



NATIONAL COMMISSION
ON HUMAN RIGHTS AND FREEDOMS

2020 ANNUAL REPORT

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TABLE OF CONTENTS

INTRODUCTION	27
PART I.- THE 2020 ACTIVITIES OF THE NCHRF	29
CHAPTER I.- ACTIVITIES OF DECISION-MAKING BODIES	31
SECTION I.- THE 28TH ORDINARY SESSION OF THE NCHRF	31
Paragraph 1.- The official opening ceremony of the meeting	31
Paragraph 2.- Deliberations	32
Paragraph 3.- Adopting resolutions and recommendations	32
SECTION II.- MONTHLY COORDINATION MEETINGS AND THE AUDIENCES GRANTED BY THE NCHRF	34
Paragraph 1.- Monthly coordination meetings	34
Paragraph 2.- Audiences granted by the Chairperson of the NCHRF	35
SECTION III.- PARTICIPATION IN HUMAN RIGHTS EVENTS	36
Paragraph 1.- Participation in national meetings on human rights	36
Paragraph 2.- Participation in regional and international conferences on human rights	37
CHAPTER II.- HUMAN RIGHTS PROMOTION AND PROTECTION ACTIVITIES	39
SECTION I.- HUMAN RIGHTS PROMOTION ACTIVITIES	39
Paragraph 1.- Human Rights Commemorative Days	39
Paragraph 2.- Activities conducted in collaboration with various human rights actors	40
SECTION II.- HUMAN RIGHTS PROTECTION ACTIVITIES	46
Paragraph 1.- The handling of alleged cases of human rights violations contained in complaints	46
Paragraph 2.- The handling of alleged cases of human rights violations under the Commission's initiative	58
CHAPTER III. - CROSS-CUTTING ACTIVITIES: COOPERATION, COMMUNICATION AND MANAGEMENT OF ADMINISTRATIVE AND FINANCIAL RESOURCES	61
SECTION I.- COOPERATION ACTIVITIES	61
Paragraph 1.- Cooperation with Public administrations	61
Paragraph 2.- The activities conducted under PICEF	62
SECTION II.- COMMUNICATION AND MAILING ACTIVITIES	63
Paragraph 1.- Interaction with the media	63
Paragraph 2.- Handling of mail	63
SECTION III.- THE MANAGEMENT OF HUMAN AND FINANCIAL RESOURCES	64
Paragraph 1.- Human resource management	64
Paragraph 2.- Financial resource management	65

CHAPTER IV.- OBSERVATION OF THE DUAL LEGISLATIVE AND MUNICIPAL ELECTIONS OF 9 FEBRUARY 2020 .....	.67
SECTION I.- ACTIONS CARRIED OUT DURING THE PREPARATORY PHASE .....	.67
Paragraph 1.- The issue of accreditation .....	.67
Paragraph 2.- Training and deployment of observers .....	.68
SECTION II.- OBSERVATIONS MADE DURING THE TWIN ELECTIONS .....	.69
Paragraph 1.- The pre-election phase .....	.69
Paragraph 2.- The election phase .....	.70
Paragraph 3.- The post-election phase .....	.71
SECTION III.- DIFFICULTIES ENCOUNTERED AND RECOMMENDATIONS .....	.72
Paragraph 1.- Difficulties encountered .....	.73
Paragraph 2.- Recommendations .....	.73
PART II. THE SITUATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS .....	.75
CHAPTER I. THE RIGHT TO EDUCATION .....	.77
SECTION I. STRENGTHENING OF THE MECHANISM OF ACCESS TO EDUCATION .....	.77
Paragraph 1.- Improvement of the legal framework on the right to education .....	.77
Paragraph 2.- Growth in the supply of infrastructure and human resources .....	.78
SECTION II.- BARRIERS TO THE REALISATION OF THE RIGHT TO EDUCATION IN CAMEROON IN 2020 ..	.79
Paragraph 1.- The impact of COVID-19 on education .....	.79
Paragraph 2.- Effects of the security situation on education in the Far North, North West and South West Regions .....	.81
CHAPTER II - THE RIGHT TO WORK, WORKER'S RIGHTS AND DUE DILIGENCE BUSINESS ACTIVITIES ..	.85
SECTION I.- STRENGTHENING THE RIGHT TO WORK AND WORKER'S RIGHTS PROTECTION SYSTEM ..	.85
Paragraph 1.- Improving the legal and institutional framework on access to employment and social protection .....	.85
Paragraph 2.- Social protection of workers and the exercise of freedom of association .....	.87
SECTION II.-THE IMPACT OF COVID-19 ON EMPLOYMENT AND BUSINESS ACTIVITIES .....	.90
Paragraph 1.- The impact of the pandemic on jobs .....	.90
Paragraph 2.- Effects of the pandemic on business activities .....	.92
CHAPTER III: THE RIGHT TO HEALTH .....	.95
SECTION I. THE LEGAL AND INSTITUTIONAL FRAMEWORK OF THE RIGHT TO HEALTH IN CAMEROON IN 2020 .....	.95
Paragraph 1.- Strengthening the health sector's normative framework .....	.96
Paragraph 2 – Quantity, quality of health care services and COVID-19 response ..	.96
Paragraph 3.- Universal health coverage initiatives .....	.99
SECTION II.-SOME CHALLENGES TO IMPLEMENTING THE RIGHT TO HEALTH IN CAMEROON .....	.100

