office until 2020. You were elected as a staff delegate for the first time on 1 March 2018 and re-elected on 21 January 2022. After a brief 'journey through the desert in the Promotion and Protection Division, you were acclaimed as the best staff member of the Commission, and you were chosen by the current Vice-Chairperson to head his office, in the aftermath of the appointment of the Members of the new Commission by presidential decree on 19 February 2019. It was from there that you were appointed Head of the Project to Improve the Conditions of Exercising Freedoms in Cameroon in September 2021. At the end of this project one year later, almost to the day, you are the new Head of the Division for Promotion and Protection at the CHRC.

Some people will be surprised by this dazzling career path that has enabled you to go from a supervisor to a Director within the NHRI of Cameroon in five years, or in two years, starting from your reclassification... *I am not very good at subtraction*. The fact remains that such people have never observed a Chinese bamboo. When you plant it, you can water it every day, but nothing happens for five years. At least, nothing is visible. During the first five years, it develops deep, powerful roots, and in the fifth year, it starts to grow and reaches several dozen metres within a few months.

To those who are surprised by your dazzling ascent at the Commission, first tell them "*like the South Koreans, I have embraced the universal success factors of 'education and the culture of excellence'*"; then, tell them that "*I am like the Chinese bamboo, this is my fifth year*".

The Chief of Staff at the Chairperson's Office,

Pierre Corneille once said that *'to a well-born soul, value does not wait for the number of years*. Unlike Descartes, who misled the whole universe by claiming that *'common sense is the most common thing in the world'*, Corneille is right, at least as far as you are concerned. You were recruited to the Commission on 4 May 2018 as a translator-interpreter and noticed by the Office of the late Chairperson for the quality of your work. It has come to my

attention that you translate French texts into English better than many English speakers at the Commission. It was for this reason that you were proposed and appointed Chief of the Translation and Interpretation Service on 20 November 2020.

This position brought you into contact with the Chairperson, as you were responsible for translating the statements and press releases he had to sign, as well as his bilingual speeches, which were sometimes finalised at the last minute, often in the middle of the night. I thus had the opportunity to appreciate your perfectionism in your work and your keen sense of research. You rigorously check everything proposed in the statements: references and the accuracy of quotations, dates, names of people and places, often with a harassing and offensive precision.

These exceptional qualities led to your being chosen to integrate the Chairperson's corrections into the Commission's 2019 Annual Report, a task which you successfully completed. As a reward, one year later, on 2 December 2021, you were co-opted into the Chairperson's Office as an attaché, cumulatively with your duties as Chief of the Translation and Interpretation Service.

Your main task was to be responsible for special files, including the completion of the Commission's Annual Reports before and after their proofreading by the Chairperson. However, you were able to appropriate the spirit of the Office, demonstrating a high awareness of the issues at stake, the accuracy of your *sometimes critical and peremptory* judgement and your presence, rich in virtues and involvement, as well as your way of taking things in charge – when you feel like it; so many factors that naturally imposed you to the position of Chief of Staff at the Chairperson's Office.

From now on, you will be responsible for the functioning of the Office, for planning, for travel and for the Chairperson's speeches. It is your responsibility to gather information likely to be of interest to the Chairperson and to participate in all the discussions that concern the Chairperson, while at the same time ensuring the management and follow-up of the Commission's major files.

The Chief of Staff also assesses the feedback from Commissioners, staff, journalists and the public.

Your task will be facilitated by your keen sense of human relations and diplomacy, and by the thoroughness with which you handle files.

Dear Heads of Branch Offices,

I presume that you are ready to take on your promotion or your new position and that the time lag between the date of the appointments and the date of assumption of duty has given you time to mentally put on your new suit and prepare for the change.

It should be solemnly recalled that while the Commission is indeed independent of public authorities and of any influence by external actors, the Branch Offices are not independent of the Head Office. Neither are senior staff members in relation to their superiors.

One of the keys is to never think that the new position requires the same skills and organisation that you have been using. Indeed, “*What got you here won't get you there*”, as the title of Marshall Goldsmith's bestselling book suggests. Even if you are transferred to another Branch Office or service, you will either be working with different people or evolving in a context that is new to you, often with additional responsibilities, including, for some, being in charge of a team for the first time and having to learn how it works.

This is especially true as the mandate of the CHRC has been expanded and strengthened by the 2019 law. These requirements are now heightened by the introduction of the CHRC's toll-free number, which increases the need for speed and performance in handling cases, to satisfy users of the public service of human rights protection away from any undue bureaucracy.

The challenge is even greater for those who have to morph from a super technician to a leader of men. They must learn to deliver a message adapted to each of their new interlocutors – their team, the superiors of the permanent secretariat and the Commissioners – by embodying this message. In an article published in the *Management* magazine in November 2018, Julie

Krassovsky points out that "[one of the first questions to ask yourself is; 'with this change in position, will my new job change my family organisation?']" I hope you have each answered this question precisely. This is all the more important as with the new configuration of the Cameroon NHRI, all positions involve taking on new responsibilities and a greater workload. Fortunately, the salary has also increased and we are all happy about that.

Ladies and Gentlemen,

We are celebrating those promoted during the transitional phase, but when the decree establishing the organisation and functioning of the Permanent Secretariat is released, other – certainly more important – appointments will be made. Positions will be given to those who would have proven themselves capable of taking on new responsibilities, going beyond the criteria set out in their job description. Otherwise, you are unlikely to be offered a more interesting position. And it is up to you to go and get those new assignments, no one else will do it for you.

Finally, I would like to extend my warmest congratulations to all of you who have been promoted. Promotions challenge you in many ways. You have to fight at two levels: decoding your new working environment and getting results. I remember reading somewhere that "*professional expertise is acquired in the first 15 years of work*". This shows that most of you have more or less room for improvement, including in terms of appropriation of public service ethics. But each of you shares in my confidence.

Whether you are in the North or in the South, in the East or in the West, in the Adamawa or in the Littoral, in the North-West or in the Far North, in the South-West or in the Centre, I will keep on listening to you. My door is open, I never close my phones, day in and day out, and everyone here can testify to that.

I declare you installed into your new functions.

I wish you all the best in fulfilling your duties.

Long live human rights!

Long live Cameroon, united and indivisible!



APPROPRIATION OF LEGAL INSTRUMENTS FOR THE PROMOTION AND PROTECTION OF THE RIGHTS OF PERSONS WITH DISABILITIES

Yaoundé, 21 September 2022

SPEECH BY THE CHRC CHAIRPERSON

Prof James MOUANGUE KOBILA

- **The Minister of Social Affairs,**
- **The Minister Delegate to the Minister of Justice,**
- **The Governor, here represented, (of the Centre Region),**
- **Distinguished Commissioners of the CHRC,**
- **The representative of the Minister of Higher Education,**
- **The representative of the Minister of Public Health,**
- **The Director General of the National Centre for the Rehabilitation of Persons with Disabilities Cardinal Paul Emile Léger,**
- **The Vice-President of the *Voir ensemble* association in France,**
- **The President of the *Aveugles sans frontières* association in France,**
- **The President of the National Association of the Blind of Cameroon and President of the *Union francophone des aveugles*,**
- **The President of Angel Music and Administrator of the *Union Francophone des aveugles*,**
- **Distinguished guests,**
- **Ladies and Gentlemen, all protocols observed,**

I am humbled by the honour bestowed upon me to speak in this sumptuous hall of the Hilton Hotel on the occasion of the solemn opening ceremony of the International Seminar on the Appropriation of Legal Instruments for the Promotion and Protection of the Rights of Persons with Disabilities ratified by the State of Cameroon.

I would like to express my deepest gratitude to Commissioner Paul TEZANOU, **President of the National Association of the Blind of Cameroon (ANAC)** and **President of the *Union francophone des aveugles* (UFA)** for the initiative of this important workshop which will certainly contribute to ensuring that the rights of persons with disabilities are further promoted, protected and guaranteed to enable them to flourish harmoniously in the society.

I also wish to offer my infinite gratitude to ANAC and UFA for having kindly associated the Cameroon Human Rights Commission (CHRC) with this important event that it has co-sponsored with the Ministry of Social Affairs (MINAS).

This is also the place to express our deepest gratitude to the Minister for her active support which enabled the holding of this international seminar.

As gratitude is the only thing that cannot be overemphasized, I feel that this is a suitable occasion to express my gratitude to the Commissioners and to the CHRC staff members who have participated actively and with commitment in preparing the seminar that opens today.

The Minister of Social Affairs,

The Minister Delegate to the Minister of Justice,

Ladies and Gentlemen,

The rights of persons with disabilities are specially recognised and protected at the national, regional and international levels, especially because of their vulnerability and social difficulties.

Hence the particular interest of the Commission in the holding of this *International Seminar on the Appropriation of Legal Instruments for the Promotion and Protection of the Rights of Persons with Disabilities ratified by the State of Cameroon*. The seminar is particularly important because it fuels the flame for the full and effective participation and inclusion of persons with disabilities in the development of our society, which is increasingly being called upon to push the boundaries of exclusion and discrimination. People with visible or invisible disabilities do not always enjoy the benevolence of other members of society. Hence the difficulties they encounter in their daily lives, despite the constitutional and international protection of their rights.

The Preamble to the Cameroon Constitution of 18 January 1996 states that "*the Nation shall protect [...] persons with disabilities*". In addition, it proclaims that "[a]ll people are equal in rights and duties".

Article 18(4) of the African Charter on Human and Peoples' Rights, adopted on 27 June 1981, signed on 23 July 1987 and ratified on 20 June 1989 by our country, states that "*persons with disabilities shall have the right to specific protection measures commensurate to their needs*".

The Convention on the Rights of Persons with Disabilities adopted on 13 December 2006, signed on 1 October 2008 and ratified on 28 December 2021 by Cameroon, commits States Parties, in its Article 11, to take "*all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including situations of armed conflict, humanitarian emergencies and the occurrence of natural disasters*".

I wish to commend the efforts of His Excellency Paul BIYA, the Head of State, and the Government in recent years, to strengthen the legal and institutional framework relating to the rights of persons with disabilities in Cameroon and, consequently, to improve their conditions. In this regard, I wish to mention:

- the Law of 13 April 2010 on the protection and promotion of persons with disabilities
- the Decree of 26 July 2018 to lay down the procedures for the application of the law of 2010 on the protection and promotion of persons with disabilities
- the Decree of 26 July 2018 to lay down the reorganisation of the National Committee for the Rehabilitation and Socio-Economic Reintegration of Persons with Disabilities
- the Joint Order of 13 August 2018 to lay down the procedures for establishing and issuing the special medical certificate for persons with disabilities
- the Decree of 14 August 2018 to set up the terms and conditions for establishing and issuing the national disability card
- the Decree of 27 April 2021 ratifying the Marrakesh Treaty aimed at facilitating access to printed texts and published works for the blind, the visually impaired and people with other reading difficulties
- the Decree of 28 December 2021 on the ratification of the UN Convention on the Rights of Persons with Disabilities, adopted on 13 December 2006

- the Decree of 28 December 2021 ratifying the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Persons with Disabilities, adopted on 29 January 2018
- the Decree of 19 May 2022 setting the terms and conditions for granting age exemptions to persons with disabilities in public examinations and recruitments in the State Public Service, etc.

These enactments and many others reflect the State's demonstrated desire to promote a more inclusive society. They also constitute major progress that Commissioner Paul TEZANOU proudly calls "victories" to celebrate. He is quite correct. Indeed, the legal framework for the promotion and protection of the rights of persons with disabilities has been substantially improved. These laws create, undoubtedly, the necessary conditions to **enable persons with disabilities to enjoy the same rights as other members of society**, in an inclusive approach based on the principles of **non-discrimination, participation and accessibility**. The adoption of these instruments demonstrates the State's firm commitment to promote, protect and ensure the full and equal enjoyment of all human rights by all persons with disabilities and guarantee respect for their inherent dignity.

However, we should never lose sight of the fact that the determination of some actors to work against the legal and ethical requirements of nondiscrimination, participation and accessibility does not disappear merely because of legal standards.

Despite the double quantitative and qualitative leap made by the legal framework in force, the CHRC remains concerned about the many obstacles people with disabilities encounter, especially inequalities in access to information, education, health care, decent employment, public or private buildings, or the little consideration they are given in the management of public affairs. The Commission also remains concerned about the persistence of "*discrimination based on disability*", understood, according to the African Charter on Democracy, Elections and Governance ratified by Cameroon, as "*any distinction, exclusion or restriction based on disability whose purpose or effect is to impair or nullify the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field [...] including the denial of reasonable accommodation*".

There is a long way to go concerning street markings for persons with disabilities and particularly those who are visually impaired. There is also work to be done on road accessibility, including the introduction of audible traffic lights and low pavements to allow wheelchair access.