Paragraph 1.- The claims of health personnel concerning their working conditions and the health system	100
Paragraph 2.- Government responses to the claims of health personnel	101
CHAPTER IV - THE RIGHT TO AN ADEQUATE STANDARD OF LIVING	103
SECTION I.- THE RIGHT TO LAND AND THE RIGHT TO HOUSING	103
Paragraph 1.- The right to land	103
Paragraph 2.- The right to housing	108
SECTION II.-THE RIGHT TO WATER AND ENERGY	111
Paragraph 1.- The right to water	111
Paragraph 2.- The right to electricity	114
Paragraph 3.- Challenges identified and recommendations of the NCHRF concerning the right to water and electricity	116
SECTION III.-THE RIGHT TO FOOD AND CONSUMER RIGHTS	116
Paragraph 1.- The right to food	117
Paragraph 2.- Consumer rights	119
PART III - CIVIL AND POLITICAL RIGHTS	123
CHAPTER I.- RIGHT TO SAFETY OF GOODS AND PERSONS	125
SECTION I.- VIOLATION OF THE RIGHT TO LIFE AND TO PHYSICAL AND MORAL INTEGRITY	126
Paragraph 1.- Violation of the right to life	126
Paragraph 2.- Violation of the right to physical and moral integrity	128
SECTION II.- OTHER VIOLATIONS OF THE SAFETY OF PERSONS	132
Paragraph 1.- Hostage-taking and ransom demands	132
Paragraph 2.- Road insecurity and highway accidents	133
SECTION III.-VIOLATION OF THE SAFETY OF GOODS: THE RESURGENCE OF CATTLE RUSTLING	134
CHAPTER II.- THE RIGHT TO A FAIR TRIAL	137
SECTION I.- ARRESTS, POLICE CUSTODY AND UNJUST OR ARBITRARY DETENTION	137
Paragraph 1. Shortcomings of the Legal and Institutional Frameworks for the Protection against Arbitrary Arrests and Abusive Police Custody	137
Paragraph 2.- The NHRCF Actions in Addressing Alleged Cases of Illegal Arrest and Detention	139
SECTION II.-VIOLATIONS OF THE RIGHT TO SPEEDY LEGAL PROCEEDINGS AND THE RIGHT TO ENFORCEMENT OF COURT DECISIONS	141
Paragraph 1.- The Legal Framework for the Right to Speedy Legal Proceedings and Enforcement of Court Decisions	141
Paragraph 2.- Difficulties Observed in Achieving the Rights to Speedy Legal Proceedings and Enforcement of Judgments in 2020	142

CHAPTER III - RIGHT TO IDENTITY AND CITIZENSHIP	145
SECTION I.- THE ISSUE OF ESTABLISHING BIRTH CERTIFICATES	145
Paragraph 1.- The procedure for issuing birth certificates in Cameroon	145
Paragraph 2.- Challenges to issuing birth certificates in Cameroon	147
SECTION II.-RIGHT TO PARTICIPATE IN THE MANAGEMENT OF PUBLIC AFFAIRS AS AN ASPECT OF GOOD CITIZENSHIP	148
Paragraph 1.- Citizen Participation through access to public administration	148
Paragraph 2.- Participation in the management of public affairs through freely selected representatives	150
CHAPTER IV - FREEDOMS	153
SECTION I.- THE STATUS OF FREEDOM OF ASSOCIATION AND PUBLIC DEMONSTRATION	153
Paragraph 1.- Restrictions on freedom of association and public demonstration in the wake of the Covid-19 pandemic	154
Paragraph 2.- The NCHRF's action in monitoring the exercise of freedom of association and public demonstration: the case of the illegal public demonstration the CRM organised on 22 September 2020	155
SECTION II.- THE SITUATION OF FREEDOM OF EXPRESSION	158
Paragraph 1.- The situation of freedom of communication and freedom of the press	159
Paragraph 2.- The right to receive and transmit information, including through the media and social media	160
PART IV - THE SITUATION OF THE RIGHTS OF SPECIFIC CATEGORIES	163
CHAPTER I. - RIGHTS OF PERSONS IN DETENTION	165
SECTION I.- INITIATIVES TO IMPROVE CONDITIONS OF DETENTION DURING COVID-19	165
Paragraph 1.- Actions taken in response to COVID-19 in prisons	165
Paragraph 2.- Progress in improving conditions of detention	167
SECTION II.-IDENTIFIED CHALLENGES AND NCHRF RECOMMENDATIONS	168
Paragraph 1.- Identified Challenges regarding General Conditions of Detention	168
Paragraph 2.- Recommendations towards a continuous improvement of detention conditions	171
CHAPTER II – THE SITUATION OF REFUGEES AND IDPS	175
SECTION I.- THE SITUATION OF REFUGEES	175
Paragraph 1.- Legal and Institutional Frameworks for Refugee Protection	175
Paragraph 2.- Refugee Management in Cameroon in 2020: Situation, Challenges and Recommendations	177
SECTION II.- THE SITUATION OF IDPS	178
Paragraph 1.- Legal and institutional framework for the Protection of IDPs	179