This is why the CHRC is determined to ensure that the rights of persons with disabilities are promoted, protected and guaranteed to the fullest extent possible, now more than ever before.

However, the Commission's role as a National Human Rights Institution in promoting and protecting the rights of persons with disabilities is to:

- monitor the respect for their rights by conducting thorough investigations and enquiries into cases of violations, including in all detention facilities
- provide special protection to vulnerable groups, particularly persons with disabilities, women who are very often the silent victims of various forms of violence, including gender-based sexual violence, and children, and to defenders of their rights within society
- prevent violations of the rights of persons with disabilities, especially by setting up early warning mechanisms
- respond to violations of their human rights by providing all forms of assistance to victims to ensure that they seek remedies and obtain effective compensation, where appropriate
- accompany the government by providing advice, supporting institutional reforms, building the capacity of actors, supporting the establishment and strengthening of accountability mechanisms and
- working closely with all entities on the ground
- raising awareness on the rights of persons with disabilities
- taking up alleged cases of violations of the rights of persons with disabilities on its own motion and referring them to any authority in charge of handling such cases.

Concerning this role, the CHRC was recently informed, on 6 September 2022, through social media, of the alleged violation of the right to work of a young Cameroonian living with a physical disability, involving some agents of the Ministry of Public Service and Administrative Reform (MINFOPRA). The case was based on the MINFOPRA Order of 25 July 2022 on the launching of a competitive entrance examination for the recruitment of student teachers and assistant teachers of physical education and sports at the National Institute of Youth and Sports (INJS) for the academic year 2022/2023. The officials in question had informed him that his application had been rejected on the grounds that his physical disability would be an obstacle to any training at the INJS. The CHRC took up the matter on its own motion and the actions undertaken by the

Observation, Investigation and Alert Unit under the Division of Protection and Promotion, with the active collaboration of the MINAS Directorate for the Protection of the Disabled and Elderly, culminated in the consideration of the candidacy of this person with a disability, whose name was included in the list of candidates authorised to take the physical tests on 20 and 21 September 2022.

As a national human rights institution, the CHRC, according to the law that establishes it, organises it and governs its functioning, "shall contribute to developing a human rights culture based on the ideals of peace, equal rights and responsibilities, mutual respect and sustainable development, particularly:

- by popularising human rights legal instruments
- by raising public awareness on various human rights topics, including gender issues, as well as the rights of vulnerable groups [...]
- by advocating for the improvement of the legal and institutional framework for human rights promotion".

In this regard, the Commission issued its first Statement to mark the 5th International Sign Language Day on 23 September 2021. It will celebrate the 6th International Sign Language Day on 23 September 2022. It also issued its first Statement to mark the 30th International Day of Persons with Disabilities on 3 December 2021. It is preparing to celebrate the 31st International Day on 3 December.

I applaud the recent admission of five associations for the rights of persons with disabilities to the Cameroon Freedoms Observatory, which the CHRC set up as part of implementing the Project to Improve the Conditions for Exercising Freedoms, which received funding from the European Union. The project includes:

- the National Association of the Blind of Cameroon (ANAC)
- the Inclusive Society for Persons with Disabilities Platform
- the Association Handicapés unis pour le développement et la solidarité au Cameroun (HADUSC)
- the National Association of the Deaf of Cameroon (ANSCAM) and - the National Association of Persons with Leprosy in Cameroon.

These associations are among the 19 disability rights CSOs affiliated with and collaborating with the CHRC.

Based on its founding law and the State's commitments to respect the right to education and the rights of persons living with disabilities, the CHRC has undertaken to ensure that disability is mainstreamed in the official primary and secondary school examinations for the 2021-2022 school year, through visits to examination centres in all

regions of the country. The Commission received a letter of congratulations from the President of the National Association of the Blind of Cameroon who is also the President of the Francophone Union of the Blind and a prominent member of the Cameroon Human Rights Commission.

Ladies and gentlemen,

The law of 13 April 2010 on protecting and promoting persons with disabilities defines a person with disabilities as "any person unable to ensure by himself or herself, wholly or partly, the necessities of a normal individual and/or social life, as a result of deficiency, either congenital or not, in his or her physical or mental capabilities". Sections 25(1) and 27(3) of the same law provide respectively that "the State, the regional and local authorities [...] shall set up inclusive education structures and training institutions for trainers by type of disability" and that "the socio-economic integration of the disabled person includes access to education and vocational training; access to information and cultural activities; access to infrastructure, housing and transport; access to sport and leisure; access to employment". Section 38(3) of the law prohibits discrimination on the basis of disability, stating that "disability may not constitute a ground for rejection [...] or discrimination. Section 27(2) prescribes affirmative action for persons with disabilities, including access to inclusive education, quality and affordable health care, decent employment, public buildings and governance".

Dear Minister,

Ladies and gentlemen,

Although it is true that respect for human rights is a constant mission for the Commission, I am pleased to note that it is, in this instance, a common denominator, even an ideal shared by all the parties involved in the organisation of this seminar.

I would like to share with you here a recommendation of the United Nations, which calls on all States to integrate the disability approach into public policy-making. This approach is mainly based on the notion of accessibility, which is the major obstacle for persons with disabilities to be integrated into their environment.

The notion of accessibility is defined by Article 9 of the United Nations Convention on the Rights of Persons with Disabilities. This Article states that "To enable persons with disabilities to live independently and participate fully in all aspects of life, States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems,

and to other facilities and services open or provided to the public, both in urban and in rural areas.

These measures, shall include the identification and elimination of obstacles and barriers to accessibility:

(a) Buildings, roads, transportation and other indoor and outdoor facilities, including schools, housing, medical facilities and workplaces

(b) Information, communications and other services, including electronic services and emergency services.

However, bearing in mind the efforts that ANAC and its partners (including the CHRC) are making on a day-to-day basis to ensure that the disability approach is effectively considered in developing, implementing and evaluating public policies in our country, including accessibility for persons with disabilities in all spaces and activities in their environment, I am convinced that the training modules that will be developed during the next two days will help to further improve the condition of people with disabilities. I, therefore, call on the participants to devote sustained attention to the discussions at the seminar which opens today, to help achieve all the objectives set.

The CHRC is aware that developing a human rights culture in Cameroon will be the result of a process and not a conversion. It is the responsibility of the Commission, as the guarantor of human rights enshrined in the Preamble of the Constitution of Cameroon, to contribute to the establishment of an ecosystem conducive to respect for human rights. The aim is to raise public awareness of the need to respect all human rights: the right to life, the right to physical integrity, the right to health, and the right to education whose importance for human and national development no longer needs to be demonstrated, the right to information, the right to a fair trial, the environmental protection, the rights of the worker... in short, it is a matter of creating a Human Rights reflex in all sectors of activity and in the whole country so that our society today is more equitable, sustainable and inclusive.

I cannot conclude without informing you of the availability of the CHRC [toll-free number, 1523](#), which facilitates the denunciation of alleged human rights violations irrespective of the telephone operator.

Long live the National Human Rights Institution,

Long live Cameroon, one and indivisible!



EXPERIENCE-SHARING WORKSHOP ON MONITORING HUMAN RIGHTS
IN BUSINESS ACTIVITIES AND STATE ENGAGEMENT IN THE NEGOTIATIONS
ON THE DRAFT UN TREATY ON BUSINESS AND HUMAN RIGHTS

Yaoundé United Hotel

5 and 6 October 2022

The Secretary General of the *Association francophone des commissions nationales des Droits de l'homme*³ (AFCNDH), a constant partner of the Cameroon Human Rights Commission since its inception, whom I thank very warmly for the honour of having made our institution host this important event,

The Chairperson of the National Human Rights Commission of Mali, dear counterpart,

Distinguished representatives of fellow national human rights institutions in the French-speaking world, to whom I extend a warm welcome to our country, still known as "Africa in miniature",

Distinguished Chairs of the Sub-Commissions of the Cameroon Human Rights Commission,

Distinguished Commissioners,

The Permanent Secretary of the Cameroon Human Rights Commission

Distinguished representatives of public administrative services,

Distinguished representatives of Civil Society Organisations,

Distinguished guests, all protocols observed,

In the Editorial of the March-April 2022 issue of the Harvard Business Review France, the Editor-in-Chief of the Magazine urges companies to “*take an interest in all stakeholders: employees, customers, suppliers, subcontractors, communities and shareholders*”, stressing that “*companies benefit from putting their employees at the*

³ Francophone Association of National Human Rights Commissions.

heart of a mobilising project, at the heart of the common good". It is the same cause that brings us together in this beautiful new room of the United Hotel in Yaoundé, which is hosting this experience-sharing workshop on monitoring human rights in business activities and the participation of States in negotiations on the draft United Nations treaty on business and human rights.

Let me begin by expressing my instinctive sympathy and deep gratitude to our Francophone Network, the Francophone Association of National Human Rights Commissions (*Association francophone des Commissions nationales des Droits de l'homme* Francophone Association of National Human Rights Commissions), which has given us its unfailing support since the effective establishment of the Cameroon Human Rights Commission on 29 April 2021. The Francophone Association of National Human Rights Commissions has constantly increased its support to the establishment of the National Human Rights Institution of Cameroon, in its new format, by organising in-person and distant activities, such as the initial training workshop for members and staff of the Commission held from 25 to 28 May 2021 and facilitating the participation of the Commission in several meetings abroad, such as the *Capacity Building Workshop on the fight against corruption for a better respect for human rights* from 5 to 10 September 2021.

This time, the Francophone Association of National Human Rights Commissions is doing us the honour of organising a workshop on a global theme on Cameroonian soil, undoubtedly because of our technical and operational performance in handling the theme of business and human rights, which I will discuss at greater length later in my speech. However, the choice of the Commission can also be explained by the legendary hospitality that unquestionably characterises our dear and beautiful country, Cameroon.

Dear guests, the Francophone Association of National Human Rights Commissions has also selected among all its members, Burkina Faso, Côte d'Ivoire, France, Mali, Mauritania, Niger and Senegal, all countries with which Cameroon is bound by a long and illustrious friendship, and deep feelings of brotherhood. I hope that you can already attest to Cameroonian hospitality since your arrival and I do not doubt that you will return to your respective countries with a wealth of memories of your stay in the land of Patriarch Paul BIYA, Roger Milla, Yannick Noah and Samuel Eto'o Fils.

Coming back to the topic that brings us together here today, it is of undeniable importance for each of our countries, especially as they demonstrate their commitment to the achievement of economic, social and cultural rights, which are essential to guarantee the sustainable development of all States. The importance of the theme of business and

human rights is also based on the fact that each of the States represented in this workshop has ongoing programmes of industrialisation, public works or commercial activities. All of these activities are generally likely to give rise to an interplay of the State/business/population triptych. These interactions sometimes reveal the divergent views of the actors in this triptych.

For companies, it is often the idea supported by Milton Friedman of the University of Chicago, according to which there is no direct presumption of compatibility between the activities of businesses and human rights that prevails. According to this author, - and this is true - the sole purpose of a company is to seek profits and maximise profits. While it must be recognised that the legal framework underpinning the operation of these companies sometimes takes on board the strong likelihood that they will come to disregard the achievement of people's rights and thus engage the responsibility of protecting states or serving their development ambitions.

Indeed, the rights jeopardised by business activities can be of several kinds and of several generations. They include the right to work, the right to safety at work, the right to physical and moral integrity, the right to health, the right to human dignity, the right to freedom of association, the right to wages and adequate remuneration, the right to an adequate standard of living, The right to social security, the right to equality of all before the law, the right to a pension, the right to land ownership, the right to a healthy environment, the right to compensation for various harms, including harms affecting children, women and indigenous people. The impact of corporate tax evasion and corrupt practices that deprive states of revenues that would have enabled them to improve the living conditions of their populations should also be noted.

All of these rights are being violated despite the existence of legal frameworks for the protection of human rights in business operations.

The international legal pillars for the protection of human rights in business are the *UN Guiding Principles on Business and Human Rights*, adopted on 16 June 2011. This is currently the most specific framework for addressing business and human rights issues at the universal level. Also worth mentioning are the 189 Conventions of the International Labour Organisation (ILO) which cover various aspects of human rights related to decent work, as well as the OECD Guidelines for Multinational Enterprises, adopted in 1976 and updated on 25 May 2011. Closer to home, in July 2016, the G20 adopted the Guidelines for Global Investment Policymaking.

All of these principles aim, as the preface to the OECD Guidelines clearly states, to "encourage the positive contribution that enterprises [...] can make to economic,

environmental and social progress and minimise the difficulties that their various activities can cause".

It is worth adding that the normative framework referred to is accompanied by community standards such as the *West African Economic and Monetary Union (WAEMU) Mining Code*, the *Economic Community of West African States (ECOWAS) Mining Directive on the Harmonisation of Guiding Principles and Policies in the Mining Sector*, the *Supplementary Act adopting the ECOWAS Mineral Resources Development Policy*, and international initiatives to control multinational companies such as the *Global Compact* adopted in 1999 in Davos by the *World Economic Forum*, the *Kimberley Process* on the certification of diamonds and the prevention of diamonds from entering conflict zones, and the *Extractive Industries Transparency Initiative (EITI)*.

However, it is clear that this framework is still relatively weak, with a balance of power in favour of companies that exert strong pressure on countries. Professor John Ruggie of Harvard University, the originator of the *UN Guiding Principles on Business and Human Rights*, who died on 16 September 2021, noted this in his report of 22 April 2009:

Recent experience shows [...] that certain [...] contractual provisions may unduly restrict the ability of the host country to achieve its legitimate public policy objectives, including compliance with its international human rights obligations.

This phenomenon is especially noticeable in Africa, where the bargaining power of States is so weak that many of them are tempted to reduce health, labour or environmental requirements, or even to trample on the rights of local communities, as a way of attracting investors. As the Committee on Economic, Social and Cultural Rights pointed out in its General Comment No. 24 (2017), some States do not hesitate to lower "*corporate income tax rates for the sole purpose of attracting investors [bearing in mind that this leads to] a race to the bottom that ultimately undermines States' ability to mobilise domestic resources for achieving the rights enshrined in the International Covenant on Economic, Social and Cultural Rights*".

Clauses in investment codes, state contracts and bilateral investment treaties often tie up the normative power of the state, sometimes preventing it from legislating in the public interest in matters concerning human rights and business, or from pursuing other *legitimate public policy objectives such as national security*, public order, cultural policy, or responding to situations of structural hardship with emergency economic measures.

The framework for protection against corporate-related human rights abuses can also be seen to be applicable to states, which may, in the event of untimely inaction, assume responsibility for corporaterelated human rights abuses.

Dear partners,

Distinguished representatives of National Human Rights Institutions

You must still have vivid memories of the violations of the right to life of the 1,129 people who died on 24 April 2013 in the collapse of a building housing several textile factories in Bangladesh (*Rana Plaza*), the platinum mine workers in *Marikana*, South Africa, in 2012, when 44 people died, and the *Probo Koala* affair, chartered by *Trafigura*, which led to the environmental disaster in Côte d'Ivoire in September 2006, killing 17 people and poisoning tens of thousands. These and other facts should convince us to make the subject of business and human rights a real concern for our National Human Rights Institutions and our States.

I would like to dwell more on the case law in this area.

I will begin with the mythical case of *Ken SARO WIWA v Royal Dutch Shell*, an Irish multinational whose due diligence in safeguarding the environmental rights of the Ogoni people of Nigeria was challenged in 1996. This very case was handled in *Communication 155/96: Social and Economic Rights Action Center (SERAC) and Center for Economic and Social Rights (CESR) against Nigeria* before the African Commission on Human and Peoples' Rights (ACHPR). The African Commission found violations of the rights to health, to a healthy environment and the right to food of the Ogoni people by the Nigerian State, as a result of the oil operators. The facts revealed also included the extra-judicial execution of Mr WIWA and other leaders of the *Movement for the Survival of the Ogoni People*.

The second case that comes to mind is *Mankayi v AngloGold Ashanti Ltd*, in which the South African courts recognised the responsibility of the respondent company, in 2011, for violating the right to health of mine workers suffering from lung diseases.

Finally, I would like to mention the case covered by *Communication 393/10, Institute for Human Rights and Development in Africa and Others versus Democratic Republic of Congo*, in which on 4 August 2017, the ACHPR found the government of the Democratic Republic of Congo guilty of the massacre of more than 70 people in the village of Kilwa, and offered compensation of US\$2.5 million to the victims and their families. The case stemmed from the fact that *Anvil Mining*, an Australian mining conglomerate operating a copper and silver mine in *Dikulushi*, about 50 km from Kilwa,

was providing logistical support to the soldiers who indiscriminately bombed civilians, summarily executed at least 28 people and made many others disappear.

Beyond Africa, I would like to recall the 27 June 2016 award by an arbitral tribunal, based on the UN Commission on International Trade Law (UNCITRAL) arbitration rules in the case of *Peter Allard v Barbados*. In this case, the tribunal upheld the claims of the suing company, upholding Barbados' obligation to adopt environmental measures to avoid contamination of the investor's ecotourism site.

Even more strikingly, in *Al Warraq v. Indonesia*, also decided by the UN Commission on International Trade Law arbitral tribunal on 15 December 2014, the arbitral tribunal “*considered that the principle of fair and equitable treatment due to the investor also includes the Rights provided for in the International Covenant on Civil and Political Rights of 16 December 1966, [in this case,] the right to procedural guarantees and the right to be heard during the trial.*”

Ladies and gentlemen,

The choice made by the Francophone Association of National Human Rights Commissions, our faithful partner at all times, for this event is no accident. It is a combination of factors concerning our commitment to fully and effectively exercise our missions of promotion and protection of human rights in business, to involve Civil Society Organisations in monitoring and evaluating the issues involved, and in mobilising the Government of Cameroon to adopt firm measures and participate in crucial meetings to tip the balance in favour of the States, custodians of the general interest, concerning businesses.

With regard to our commitment to this issue, the facts and figures, which you will hear in one of the presentations that will be delivered later on, will speak for themselves. I will give you a brief overview: in 2019, for example, out of 917 alleged cases of human rights violations or abuses received by the Commission, as many as 100 concerned companies, an overall rate of 10.9 per cent. Some 41 of these cases were imputed to public companies and 59 to private businesses. The Cameroon National Human Rights Institution also conducted several field missions, particularly under the Project to Improve the Conditions for Exercising Freedoms (PICEF) in 2020, including visits to the Société de fabrication des matériaux de construction (SOFAMAC), *MAGIL Construction Corporation*, *Arabs Contractor*, *DANGOTE Cement Cameroon*, *Acéries du Cameroun* and *Prometal aciéries*.

The aim of these missions was to evaluate how well companies respected the rights of workers and local residents and this led to recommendations on the scrupulous

respect for all workers' rights, including the right to remuneration and the right not to be unfairly dismissed, the revision of the collective bargaining agreements of the sectors concerned, so that the workers benefit fully from the rights to which they are entitled, the right to unionise, and also the implementation of the general right of access to information by the populations affected by an investment project and their right to be fully compensated *before* the start of construction. This is all the more important given that loud complaints about payment of these allowances often slow down the country's major structural projects.

Perhaps I should also remind you that the commitment of Cameroon's National Human Rights Institution (NHRI) to the theme of this workshop has distant origins. Indeed, it was in the aftermath of the adoption of the Edinburgh Declaration, on 10 October 2010, on the theme of *Business and Human Rights, the Role of National Human Rights Institutions*, that Cameroon in turn hosted, thanks to the strong involvement of public authorities, the regional workshop on the theme of *Business and Human Rights: the Role of African National Human Rights*

Institutions, from 29 September to 1 October 2011. At the conclusion of the workshop, a Yaoundé Action Plan was adopted. This plan was based on three areas of action, namely:

- i) the right to labour and decent working conditions
- ii) business and the right to land and
- iii) business and the right to a healthy environment.

Several training sessions were then organised in Bertoua, Mbalmayo, Ebolowa and Douala.

The most recent activity, which took place from 30 June to 1 July 2021 in Yaoundé, concerned *the adoption and implementation of the National Human Rights Institution's and the government's action plans on human rights and business*. It was organised with the support of our partners from the UN Centre for Human Rights and Democracy in Central Africa.

One of the significant results of this activity that we are entitled to note is that, at the end of the workshop, *inter-ministerial consultations led to the effective and sustained participation of Cameroon in the 7th session of the Open-ended Intergovernmental Working Group on Business and Human Rights* held from 25 to 29 October 2021 in Geneva.

However, we deplore the fact that we did not obtain the resources to carry out all the activities of our institutional action plan, consistently and in great detail, although the

plan does take on board the concerns I raised earlier about the right to the environment, workers' rights, and the rights of local residents, including the rights of children and women affected by business activities. Through this plan, the Commission plans to carry out advocacy activities to improve the legal framework, capacity building sessions for all actors, and facilitate victims' access to remedies in case of human rights violations arising from the activities of companies.

Ladies and gentlemen,

Our collective experiences and discussions over the next few hours and tomorrow must culminate in a breakthrough. To achieve this, the National Human Rights Institutions present could submit to the Francophone Association of National Human Rights Commissions and its funding partners, plans for the establishment of a *human rights education platform for employers and business staff*.

We must also strive to involve all our states in the forthcoming negotiations on the draft UN treaty on business and human rights. I hope to see the emergence of a concerted stance by the countries of the French-speaking world, which will stand up to human rights violations by companies. Without pretending to ignore the difficulties that these companies are experiencing due to the effects of the Covid19 pandemic and the war in Ukraine, we must make them understand that they can rely on human rights as a strategy for sustainable economic growth.

Distinguished guests,

I wish you great success in your deliberations and hope that your stay in this hospitable land will be a pleasant one,

I hereby declare open the Workshop on Experience Sharing on Monitoring Human Rights in Business Activities and State Participation in the Negotiations on the Draft UN Treaty on Business and Human Rights.

Long live human rights!

Long live the National Human Rights Institutions!

Long live a united and indivisible Cameroon!



Cameroon Human Rights Commission
Commission des Droits de l'homme du Cameroun

SESSION TO PREPARE FOR THE CAMEROON HUMAN RIGHTS COMMISSION'S APPEARANCE BEFORE THE SUB-COMMITTEE ON ACCREDITATION

7 October 2022

SPEECH BY THE CHRC CHAIRPERSON

The Chairperson of the National Human Rights Commission of Mali, dear counterpart,

The representative of the Chairperson of the National Human Rights Council of Côte d'Ivoire,

The Vice-Chairperson of the Cameroon Human Rights Commission,

Distinguished Chairpersons of the Sub-Commissions of the Cameroon Human Rights Commission,

Distinguished Commissioners,

The Permanent Secretary of the Cameroon Human Rights Commission,

The Chargé de Mission to the *Association francophone des Commission nationales des Droits de l'homme*,

Ladies and Gentlemen,

I am delighted to meet with you in this brand new conference room of the United Hotel in Yaoundé, as we prepare for our first accreditation session before the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions (GANHRI).

Permit me to reiterate my deep gratitude to our special partner, the *Association francophone des Commission nationales des Droits de l'homme* (AFCNDH)⁴, for once again demonstrating its unfailing support and constancy in accompanying our institution

⁴ Association of French-Speaking NHRIs.

since the beginning of its effective establishment, with the entry into office of its 15 permanent members on 29 April 2021.

In May 2021, during the Induction Workshop for Members and Staff of the Cameroon Human Rights Commission (CHRC), organized with the technical and financial support of the AFCNDH, the discussion was already on the table that, in addition to helping us to carry out our mandate effectively, we had to prepare ourselves to soberly address this crucial step to which all National Human Rights Institutions (NHRIs) are subject to, that is the assessment of their level of compliance with the Paris Principles.

As you know, these Principles adopted on 20 December 1993, in an appendix to the UN General Assembly Resolution 48/134, are intended to govern the functioning of NHRIs. The six cardinal principles conveyed in this guidance document require States to establish NHRIs:

1. with a broad enough mandate to promote and protect all human rights
2. that are independent of the government, clearly stated thus in a constitutional or legislative enactment
3. that respect a clear, transparent and participatory process for appointing members
4. based on pluralist composition and practical cooperation with all actors
5. with adequate human and financial resources; and
6. competent in investigating alleged cases of human rights violations.

The States that are responsible for establishing the NHRIs have themselves recognized that the existence of independent NHRIs that comply with the Paris Principles is an indicator of progress under Sustainable Development Goal 16, which seeks to *promote peaceful and inclusive societies for sustainable development, provide access to justice for all, and build effective, accountable and inclusive institutions at all levels.*

Ladies and Gentlemen,

The establishment and evolution of Cameroon's NHRI are closely linked to the evolution of the country's constitutional framework. Thus, the establishment of a national mechanism to guarantee the promotion and protection of human rights concomitantly with the return of political pluralism preserved by a set of laws called the code of freedoms. Indeed, Cameroon, together with Togo, is among the first African countries to

have set up NHRIs in 1990, while discussions were still underway for the adoption of rules that were to describe the modalities of operation of this type of institution.

Thus, the then National Commission on Human Rights and Freedoms was created in 1990 through Presidential Decree No. 90-1459 of 8 November 1990. The Commission was placed under the direct supervision of the Prime Minister and its members were required to report, on a confidential basis, to the Head of State.

A few years after the adoption of the Constitution of 18 January 1996, which enshrined human rights in the marble of the Fundamental Law, giving them the same force as the other provisions of the Constitution, the new National Commission on Human Rights and Freedoms was set up by Law No. 2004/016 of 22 July 2004. Despite the improvements made to bring the said institution closer to the compliance criteria of the Paris Principles, it was demoted in 2006 to status B, in embodiment to its partial compliance with the said Principles, before recovering Status A in 2010, after taking on board the main recommendations of the Subcommittee on Accreditation.

The third version of Cameroon's NHRI occurred in 2019, when the Cameroon Human Rights Commission was established by Law No. 2019/014 of 19 July 2019. It was designed to fully comply with the Paris Principles by responding to concerns raised by the Sub-Committee on Accreditation between 2010 and 2017. Such change has also enabled the NHRI of Cameroon, which is also the National Mechanism for the Prevention of Torture (NMPT), to visit all detention facilities.

It should be borne in mind that Cameroon's new NHRI has the advantage of its extensive mandate and many prerogatives which give it sufficient leeway to effectively carry out the said mandate for the promotion and protection of human rights. In terms of innovations, it should be noted that:

- i. the CHRC is a smaller-size body with 15 members, unlike the former NHRI which had 30 members
- ii. the 15 members of the new Commission work full time (Section 14), whereas in the old Commission, out of 30 members, only the Chairperson and the Vice-Chairperson were supposed to work full time
- iii. the Law sets out rules of incompatibility by prohibiting Commissioners from holding any public or private employment, except for research, teaching or consulting activities
- iv. provisions concerning the management of real or apparent conflicts of interest are provided for greater objectivity, impartiality and independence (Section 15), and this constitutes a step forward as regards the integrity

of the Commission's work, particularly through the mechanism of withdrawal or recusal

- v. the new law provides in its Section 58, the swearing-in of Staff Members, which will henceforth make them real Human Rights Officers
- vi. the CHRC may intervene before any court as *amicus curiae* (friend of the court) when human rights are at stake in a trial (Section 7)
- vii. as the NMPT, the new Commission conducts regular, unannounced or notified visits to all detention places. The latter have been identified and are no longer limited to prisons and police custody units, but include, in particular, bolster institutes, psychiatric centres and hospitals, escort vehicles for prisoners, disciplinary cells and premises of defence and security forces, etc.
- viii. the Commission's missions in this area have been extended and reinforced by Sections 9 and 11 of the 2019 law. Thus, the presence of the State Counsel or the State Prosecutor is no longer mandatory and even in exceptional cases where the visit to a detention facility may be prohibited for serious and compelling reasons related to national defence, safety, security and public order, and serious disturbances in the places visited, the officials concerned are required to provide the Commission, in writing, with a minimum of information on the situation of detainees present in their establishment (Section 8).

Based on the terms of the Law that mentions the "establishment" of the CHRC and these innovations, we felt it was imperative to remind the Sub-Committee on Accreditation that summoned us to submit our Statement of Compliance and all supporting documentation, that the CHRC be accredited and not re-accredited, as contemplated in the GANHRI invitation letter received on 29 July 2021.

The request for postponement submitted to the Secretariat of the Sub-Committee on Accreditation (SCA) is also motivated by the still ongoing process of preparing the draft decree on the organization and functioning of the CHRC Permanent Secretariat, and the preparation of the 2021 CHRC report on the situation of Human Rights in Cameroon.

Ladies and Gentlemen,

Perhaps it is necessary to recall that the Status A that we claim is beneficial for us as well as for our country when we know the importance of Human Rights in diplomatic relations and the expectations that people place on us. It is not insignificant to recall that

since its inception, the CHRC has been under heavy pressure, with 34 requests for input on Human Rights concerns from the Ministries and officials of the Diplomatic Missions of Cameroon in Geneva, headquarters of the United Nations Office and Addis Ababa, headquarters of the African Union, to provide advisory opinions, as part of our role as advisor to the government and the Parliament on Human Rights, based on Section 6, 4th indent of the 2019 Law.

It is in our interest to adhere to the best regional and international standards because as a Status A NHRI, we have responsibilities and duties. Such duties probably depend on our ability to cooperate with the main actors at the national, regional and international levels, our pragmatism to advance the noble cause of human rights through popularising human rights instruments, internalising regional and international norms in the national legal corpus, and our efforts to strengthen the capacities of CSOs for them to contribute usefully to the development of a human rights culture in the country.

In terms of benefits, Status A NHRIs are allowed to speak at various meetings of human rights monitoring mechanisms, including at the Human Rights Council, during the sessions of the Universal Periodic Review (UPR) and interactive dialogue with the mandate holders of special procedures. NHRIs with Status A may also apply for the positions of Special Rapporteurs and benefit from the NHRI training grant programmes.

The recognition of the added value of NHRIs of Status A was noted in Resolution 33/15 of the United Nations General Assembly (UNGA) on the various ways to better ensure the effective exercise of human rights and fundamental freedoms. This resolution, which was adopted on 19 December 2019, highlighted the importance of the independent voice that NHRIs bring to the debate on all human rights. For example, NHRIs participated in all stages of the process of developing the Global Compact for Migration.

It is therefore a notoriety factor that we must use to challenge the government on the major issues of Human Rights and correct the narrative that actors that are poorly informed of progress in terms of human rights in our country clumsily propagate.

Resolution A/HRC/RES/39/17 adopted on 28 September 2018 by the Human Rights Council at its 39th session, "*[e]ncourages all States and national human rights institutions to continue to take appropriate steps to maintain a legislative or policy framework compliant with the Paris Principles, and to promote cooperation, the exchange of information, the sharing of experience and the dissemination of best practices concerning the establishment and effective operation of national human rights institutions.*"

In this regard, I would urge us to learn from the experiences of our sister-NHRIs in Mali and Côte d'Ivoire. They have recently undergone an accreditation assessment,

which they have brilliantly tackled to maintain Status A. We will hear them discuss the topics on which differences of opinion may be expressed, but we must master the most convincing and careful way of approaching the Declaration of Conformity, supported by strong and irrefutable arguments to show that we deserve the trust that all the strata of the Cameroonian population place in us, to build organisational loyalty on the part of the Civil Society Organisations with whom we are working to build a stronger partnership, and consolidate the credit given to our consultative approach by our Government and Parliament correspondents.

Ladies and Gentlemen,

To lose the A status would undoubtedly cast aspersions on the State's human rights policy and deprive us of all the prestige of our institution.

As I wish our deliberations every success, I call to order the preparatory meeting for the appearance of the Cameroon Human Rights Commission before the Subcommittee on Accreditation.

Long live Human Rights!

Long live the NHRIs!

Long live one and indivisible Cameroon!



Cameroon Human Rights Commission

Commission des Droits de l'homme du Cameroun

**73rd SESSION OF THE AFRICAN COMMISSION ON HUMAN
AND PEOPLES' RIGHTS**

21 to 30 October 2022

Affiliated NHRI status No. 08

Name and title of NHRI Representative: Prof. James MOUANGUE KOBILA,
Chairperson of the CHRC

The law establishing the NHRI: Law No. 2019 / 014 of 19 July 2019

STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION (CHRC)

**The Chairperson of the African Commission on Human and Peoples' Rights,
Honourable Commissioners,**

Your Excellencies, Distinguished Representatives of States,

**Distinguished Representatives of National Human Rights
Institutions,**

**Representatives of Non-Governmental Organisations and Civil
Society Organisations,**

Ladies and Gentlemen, all protocols observed,

First of all, I would like to express my joy at the fact that the sessions of our African Human Rights arena can be held in-person once again. This will undoubtedly give a human touch to our meetings and enable us to focus, but also to interact on the sidelines on issues that are of relevance to us all, even though online meetings are a less expensive way to connect. I am particularly pleased to be participating in person for the first time.

The new National Human Rights Institution of Cameroon, which I have been chairing since 29 April 2021, is greatly honoured to present its statement, for the fourth consecutive time since its effective establishment, at this 73rd Session of the African Commission on Human and Peoples' Rights (ACHPR), which coincides with the commemoration of the 35th anniversary of the African Charter on Human and Peoples' Rights and the 10th anniversary of the Addis Ababa Roadmap on Cooperation between the Special Procedures of the ACHPR and the UN Human Rights Council.

I am delighted, as this allows me to take stock of the positive developments, and also aspects of concern in human rights matters in Cameroon.

Concerning positive developments in Cameroon's human rights record between May and September 2022,

The major innovation concerns the commissioning, since 27 July 2022, of a **toll-free number, 1523**, which enables the NHRI of Cameroon to better fulfil its missions of protecting human rights and preventing torture in all detention facilities.

This free, functional, secure and confidential public utility hotline is available to all inhabitants of the country to report cases of human rights violations, express their concerns about their rights, or simply for information purposes. On 20 October 2022, Orange, one of the largest mobile phone companies in Cameroon, sent SMS messages to all their subscribers urging them to report human rights violations by calling the toll-free number. This initiative was warmly applauded by the government and Civil Society Organisations (CSOs) and is already bearing fruit.

Most complaints received through the toll-free number concern the right to physical and moral integrity, cases of arbitrary arrest and detention, the right to property and the right to a fair trial. The new communication hotline has enabled the successful handling of many complaints, including:

- the case of violation of a complainant's right to property by his village chief, referred to the CHRC's North Branch Office on 12 August 2022. The CHRC's intervention with the Public Prosecutor to the Courts of Guider resulted in the restitution of the disputed land to the complainant and the issuance of administrative documents that he was struggling to obtain
- the case concerning a lady who alerted the CHRC South-West Branch Office on 21 September 2022, attesting to the fact that her 18-year-old daughter had disappeared and had been taken away by a patrol

car of the Buea Gendarmerie for failure to present her national identity card. The CHRC action the following day led to her release.

Concerning human rights issues of concern in Cameroon between May and September 2022

The CHRC released 10 statements to mark Human Rights commemorative days, underscoring various concerns, besides the persistent security issues in the Far North, North-West and South-West Regions that have contributed to Cameroon's ranking as the 6th most terrorist-affected country out of the 49 African countries, as per the *2022 Global Terrorism Index*.

The 10 statements released concern:

- International Workers' Day, 1 May 2022
- World Environment Day, 5 June 2022
- Day of the African Child, 16 June 2022
- World Refugee Day, 20 June 2022
- International Day against Drug Abuse and Illicit Trafficking, 26 June 2022
- African Women's Day, 31 July 2022
- International Day of the World's Indigenous Peoples, 9 August 2022
- The fifth Africa Civil Registration and Vital Statistics Day, 10 August 2022
- International Day to Protect Education from Attack, 9 September 2022
- International Day of Peace on 21 September 2022.

The CHRC issued four press releases between May and September 2022:

- to release the results of its June 2022 investigation on the armed attacks against 30 persons, including 26 men and four women, following a land dispute between the *Oliti and Orgal communities* in the Akwaya Sub-Division, and the destruction of a health facility by secessionist terrorists in the Akwaya Sub-Division, South-West Region, and

- on the investigation concerning the alleged arrest and detention of a group of visually-impaired demonstrators at the Central Police Station No. 1 in Yaoundé in June 2022. The CHRC condemned the acts of violence and degrading treatment against them, even though most of their demands were legitimate and the relevant authorities are progressively responding to them.

The CHRC welcomes the effective implementation and renewed commitment of the Ministries concerned to implement the recommendations made in its statements and press

releases. The Commission equally emphasises the need for a common front against the instigators and sponsors of terrorist acts, so that they can be arrested and prosecuted.

Honourable members, dear participants, to conclude, the CHRC hopes that this ACHPR 35th anniversary will further encourage States Parties to fully achieve the objectives of promoting and protecting human rights enshrined in the Charter.

I reaffirm the Commission's wholehearted and committed support in this regard.



Commission des Droits de l'homme du Cameroun
Cameroon Human Rights Commission

**STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION DURING
THE 8TH SESSION OF THE WORKING GROUP ON NEGOTIATING
THE TREATY ON BUSINESS AND HUMAN RIGHTS**

24 - 28 October 2022

8th session of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights

Dear Chair-Rapporteur,

The Cameroon Human Rights Commission (CHRC) extends compliments and is pleased to participate in this session of the Open-ended intergovernmental working group on transnational corporations and other business enterprises with respect to human rights, which is meeting under your chairmanship.

Recognising that provisions in State contracts and bilateral investment treaties (BITs) often tie up the normative power of the State, sometimes preventing it from enacting legislation in the public interest in matters concerning human rights and business,

The CHRC nevertheless commends the fact that many model BITs have incorporated the requirement of respect for human rights and, more broadly, the right of the State to legislate in the public interest for the past two decades. The CHRC is also aware that domestic law, regional law and international human rights law have relevant texts and instruments to protect human rights in business. Nevertheless, the CHRC remains convinced that to better prevent and sanction human rights violations arising from corporate activities, the adoption of an international treaty is necessary as it will make it possible to *codify* and *develop*, in a

single instrument, all the standards aimed at effectively combating corporate impunity.

The CHRC recalls Resolution 38/13 adopted by the OHCHR *Accountability and Remedy Project* in which the role of National Human Rights Institutions as a mechanism for promoting access to effective remedies is highlighted and therefore recommends that this role be reflected in the draft treaty.

The CHRC recommends that discussions on the Draft Treaty should focus on the effective protection and remedy for victims of corporate-related human rights abuses.

The Commission equally recommends as follows:

- States participating in the session should ensure that the relevant provisions of the draft Treaty enforcing human rights against business activities are internalised in investment codes, state contracts and BITs
- Businesses should consider the crucial requirement to respect the commitments made in the “investment agreements”, also known as “state contracts” concluded with host States for investments in favour of human rights and local communities
- the Open-ended Intergovernmental Working Group should consider in the draft treaty the requirement of scrupulous compliance with the commitments corresponding to the “most favoured nation clause on human rights” inserted in bilateral investment agreements concluded either by the host State of the investment or by the investor’s State of nationality with other States.



**40th ORDINARY SESSION OF THE AFRICAN COMMITTEE OF EXPERTS
ON THE RIGHTS AND WELFARE OF THE CHILD (ACERWC)**

Maseru, Lesotho, 23 November 2022

STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION (CHRC)

Your Excellencies, State Representatives,

Representatives of Government Institutions and Political Parties of Lesotho,

Your Excellency, the High Commissioner of the Republic of South Africa to the Kingdom of Lesotho,

Distinguished Chairperson of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC),

Distinguished Members of the African Committee of Experts on the Rights and Welfare of the Child,

The Commissioner of the AU for Health, Humanitarian and Social Affairs, represented here,

The President of the African Court on Human and Peoples' Rights (AfCHPR),

The Representative of the African Commission on Human and Peoples' Rights (ACHPR),

The Regional Representative of the Office of the High Commissioner for Human Rights for Ethiopia, the African Union and the Economic Commission for Africa (ECA),

The Representative of the Ethiopian Human Rights Commission,

Distinguished Representative of the Network of African National Human Rights Institutions (NANHRI),

Dear Representative of the Children,

Distinguished Representative of the Civil Society Organisations Forum,

Distinguished participants, all protocols observed,

I am delighted that the 40th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) is holding in-person. Indeed, on this fateful day, the august Committee is for the 40th time exercising its apt leadership in the context of its sessions..

It is my privilege to speak on behalf of the first National Human Rights Institution (NHRI) to be granted affiliate status with ACERWC, at its 38th Session in November 2021, following the opportunity given by this important mechanism of the African human rights monitoring system to NHRIs for affiliation, with the adoption of its Guidelines on the granting of affiliate/associate status to National Human Rights Institutions in November 2018.

The Cameroon Human Rights Commission (CHRC) reiterates its firm and resolute commitment to promoting and protecting the Rights of the Child and popularising the duties of the child as crystallised in the African Charter on the Rights and Welfare of the Child (ACERWC), which was adopted on 1 July 1990, ratified by Cameroon on 5 September 1997 and entered into force on 29 November 1999.

The CHRC recalls that the absence of a dedicated Children's Rights Unit within its organisational structure does not preclude it from dealing with Child Rights issues, especially since the Children's Rights Focal Point is none other than the Chief of Staff of the Chairperson of the CHRC. In addition, all the Sub-Commissions, the Gender Expert Commissioner, all the technical units at the Head Office, all the branches in the regions and the officer representing the institution in the Inter-Ministerial Committee for the follow-up of the ACERWC recommendations are all mobilised to achieve the Rights of the Child.

The CHRC is a non-judicial remedy that actively monitors cases of violence against children, making recommendations to put an end to such violence, with tangible results.

Thus, as part of fulfilling its protection mandate, the CHRC, alerted by the 13 deaths that occurred in mining sites in Batouri and Bétaré Oya in the East Region, conducted investigative missions in June 2022. It observed cases of the worst forms of child labour. The first outcome of the mission was the gradual return of children to the schools they had deserted, especially in Kambélé.

That trend could be strengthened by the "Zero Children in Mining" operation launched on 26 September by SONAMINES to financially support unemployed families at the Kambélé site and accompany their children, who were given school kits and scholarships to mark the occasion.

A month earlier, the CHRC recommended that the worst forms of child labour be included in the list of hazardous work as part of preparing Cameroon's annual report to the Committee of Experts on the Application of International Labour Organisation Conventions.

Still concerning protection, one of the innovations concerns the implementation, since 27 July 2022, of a **toll-free number, 1523**, which enables the NHRI of Cameroon to better fulfil its missions. Since the launch of the hotline, administrative services have sent 25 letters to the CHRC, undertaking to disseminate the information to their staff and users. Several government bodies and state universities have issued notices to this effect. A few days ago, the Prime Minister's Office instructed the Minister of Communication to ensure publicity on State-owned radio and television and in the government daily newspaper, which has been done. On 20 October 2022, a major mobile phone company in Cameroon (Orange) also sent SMS to all its subscribers inviting them to report any human rights violations by calling this toll-free number. Children can use it to report violations of their rights.

The CHRC's actions in the area of prevention of torture led to the visit to 292 detention facilities from January to September 2022, including centres for the care of children in distress and Quranic schools to ensure that the minimum standards for minors in these facilities were met.

Furthermore, in keeping with the relevant provisions of its enabling law concerning its mandate to promote human rights, the CHRC has already issued, in this year 2022, 10 Statements with recommendations to mark African and universal human rights days concerning the rights of the child. These Statements include:

- International Education Day, celebrated on 24 January 2022
- International Day of Zero Tolerance of Female Genital Mutilation, celebrated on 6 February 2022
- International Labour Day, celebrated on 1 May 2022
- Day of the African Child, celebrated on 16 June 2022
- World Refugee Day, celebrated on 20 June 2022
- International Day against Drug Abuse and Illicit Trafficking, celebrated on 26 June 2022
- International Day of the World's Indigenous Peoples, celebrated on 9 August 2022
- Africa Vital Statistics and Civil Status Day, celebrated on 10 August 2022
- International Day for the Protection of Education from Attack, celebrated on 9 September 2022

- World Children's Day, celebrated on 20 November 2022.

The themes covered in these Statements, and the actions in line with the CHRC's protection and prevention of torture mission, are consistent with the thematic choices made by ACERWC for this 40th Session: children living with disabilities, Child Rights and Business, the impact of climate change on children in Africa, female genital mutilation, children affected by conflict, etc.

The Chairperson of ACERWC,

Ladies and Gentlemen,

This session offers me the opportunity to discuss the situation of Child Rights in Cameroon, based on the progress made and the persistent challenges in these different areas during 2022.

Concerning progress, the CHRC is pleased to note the following non-exhaustive actions:

- the proliferation and intensification of birth certificate issuing operations throughout the country since the start of 2022. These operations will certainly help to avert endangering the right to education of 1.4 million primary and secondary school children who lack birth certificates
- the signing by the Minister of Territorial Administration of the Decree of 7 March 2022, aimed at prohibiting the marketing and consumption of water pipes, to which young people are exposed and indulge without moderation.

The Commission is pleased with the effective implementation of the commitment reiterated by the ministries involved to fulfil the recommendations made in the institution's statements and press releases. The administrative authorities have already responded with 69 letters to the Commission, accepting the recommendations, concerning which some Ministries like the Ministry of Public Health, have even proposed to set up mechanisms to monitor them.

Concerning the challenges that persist as regards achieving Child Rights in Cameroon, the Commission indicates that the security situation in three regions of the country marked by repeated attacks against education by domestic and external terrorists affects the protection of child rights to life, physical integrity, identity, not to be exposed to the risk of statelessness, education, health, adequate and balanced nutrition, access to drinking water, etc., in short, the child's right to an adequate living standard. Cases of trafficking, abuse, and exploitation of IDPs are also reported as part of the effects of these security problems.

The Commission recalls that the issue of civil registration is an important item on its agenda, as demonstrated by its active participation alongside the Minister in charge of Decentralisation in Maroua to mark the African Day of Civil Registration and Vital Statistics (10 August 2022), and the letters sent to the relevant authorities, including the Head of State on 28 March 2022 for achieving the Right to Identity for all children in Cameroon, as per the relevant provisions of the ACRWC which recognize the child's right to a name (Article 6, paragraph 1), the right to the birth registration (Article 6, paragraph 2) and the right to a nationality (Article 6, paragraph 3). Despite these efforts, access to such rights is still a serious concern, especially because of the high costs of issuing or redoing birth certificates through court registration documents.

The Commission further regrets the impact of drug use and the cycle of violence among young people, including in schools and universities, and indigenous communities. The 2021 statistics of the National Committee for the Fight against Drugs (CNLD) indicate that 15 per cent of young Cameroonians are drug users.

Honourable members,

Dear participants,

The Commission strongly reaffirms its support for ACERWC in raising awareness, disseminating, and monitoring the implementation of the ACRWC provisions, including:

- i. submitting a report to the Committee every three years on the activities of the Commission in line with the Committee's mandate
- ii. participating in the Committee's activities
- iii. submitting to the Committee presentations on Child Rights that require its attention;
- iv. assisting in disseminating and implementing the Committee's observations and recommendations transmitted to the Government of Cameroon;
- v. assisting the Committee when it undertakes fact-finding, follow-up, or investigation missions in Cameroon
- vi. providing the Committee with relevant information on the Child Rights situation in Cameroon
- vii. following up on the implementation of the Committee's recommendations addressed to my country, and
- viii. submitting a shadow report to complement Cameroon's report, including updates on the status of implementation of the ACRWC, the Concluding Observations, and the ACERWC recommendations.

In conclusion, the Commission wishes to renew its commitment to fully play its role in achieving the objectives of promoting and protecting Child Rights in Cameroon.



**Cameroon Human Rights Commission
Commission des Droits de l'homme du Cameroun**

**Sub-regional workshop on the strengthening
and establishment of national human rights institutions (NHRI)**

Adamaoua Grand Hôtel (Douala), 14-16 December 2022

Speech by the Chairperson of the Cameroon Human Rights Commission

The Director of the UN Centre for Human Rights and Democracy in Central Africa (UNCHRD-CA), a constant partner of the National Human Rights Institution of Cameroon, who is represented here, and whom I would like to thank most warmly for honouring me by co-sponsoring this important meeting,

The Governor of the Littoral Region, here represented,

The Representative of the Section for Human Rights Institutions and Regional Mechanisms of the Office of the High Commissioner for Human Rights in Geneva,

The Senior Human Rights Adviser of the Office of the UN Resident Coordinator in Burundi,

The Chairperson of the Independent National Human Rights Commission of Burundi, dear counterpart,

Distinguished representatives of the National Human Rights

Institutions of the Central African sub-region,

Distinguished representatives of the public administrations of Cameroon's neighbouring countries, to which our country is united by an exemplary friendship and deep feelings of brotherhood,

Distinguished Commissioners, Members of the Cameroon Human Rights Commission,

Distinguished guests, all protocols observed (even if distinctions do not always correspond to those to which your competence, courage and generosity entitle you),

Ladies and Gentlemen,

At this solemn moment, it is with a mixed feeling of joy and gratitude that I take the floor in this sumptuous Conference Room of the Adamaoua Grand Hotel, in this great city of Douala where my roots are, on behalf of the National Human Rights Institution (NHRI) of Cameroon, as part of the sub-regional workshop on the strengthening and establishing of NHRIs. We are here to discuss how together we can strengthen the NHRIs of the Central African sub-region, so that they can fully play their role in promoting and protecting human rights, thus contributing to the realization of the dreams of coexistence, harmony and progress of the peoples of our respective countries.

This meeting takes place at a time when NHRIs in general continue to face multiple challenges related to their existence and functioning. The UN General Assembly resolution of 20 December 1993 recommends that States create national institutions whose main missions will be to implement policies for the promotion and protection of human rights and guide public authorities in the field of human rights, for the entrenchment of democracy and the rule of law.

At the regional level, Article 26 of the African Charter on Human and Peoples' Rights also prescribes the “*establishment and improvement*” of national and local human rights institutions in African countries. These national institutions must operate according to guiding principles commonly known as the Paris Principles.

The Vienna Declaration and Programme of Action solemnly adopted by the World Conference on Human Rights held on 14-25 June 1993 encourages, in point 86 of the document, the National Institutions for the Promotion and Protection of Human Rights to “*periodically hold meetings under the auspices of the Centre for Human Rights to examine ways of improving their mechanisms and sharing their experiences.*”

You will agree with me that the deliberations of this sub-regional workshop, which will last three days, contribute to the concrete realization of this vital roadmap on international cooperation and solidarity in the field of Human Rights.

Permit me to try again to express my gratitude – to which I associate the compliments supported by the Commissioners and the Permanent Secretariat of the CHRC – to the UN Centre for Human Rights and Democracy in Central Africa (UNCHRD-CA), Office of the High-Commissioner for Human Rights (OHCHR) of our sub-region, for the rewarding choice of Cameroon, which has the honour of hosting this important meeting, after the one in Libreville, in Gabon, where I had the privilege of participating from 10 to 12 November 2021.

I have no doubt that the United Nations Centre, a valuable and indispensable partner of the Cameroon Human Rights Commission (CHRC) within the United Nations

system, made this choice because of the legendary hospitality that unquestionably characterizes our beloved and beautiful country Cameroon, also called “the Continent”, a designation amplified since the victory of the Indomitable Lions, its national football team, against Brazil at the World Cup taking place in Qatar right now. For those of you who are new to our country, I hope you have already experienced that. In any case, I would like to extend a warm welcome to all of you in the economic capital of Cameroon. I am certain that you will return to your respective countries, with a parade of joyful and exquisite memories.

**Ladies and Gentlemen,
Dear Participants,**

A study, jointly conducted in 2015 by the Network of African National Human Rights Institutions (NANHRI) and the UN Development Programme (UNDP) on the state of national human rights institutions in Africa, recommended strengthening NHRIs to support government and development partner initiatives.

This study focused on several areas, including independence, surveillance, finance and collaboration with other stakeholders and the fulfilment of their mandate to promote and protect human rights. Some of the recommendations of the study are addressed to the NHRIs themselves, NANHRI, governments, and development partners.

This sub-regional workshop aims to ensure that this vision supports NHRIs, thus enabling them to better contribute to the sustainable development of our sub-region.

The relevance of this meeting, which is being held a year after the one in Libreville, where the Strengthening and Establishment of National Human Rights Institutions (NHRIs) were discussed under international standards, there is also a need to follow up on the implementation of the recommendations contained in the roadmaps that were drawn up at that time, especially concerning support for the process of effective establishment of NHRIs in countries of the sub-region that do not yet have them, as well as the continuation of reforms initiated by those that have not yet attained the A status.

In addition, this meeting takes place a year before the 30th anniversary of the adoption of the Paris Principles governing the functioning of national human rights institutions. Indeed, it would be interesting for NHRIs to assess compliance with the Paris Principles by 20 December 2023.

In these perspectives, I am pleased with the opportunity to resume these rich and high-level discussions with you on the added value of our unique institutions in the human rights landscape, and the need to adopt ingenious and effective strategies to

strengthen our presence, our independence and our actions with all the actors with whom we interact as part of promoting and defending human rights.

These strategic discussions are particularly relevant to the role of human rights in the triumph of the rule of law in our sub-region. They are also important given that our institutions and the work they carry out are an indicator of good governance, democracy, peace and development. As Myriam Revault d'Allonnes, a French philosopher and scholar, said very well, *“Democracy worthy of its name can only guarantee human rights through the effective existence of institutional mediation”*.

Very recently, for example, the public authorities, through the Ministry of External Relations, demonstrated this by asking for a contribution from the CHRC to strengthen the commitment of the United States and Cameroon to support the promotion of democracy, responsible governance and human rights as part of preparing Cameroon's participation in the 2nd United States/Africa Leaders' Summit which has been going on since yesterday in Washington, in which His Excellency Paul Biya, President of the Republic of Cameroon is participating in person.

However, there is more: human rights are indeed a central issue and will increasingly occupy a primordial place in international relations, since the respect for human rights conditions will further condition inter-state cooperation with certain countries in several areas, including the most sensitive ones, as much as the movement of goods and persons at the international level, with the rise in the subject "Business and Human Rights".

By setting up the CHRC through a profound transformation of the enabling law of the NHRI of Cameroon, and then the swearing-in of its members before the Supreme Court sitting in Chambers on 29 April 2021, the State of Cameroon clearly understood that democracy cannot be brought into the daily life of the inhabitants of a country without the entrenchment of a culture of human and people's rights, through the effective functioning of the mechanisms and institutions which are its vectors and which assume the defence thereof.

This demonstrates the essential role of our institutions in the human rights movement in Africa and around the world. This role was again recognized at the 51st session of the Human Rights Council held from 12 September to 7 October 2022 in Geneva, through the Resolution of 13 October 2022, in which the Council welcomes the valuable contribution made by NHRIs in fulfilling the mandates of regional and international human rights mechanisms, including that of the Universal Periodic Review and United Nations Special Procedures.

NHRIs are state institutions that promote accountability, prevent human rights violations and support the development and implementation of non-discriminatory laws, policies and programmes. They are also a bridge between the State and civil society, as conveners in consultations on national processes that affect marginalized and vulnerable groups, to promote transparent, participatory and inclusive national development processes. At the national level, NHRIs have a mandate to put an end to abuses – not just to "document" them in the manner of CSOs/NGOs. They inform and monitor the impact of policies and actions on the enjoyment of human rights. They also play an important role in advising governments and parliaments on human rights. In this respect, NHRIs are the cornerstone of national, regional and international systems for the promotion and protection of human rights.

It is also clear to you that NHRIs are expected on several fronts: Economic, Social and Cultural Rights, Civil and Political Rights, Promotion and Protection of the Rights of Vulnerable Groups, as well as the consideration of human rights in the treatment of special issues such as climate change, migration, pandemic management, the fight against terrorism, the prevention of conflicts of various kinds, the fight against corruption, due diligence in corporate activities, achieving the objectives of Agenda 2063 and 2030 on sustainable development, etc.

To meet all these expectations, we have the necessary assets offered by the Paris Principles and by our enabling laws, as well as the tools developed by the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Global Alliance of NHRIs (GANHRI) and the Network of African National Human Rights Institutions (NANHRI). Among these tools:

- I will first of all mention the Belgrade Principles adopted on 23 February 2012, which determine relations between NHRIs and parliaments, to strengthen and better establish effective cooperation as required by the Paris Principles
- I will then mention the Mérida Declaration adopted on 10 October 2015 on the role of NHRIs in achieving the Sustainable Development Goals
- I will conclude this illustrative, not exhaustive list by the Declaration (of Marrakech) on the widening of the civic space, the promotion and protection of human rights defenders, with a specific focus on women: the role of national human rights institutions, adopted on 12 October 2018.

However, we are all aware that the density and nobility of the NHRIs mandate do not spare them where they exist, with the many challenges they encounter. One of the major challenges they face is the lack of awareness of their mandate, which usually leads to non-advantageous relationships with other actors, including governments in

some countries – fortunately, not Cameroon -- that often want to control their agendas and positions under the pretext that they hold the paternity of these institutions, in disregard of the principle of independence, which is central and important for their effectiveness.

With regards to CSOs, some develop bad competition – and frankly, unfair opposition – vis-à-vis NHRIs, by wrongly presenting them and for the needs of the cause, as branches of government. Ignorance of the nature of NHRIs and their methods, where confrontation with public authorities is contraindicated, also pushes some CSOs – fortunately very few, although noisy – to blame NHRIs for not being as offensive as they are, even in their actions to protect human rights. Fortunately, the facts and operational results of NHRIs in terms of success stories, activities and impact fully demonstrate the opposite.

Despite the often-indisputable goodwill of public authorities, in our underdeveloped countries characterized by scarcity of resources, several NHRIs also face a lack of financial and human resources.

Distinguished representatives of public authorities,

Where NHRIs are being set up or engaged in a reform process, the authorities are often tempted to create them only to reverse their image at the international level and to diminish the criticism of international NGOs on human rights issues. It is up to you to protect these new institutions from the lack of concern for the people they must protect against human rights violations, by allowing them to reach out to the people, as close as possible to them, as the CHRC has done;

- i) by massively using social media to disseminate its statement to mark African and Universal Human Rights Days,
- ii) by leaving the capital to organize Human Rights Days in different regions of the country, including outside the regional capitals, or
- iii) by obtaining from one of Cameroon's largest mobile phone companies, Orange Cameroon, for it to disseminate a push message on its **toll-free number, 1523**, to all its subscribers by SMS, in French and English.

It is also desirable that you plead with the competent authorities, knocking on all the doors so that your NHRIs are equipped with sufficient resources and meet all the requirements of compliance with the Paris Principles. Your contribution to the establishment of these entities must be made bearing in mind the accreditation processes that take place before the GANHRI, a process whose smooth functioning

benefits our communities, our States, the Central African sub-region, the Francophonie and the NHRIs themselves.

I cherish the strong determination that the number of NHRIs (10/12) and status A NHRIs (5/12) will increase exponentially within our sub-region⁵. We'll all be honoured.

Dear NHRI Counterparts and Representatives,

It is incumbent upon us to carry out and support the advocacy for the establishment of NHRIs and the completion of the NHRIs reform processes in the countries concerned, namely: Congo Brazzaville, Gabon, Equatorial Guinea, Sao Tome and Principe, and the Central African Republic. It is not a soft plea, of form or without conviction, but a committed and concerted approach that will lead us to intervene with national and regional actors who can effectively encourage the establishment of NHRIs and their commitment to the accreditation process to the status of compliance with the Paris Principles. When these NHRIs are established, they will not only have to meet the Paris Principles but will also have to be maintained.

Our role as a locomotive in this process must be exemplary, characterised by achievements in the interest of rights holders who will no longer have difficulty turning to us for effective remedies to remedy human rights violations. This role must also take on board the Paris Principles, which especially recommend a close liaison with CSOs, to help duty bearers effectively fulfil their sovereign mission of protecting human rights, in the most sustainable manner possible.

In this sense, one of the opportunities we can seize is the preparation of electoral deadlines in several countries of the sub-region. At least five out of the 12 countries served by the Centre are affected by elections next year and for the next five years. This is a good opportunity to ensure respect for human rights during the pre-election phase, during the electoral phase itself and the post-election period. Our deployment on this ground will certainly help prevent electoral violence and preserve peace. With this in mind, the CHRC has compiled an updated compendium of its recommendations addressed to the main actors of the electoral system during the 2010-2020 decade and send them to those entitled on 12 December 2022. This compendium has just been posted on the website and the CHRC Facebook and Twitter pages. Our deliberations today will certainly enable us to discuss these experiences in greater detail.

⁵ According to the breakdown of the scope of intervention of UNCSD-CA which takes into account all the member countries of the Economic Community of Central African States, including Djibouti, and except for Rwanda,

Several intentions have been expressed here and there, including by representatives of the United Nations, we need to look more seriously at the establishment of an NHRI network in Central Africa to develop fruitful synergies to better fulfil our mandate, to be champions in all areas of Human Rights compared to other sub-regions, and even beyond Africa's borders. In this perspective, our meetings will become annual or biannual meetings and the echo of our performances and our growing progress as an NHRI will resonate regionally and universally, especially during the activities of GANHRI, NANHRI, AFCNDH, the Commonwealth NHRI Forum, the African Commission on Human and Peoples' Rights, the African Committee of Experts on Rights and Welfare of the Child, and the African Court.

Dear Partners of the United Nations System,

NHRIs can only be grateful for the support they receive from you. The CHRC has always shown you the full extent of its gratitude and sympathy for your unconditional support in its functioning.

However, it would be incorrect not to tell you that the support we receive is still insufficient, at least, compared to what is done in the other sub-regions of Africa and proportion to the challenges facing NHRIs in Central Africa. We hope to work more closely and benefit from more substantial technical and financial support for the implementation of NHRI projects and action plans, including ensuring their adequate participation in meetings of African and universal human rights treaty bodies.

Ladies and Gentlemen,

Distinguished Guests,

Our proceedings deserve to be rewarded by striking progress, which is why I wish us every success, renewing my wishes to those who come from far away for a pleasant stay in this land of hospitality.

Long live Human Rights!

Long live the NHRIs!

Long live one and indivisible Cameroon!



**THE THIRD AND FOURTH ORDINARY SESSIONS OF THE GENERAL ASSEMBLY
OF COMMISSIONERS OF THE CAMEROON HUMAN RIGHTS COMMISSION
(CHRC)**

**Yaoundé, Conference Centre
21 and 22 December 2022**

SPEECH BY THE CHRC CHAIRPERSON

- **The Vice-Chairperson of the CHRC,**
- **Distinguished Chairs of the Sub-Commissions,**
- **Distinguished Commissioners of the CHRC,**
- **The Permanent Secretary,**
- **Distinguished Professors and guests,**
- **The Head of the Division for Human Rights Promotion and Protection,**
- **Distinguished Staff Members, all Protocols observed**
- **Distinguished Representatives of the press,**
- **Ladies and Gentlemen,**

Here we are again for two ordinary General Assemblies of the CHRC, following the Extraordinary General Assembly of 30 March 2022, which was dedicated to the adoption of the Rules of Procedure.

The Third and Fourth Ordinary Sessions of the General Assembly of Commissioners of the Cameroon Human Rights Commission (CHRC), which will be held over two successive days, as last year, a year to this day on the same dates - and for the same reasons - in this same place, the Yaounde Conference Centre.

After 2021, which was mainly a year of impregnation for the very first team of **CHRC** officials and commissioners, as of their taking office following the swearing-in of

the 15 Commissioners before the assembled chambers of the Supreme Court on 29 April 2021, 2022 was marked by intense activity for the new team of this new institution.

It must be recognized at the outset that the remarkable activity of the CHRC in 2022 was possible thanks to the assistance of the high authorities of the State. They do not cease to substantiate their determination to endow the new National Human Rights Institution (NHRI) of Cameroon with progressive and growing resources to enable the institution to peacefully fulfil its threefold mandate to promote and protect human rights, and prevent torture in detention facilities.

This is the place to express the full extent of my gratitude to the high authorities of the State, to which I include the gratitude of all the Commissioners and Permanent Secretariat of the CHRC. Firstly, for the budgetary extension, we received once again this year, which has enabled us to be more effective on the ground. We are all the more grateful to the Government for the substantial increase in the Commission's budget for the year 2023. In fact, we have gone from a **2021 budget of one billion 493 million 501 thousand CFA francs** (including the extension), or 1 billion 246 million CFA francs excluding the extension (996 million for functioning and 250 million for investment), to a **2022 budget of 3 billion 746 million CFA francs** (including extension) and 3 billion 246 million CFA francs excluding extension (of which 2 billion 496 million CFA francs for operations and 750 million CFA francs for investment), **which represents an increase of 2 billion CFA francs compared to the 2021 budget excluding extension, in absolute terms, or 160.51% in relative terms**. It should be noted that this sharp increase in the budget was necessary to enable the 15 now permanent Commissioners to be paid.

And here we are with a **2023 budget of 3 billion 946 million CFA francs for the year 2023** (of which 2 billion 996 million CFA francs is for functioning and 950 million for investment), **i.e. an increase of 700 million CFA francs** (500 million for functioning and 200 million for investment) **in absolute value compared to the 2022 budget, which represents 21.56% in relative value**.

The Commission also benefited from a grant from MINEPAT consisting of a generator, eight desktop computers, two video projectors, 15 directors' chairs, five visitors' chairs, three hoovers, 10 coffee makers and two microwave ovens. The UNDP also donated equipment to the Commission consisting of office and electronic equipment (seven desks, six air conditioners and 15 blinds), computer equipment (a printer for Braille deciphering, 15 laptops, 15 anti-virus software) and a large collection of documents (510 thematic books), **worth a total of 27 million 898 thousand 500 CFA francs**. We would like to reiterate our warm and sincere gratitude to this UN partner agency.

On the strength of this encouragement, which shows the determination of the authorities to spare no effort to accompany the new NHRI in its implementation process the CHRC deployed during the year 2022 on the promotion front, that of the protection of human rights as well as that of the prevention of torture. On observation, such positioning makes it possible to affirm today that CHRC, the new NHRI, has taken its mark in the institutional landscape of our country.

It suffices only to look at the Institution's 2022 record to see that.

As far as the promotion of human rights is concerned, we can welcome the rise of the regime in the celebration of the commemorative human rights days. Indeed, out of the 31 Human Rights Commemorative Days that the CHRC selected the day after its establishment, a total of 30 were marked by the publication of a statement for each Commemorative Day, including the special statement - so to speak - on sports and human rights during the

TotalEnergies AFCON last January. Therefore, **31 statements were published in total in 2022, as opposed to 18 in 2021**. These statements, it should be recalled, have the merit of contributing to the achievement of all five promotion objectives assigned to the CHRC by its founding law of 19 July 2019 in Section 4, which expresses the purpose of the mandate to promote Human Rights:

“contribute to developing a human rights culture based on the ideals of peace, equality in rights and duties, mutual respect and sustainable development, particularly:

- *by popularizing human rights legal instruments [which our statements realize by systematically informing readers about all relevant regional, international and national human rights instruments for each day celebrated]*

- *by raising public awareness on various human rights issues, including gender issues, as well as the rights of vulnerable groups [all the value of the broadest possible dissemination of our statements, including the increased visibility provided by the visuals with which they are increasingly systematically accompanied]*

- *through research, education and training in the domain of human rights [given the richly informative nature of these statements, which include the research they require on the situation of the topic addressed in the world in general and in the country in particular]*

- *through cooperation in the domain of human rights* [through administrative services, CSOs and all partners involved in the enrichment of these statements, as well as the distribution of their compendiums to each national and international partner we meet]

- *by advocating the improvement of the legal and institutional framework for human rights promotion* [through the recommendations contained in our statements, that are specifically addressed to the authorities and actors concerned, and then highlighted in the transmittal letters accompanying the statements].

The Vice-Chairperson,

Distinguished Chairpersons of Sub-Commissions,

Distinguished Commissioners,

The Permanent Secretary,

Our work in promoting human rights has not been limited to the publication of statements. We have also organized numerous ***Human Rights awareness activities, 61 in all***, four through the Head Office and *57 through the 10 branches* – and I should point out that the East Branch has been operational since 1 September 2022, the date when the Branch Head and the Rapporteur were installed.

Among the activities to raise awareness of Human Rights, we can mention among the most eloquent:

- **the celebration of International Women's Day** in Maroua, in the Far North, and **the mission of peace-building between the Arab *choua* and *mousgoums* communities in the Logone-etChari Division**, following the inter-community conflict between the citizens of these two communities between August and December 2021 – it should be noted that this peace building mission was, in fact, the implementation of a recommendation of the 2nd Ordinary Session of the General Assembly of Commissioners
- **the series of activities organized from 22 November to 3 December 2022, as a prelude to and to mark the 2022 International Day of Persons with Disabilities (IDPD)**, which is celebrated on 3 December of each year, and I should point out that following this series of activities, we were awarded the ***“Prix de la meilleure institution de promotion et de protection des Droits des personnes handicapées”*** [Prize for the best institution for the promotion and protection of the rights of persons with disabilities] by the civil society platform called *Solidarité des personnes handicapées pour le développement*,

abbreviated as SOPHAD. This award was won precisely for the following activities:

- The capacity building workshop for CHRC members and staff on measures to monitor access to public buildings for persons with disabilities, which was held on 22 November
- 2022 at the CHRC Head Office, and was followed by o The actual visit of the main public buildings in Yaounde and the headquarters of the ten Regions, to check access for persons with motor, visual or hearing disabilities, on 23 and 24 November 2022, a visit punctuated by awarenessraising activities on the rights of this vulnerable category of persons
- The Round Table with representatives of CSOs defending the rights of persons with disabilities at the Cardinal Paul Émile Léger National Centre for the Rehabilitation of
- Persons with Disabilities in Etoug-Ebe (CNRPH) on 29
- November, followed on the same day by o The ceremonial launch of the IDPD celebration at the “Centre national de rehabilitation des personnes handicapées” (CNRPH) with the presentation of gifts to the residents of the said Centre
- Activities in Bafoussam and the West Region in general, from 1 to 3 December 2022 (exhibition fair, legal clinics, visits centres for persons with disabilities with donations, media campaigns, official ceremony), and so on.
- Concerning **cooperation**, the CHRC Chairperson granted audiences to three diplomatic missions accredited to Cameroon this year. These were, from the latest to the oldest:
- the audience granted to H.E. Mr Nigel HOLMES, Deputy High Commissioner of the United Kingdom of Great Britain and Northern Ireland to Cameroon, on 8 December 2022
- H.E. Mr Christopher John LAMORA, Ambassador of the United States of America to Cameroon, granted audience on 25 August 2022. The Chairperson of the CHRC presented to the Ambassador the Observations of the institution under his responsibility on the 2021 Report of the *United States State Department on Human Rights in Cameroon*
- the audience granted to Mr Leslie CAMPBELL and Mr Ashley JONES of the British High Commission on 19 July 2022.

As part of cooperating with UN agencies, the Chairperson granted an audience to Mr Sangare NOUHOUM, the new Director of the UN Centre for Human Rights and Democracy in Central Africa, on 9 December, after the farewell audience granted to Mr Louis Marie BOUAKA, his predecessor, on 24 March 2022, and just before going to Douala, on invitation from the new Director, to take part in the Subregional Workshop on the Strengthening and Establishment of

NHRIs in the Central African Sub-region, on 14, 15 and 16 December. In the same vein, the Resident Coordinator of the United Nations also granted an audience to the Chairperson of the CHRC on 8 November 2022, to strengthen ties between the CHRC and all UN agencies active in the country.

According to the CHRC's enabling law, cooperation in human rights matters makes a major contribution to the institution's promotion mission (Section 4, 4th indent and Section 5, 4th, 6th and 7th indents). Thus, with regard to collaboration with international organisations (the CHRC participated in 18 activities organised by this category of partners), including the treaty bodies, particularly at the African level, with which the CHRC made a point of being actively involved this year, as follows:

- the African Commission on Human and Peoples' Rights, whose 73rd session the Chairperson of the CHRC attended in person, in Banjul, from 18 October to 3 November 2022, and
- the African Committee of Experts on the Rights and Welfare of the Child, whose 40th session the Chairperson of the CHRC again attended, from 23 to 26 November 2022
- in Maseru (it should be recalled that the CHRC is the first NHRI affiliated to this Committee in 2021).

In 2022, the CHRC was equally proactive in collaborating with other NHRIs or networks of NHRIs. In this respect, the following actions and activities were carried out:

- On 28 April 2022, a delegation from the Burundi National Human Rights Institution led by Dr Sixte Vigny NIMURABA, its Chairperson, visited the Commission and made a presentation on the experience of Burundi's Independent National Commission in preparing and publishing its Annual Report to the Commissioners and staff members of the Commission
- Following the announcement of its membership to the Association des Ombudsmans et Médiateurs de la Francophonie (AOMF), the Commission took part in the Association Congress in Marrakech from 16 to 19 May 2022

- From 16 to 22 May 2022, the Commission took part in the biannual meeting of the Commonwealth Forum of National Human Rights Institutions (CFNHRI) and related activities organised on the margins of the Commonwealth Heads of Government Meeting in Rwanda. The activity enabled the Commission to gather information on the functioning and organisational charts of Commonwealth National Human Rights Institutions and to submit a project aimed at increasing the participation of youth in public affairs management in two years to the Government
- As part of making the National Mechanism for the Prevention of Torture (NMPT) operational- a new mandate of the National
- Human Rights Institution of Cameroon provided for by the 2019 Law, the Chairperson of the National Human Rights Council of Morocco, kindly sent Dr Mohammed BENAJIBA, Coordinator of the Moroccan National Mechanism for the Prevention of Torture, to the workshop that took place with the technical and financial support of the UN Centre for Human Rights and Democracy in Central Africa (UNCHR-CA) at the Mont Fébé Hotel in Yaoundé from 25 to 26 May 2022. The workshop enabled the SubCommission on the Prevention of Torture to adjust its roadmap and better prepare its Annual Report on the Prevention of Torture in Cameroon, a document that is currently being finalised
- From 5 to 6 September 2022, the Association francophone des Commissions nationales des Droits de l'Homme (AFCNDH) under the auspices of the CHRC, conducted in Cameroon, Experience-Sharing Workshop on Monitoring Human Rights in Business Activities and State Engagement in the Negotiations on the UN Draft Treaty on Business and Human Rights. National Human Rights Institutions from Burkina Faso, Côte d'Ivoire, France, Mali, Mauritania, Niger, the Democratic Republic of the Congo and Senegal took part in the workshop and expressed their wish to follow Cameroon's example, as it has been participating in negotiations aimed at adopting a binding instrument to govern human rights in business activities since 2020. After the workshop, the Commission made a statement at the 8th Session of the Working Group on Business and Human Rights in Geneva, on 24 to 28 October 2022. The Commission's commitment led the government to send a verbal notice for Cameroon to be included in the core group of States in charge of finalising the Draft Treaty on Business and Human Rights. Cameroon is currently the only African country in the group.

In total, besides the statement mentioned in the previous paragraph, the CHRC submitted four other statements and eight written contributions to African and international human rights bodies in 2022: (i) the statement delivered at the 71st Session of the African

Commission on Human and Peoples' Rights (virtual, 21 April -13 May 2022) and (ii) the statement delivered in person at the 73rd Session of the said Commission, in Banjul from 21 to 30 October 2022; (iii) the statement delivered on 23 November 2022 before the 40th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child in Lesotho; and finally (iv) the CHRC statement at the 106th Session of the Committee on the Elimination of Racial Discrimination (April 2022), which the Chairperson of the CHRC attended in Geneva, Switzerland.

Concerning cooperation with international NGOs, the CHRC granted an audience to a delegation from **Amnesty International** which was on a working mission in Cameroon. The audience, which was chaired by the Vice-Chairperson of the Commission, provided an opportunity to renew contact with that NGO, whose relations with the NHRI of Cameroon had, to all intents and purposes, been at a standstill since 2015.

The **Ensemble contre la peine de mort (ECPM)**, is an international NGO with which the CHRC has had a particularly rich collaboration this year. The CHRC took part in two major international meetings organised by ECPM, namely the **African Seminar on the Abolition of the Death Penalty**, in Nairobi, Kenya, from 27 May to 3 June 2022, and the **8th World Congress against the Death Penalty**, from 15 to 18 November 2022 in Berlin. Furthermore, the CHRC hosted the Workshop on the presentation of the *Guide on the abolition of the death penalty and NHRIs* organised by ECPM at its Head Office, on 18 October.

It is on the strength of this collaboration that the CHRC embraced advocacy for the abolition of the death penalty in Cameroon, which is one of the working documents to be considered at the present sessions of the General Assembly of Commissioners.

Other cooperation actions of the CHRC at the institutional and operational level at the local level were carried out with national partners such as:

- Public authorities (**22 in total, for 93 collaborative activities**). It should be noted that specific measures have been taken to strengthen collaboration with the Ministry of Justice and the Ministry of Decentralisation and Local Development, given the importance of these two Ministries in achieving human rights. The draft Memoranda of Understanding with the CHRC are currently being examined by these authorities

- CSOs, whose number of partners continues to grow, increasing from **630 last year to 765 this year, of which 413 are affiliated and 352 are grouped in two networks**, such as the Cameroon Network of Human Rights Organisations, which brings together **74** CSOs, and the Cameroon Freedoms Observatory, which comprises **278** CSOs. It is also worth noting that upon invitation or in partnership with these CSOs, the CHRC recorded **151 interactions** of various forms with them, including 49 events related to various human rights themes, for which the CHRC received about twenty applications for technical and financial support from its partner CSOs.

Distinguished Participants,

Ladies and Gentlemen,

Let's talk about the protection of human rights...

Here again, the Commission's track record in 2022 speaks for itself. An emblematic success in this area is the launch of the CHRC's **toll-free number, 1523**, on 28 July 2022 and its dissemination to all users of the Orange Cameroon mobile phone network by SMS in English and French.

This free, functional, secure and confidential public utility line, backed by a CAMTEL number and accessible from all mobile telephone operators in Cameroon, enables the Commission to better carry out its human rights protection missions, which, under section 6 of its enabling law, aims to "*contribute to strengthening the rule of law and combating impunity in the domain of human rights*". The **toll-free number** enables all citizens of the country to report cases of human rights violations, to express their concerns about the exercise of their rights, or just for enquiries. Authorities, the press, Civil Society Organisations (CSOs) and citizens have already welcomed this initiative and it has started bearing fruits.

Between 28 July (the date of its launching) and 14 December 2022:

- some **935** calls were recorded *including 303 reported cases of human rights violations, of which 273 were referred to branches, 30 cases of human rights violations directly handled at the Head Office*
- some **135** enquiries
- some **497** nuisance calls.

It should be noted that **223 out of the 308 cases of human rights violations reported to the Commission through its toll-free number** have already been handled or are in process of being handled. Of the cases, **34** have had a very satisfactory

outcome, resulting in **success stories**. This reflects the speedy handling of the oral complaints received through the Commission's **toll-free number**.

Generally speaking, concerning all the complaints filed and handled at the CHRC, there was a *significant increase in 2022 compared to 2021, from 824 complaints filed and 548 handled to 1,239 filed and 951 handled in 2022* and of course, especially given the aforementioned data on the number of reports (or oral complaints) filed through the **toll-free number**. **Concerning the complaints lodged, the increase in absolute value is 415 and in relative value, it is more than 50 per cent. As for the complaints handled, in absolute terms, they have increased by 403 that is over 73 per cent in relative terms.**

Concerning the self-initiated investigations for human rights violations, the Commission has once again increased in number, in a rather spectacular way! Here are the figures: *from 89 cases of self-initiated investigations in 2021 to 253 in 2022, giving an increase of over 184 per cent!*

As part of handling both complaints filed and self-initiated investigations for human rights violations, the Commission conducted **547 fact-finding visits, 322 as part of handling complaints and 225 as part of self-initiated investigations.**

These figures speak for themselves. They demonstrate that on the strength of its sovereign prerogative to "*request the competent authorities to put an end to human rights violations noted*", the CHRC is determined to do everything in its power to ensure the triumph of the rule of law and to combat impunity in matters of human rights.

Distinguished guests,

Ladies and gentlemen,

It should be noted that the Commission's monitoring of respect for human rights concerns ALL Cameroonians, including those in the diaspora.

As part of the Commission's mandate of "*spontaneously examining allegations which may constitute serious, recurrent or systemic human rights violations brought to its knowledge*" and "*monitoring the human rights situation*" (Section 6 (2) and (3), of the 19 July 2019 Law) and concerning the situation of Cameroonians both in and outside the country, the Commission undertook the following verification, gathering information and investigation actions after it was informed of alleged cases of ill-treatment of **Cameroonians living in Equatorial Guinea** in November 2021:

- As a diplomatic measure, the Equatorial-Guinean Commission was requested to inquire about the situation through a letter sent on 17 November 2021

- Following this, the Chairperson of the Commission received the Ambassador of the Republic of Equatorial Guinea to Cameroon, based on the Ambassador's request, on 16 December 2021. The Ambassador informed the Commission that the Republic of Equatorial Guinea suspended monitoring operations and granted a three-month moratorium to foreign nationals to regularise their status in the country
- Upon the expiry of this deadline, on 25 March 2022, the Ambassador of the Republic of Equatorial Guinea to Cameroon granted an audience to the Chairperson of the Commission, upon the Chairperson's request. The Ambassador assured the Chairperson that the Equato-Guinean authorities were on the lookout for a favourable outcome concerning the issue of regularising all foreigners who could potentially be regularised. Both countries appointed focal points to follow up on these issues and promote collaboration between them
- When the Commission was once more informed through the media of alleged cases of violations during expulsion against Cameroonians, which had been ongoing since 20 October 2022, the Commission dispatched its focal point to MINREX and the Embassy to gather information on the issue. The Commission noted the highly commendable efforts of the Equato-Guinean authorities concerning cooperation and patience. It also commended the actions of the State of Cameroon to safeguard the dignity of its nationals by organising a coordinated repatriation. Following this, the Commission immediately dispatched the South Branch Office officials to the border both countries share. This was for them to collect ground data to inform the next stage of Commission actions aimed at *guaranteeing the respect of the Rights of the citizens concerned in every circumstance, fighting against misinformation on the issue and preserving peace and the quality of relations with this neighbouring and friendly country.*
- Finally, the Commission is working to dispatch a mission to Equatorial Guinea as soon as possible. The mission will not only verify the situation of Cameroonians still living there, but also contribute to setting up the National Human Rights Institution of that country.

Dear Commissioners,

The Permanent Secretary,

Dear guests,

As the National Preventive Mechanism for Torture in Cameroon, let us now focus on the third pillar of our mandate. This is the main innovation of the 2019 Law compared to the former National Human Rights Institution (the National Commission on Human Rights and Freedoms) which only had the two traditional missions of promotion and protection of human rights.

The innovation also lies in the fact that the 2019 Law gives *the Commission access to places of detention (Section 8(2))*.

The Commission, therefore, wanted to leverage this innovation by focusing on these new places when visiting detention facilities in 2022.

Thus, the Commission conducted visits to **379 detention facilities in 2022, including 147 new ones**, the following are the legal categories of reference referred to above: *borstal institutes, border transit areas on land, at sea and in the airport, customs detention areas, psychiatric centres and hospitals, Defence and Security Forces disciplinary cells or premises, detainee escort vehicles, detention cells of legal departments, all other places where people could be detained*.

Last year, I mentioned that we had moved from *six visits to detention facilities in 2020 to 176 in 2021*. This year, it is possible to speak of a significant **leap in the Commission's activities in this area of its mandate, with an increase of 203 in absolute terms and 115 per cent** in relative terms.

The Vice-Chairperson,

Distinguished Chairpersons of Sub-Commissions, Distinguished Commissioners,

A look at some statistics of the human rights situation in Cameroon in 2022 makes us realise the magnitude of the task that still awaits us concerning the promotion and protection of human rights and the prevention of torture, to put an end to violations and ensure the triumph of the law. This is also to ensure that respect for human rights becomes part of the daily lives of Cameroonians in all ten regions of the country and beyond.

Indeed, the Government is increasingly making efforts to safeguard human rights in most areas, particularly through strengthening the legal corpus, with **40 new legislative and regulatory laws relating to human rights in force in Cameroon by 19 December 2022** (compared to 35 in 2021)⁶.

⁶ www.prc.cm and www.spm.gov, accessed on 19 December 2022.

We are also proud that, following the observation at the end of last year of a large number of children and persons at risk of statelessness in Cameroon due to the lack of birth certificates (over four million people), the State and elites have continued to carry out initiatives, through administrations and institutions concerned, to tackle this issue in 2022. One of such initiatives is the mass birth certificate issuance campaigns. We are particularly pleased to welcome the setting up of registration offices in health facilities, to enable the issuing of birth certificates to children on the spot in hospitals, immediately after birth. According to the National Civil Status Registration Office (BUNEC), this already concerns 115 health facilities across the country, including 57 in the Far North Region, 43 in the North Region, six in the Adamawa Region, seven in the East Region and two in the Centre Region (including the Chantal Biya Foundation, since 10 June 2021), a development that stems from the Memorandum of Understanding signed between the Ministry of Public Health and BUNEC on 18 February 2020. It is hoped that this development can be extended as soon as possible and start bearing fruits.

However, generally speaking, it is deplorable that at the end of 2022, the human rights situation in Cameroon still presents:

- **12, 335** cases of cholera including **251** deaths recorded in 2022⁷
- About **126 civilians** were killed following attacks by terrorist groups in the North West and South West Regions⁸
- About **170 persons were kidnapped by terrorist groups and six hostages were released by the Defence and Security Forces** in the North-West and South-West Regions⁹
- Some 38,000 households (200,072 people) affected by floods in the Far North Region during the year¹⁰
- Some **86,000** Cameroonian refugees in Nigeria as of 19 December 2022 - *12,130 more than in 2021* – because of the security context in the North-West and South-West Regions ¹¹ which, despite periods of stability, are still marked by series of attacks and kidnappings by secessionist terrorists, leaving a feeling of insecurity in certain areas of the Regions and forcing some of their communities to flee

⁷ Based on the information provided by the Minister of Public Health at the Cabinet Council held in Yaoundé in September 2022.

⁸ International Crisis Group website (Crisisgroup.org), accessed 19 December 2022

⁹ *Ibid.*

¹⁰ Statistics from the Office for the Coordination of Humanitarian Action (OCHA) in Cameroon, accessed 19 December 2022.

¹¹ *Ibid.*

- Some **30,027** Cameroonian refugees and asylum seekers in Chad, mainly due to inter-community conflicts in the Far North Region¹²
- about **two million persons in humanitarian emergencies** are affected by the security situation in the North-West and SouthWest Regions¹³
- Some **2,038,539** persons under UNHCR protection in Cameroon (including 983,281 internally displaced persons, 555,668 returnees, 490,351 refugees and 9,239 asylum seekers)¹⁴.

These and other situations require the Commission to mature its strategies for the year 2023 which lies ahead.

The year 2023 will bring challenges for the Commission, including finalising and publishing our first annual reports, and most importantly, successfully passing through the stringent accreditation process of the Global Alliance of National Human Rights Institutions next March to maintain our prestigious "A" status, as a label for NHRIs as per the Paris Principles.

However, we must continue to make progress in fulfilling our missions of promoting and protecting human rights, as well as preventing torture.

We will quietly pursue the setting up of our institution. We will keep working based on the experience gained during the 18 first months of activity of the Commission.

I hope that deliberations on administrative, budgetary and practical issues that we will have to address over these two days will be rich, constructive and fruitful.

Long live human rights!

Long live the Cameroon Human Rights Commission! Long live Cameroon, one and indivisible!

¹² United Nations High Commissioner for Refugees (UNHCR) Statistics, accessed on 19 December 2022.

¹³ OCHA Statistics, *op. cit.*

¹⁴ UNHCR Statistics, *op. cit.*