Paragraph 2.- Management of IDPs in Cameroon in 2020: Situation, Challenges and Recommendations	180
CHAPTER III- WOMEN'S RIGHTS AND RIGHTS OF THE CHILD	181
SECTION I.- RIGHTS OF THE CHILD	181
Paragraph 1.- The legal and institutional framework concerning the rights of the Child	181
Paragraph 2.- Challenges and actions regarding Children's Rights in 2020	183
Paragraph 3.- Some recommendations concerning the Rights of the Child	184
SECTION II.- THE STATUS OF WOMEN'S RIGHTS	185
Paragraph 1.- The legal and institutional framework relating to women's rights ...	185
Paragraph 2.- The main challenges regarding women's rights in 2020	187
Paragraph 3.- Main challenges and recommendations concerning the protection and respect for women's rights	191
CHAPTER IV - THE RIGHTS OF PERSONS WITH DISABILITIES AND INDIGENOUS PEOPLES	193
SECTION I.- THE RIGHTS OF PERSONS WITH DISABILITIES	193
Paragraph 1.-The Legal and Institutional Frameworks concerning the Rights of Persons with disabilities	193
Paragraph 2.- Challenges concerning the Promotion of the Rights of Persons with Disabilities in Cameroon in 2020	195
SECTION II.-THE RIGHTS OF INDIGENOUS PEOPLES	197
Paragraph 1.- The Legal and Institutional Frameworks for the Promotion and Protection of the Rights of Indigenous Peoples	199
Paragraph 2.- The Main Challenges encountered by Indigenous Peoples	201
Paragraph 3. - NCHRF Measures and Recommendations for the Promotion and Protection of the Rights of Indigenous Peoples	202
CHAPTER V - THE RIGHTS OF PERSONS LIVING WITH HIV/AIDS AND OTHER VULNERABLE GROUPS ..	205
SECTION I.- GOVERNMENT EFFORTS TO PROMOTE THE RIGHTS OF PERSONS LIVING WITH HIV/AIDS UNDER COVID-19	205
Paragraph 1- MINSANTE's Actions for Persons living with HIV/AIDS	205
Paragraph 2.- Safeguarding the Right of Access to Health Services	206
SECTION II – PROTECTING HIV VULNERABLE GROUPS AND OTHER CHRONIC DISEASES	206
Paragraph 1 – Protecting HIV Vulnerable Groups	206
Paragraph 2.- The Situation of Persons Suffering from other Chronic Diseases ..	207
PART V.- SPECIAL ISSUES	209
CHAPTER I.- RIGHT TO A HEALTHY ENVIRONMENT	211
SECTION I.- THE LEGAL AND INSTITUTIONAL FRAMEWORK CONCERNING THE RIGHT TO A HEALTHY ENVIRONMENT	211

Paragraph 1.-The legal framework concerning the right to a healthy environment .	211
Paragraph 2.- The institutional framework concerning the right to a healthy environment .	212
SECTION II.-ENVIRONMENTAL ISSUES IN CAMEROON IN 2020 .	213
Paragraph 1.- Anthropogenic pollution .	213
Paragraph 2.- Natural disasters .	214
CHAPTER II - SECURITY SITUATION IN THE FAR-NORTH, NORTH-WEST AND SOUTH-WEST REGIONS AND HUMAN RIGHTS EFFECTS .	217
SECTION I.- THE IMPACT OF THE SECURITY CONTEXT ON HUMAN RIGHTS IN THE FAR- NORTH REGION IN 2020 .	217
Paragraph 1.- Violations of the Right to Life, the Right to Security, and the Right to Physical and Moral Integrity .	217
Paragraph 2.- Violations of the Right to Education .	217
Paragraph 3.- Internal Displacement and Surrender of Ex-Combatants .	218
SECTION II.-THE PERSISTENCE OF THE POOR SECURITY CONTEXT IN THE NORTH-WEST AND SOUTH-WEST REGIONS .	218
Paragraph 1.- Actions to Promote the Permanent Return of Peace .	219
Paragraph 2.- The Negative Impacts of the Persistent Security Issues on Human Rights in the North-West and South-West Regions .	220
CHAPTER III.- IMPLEMENTING THE RESOLUTIONS OF THE MAJOR NATIONAL DIALOGUE AND THEIR IMPACTS ON HUMAN RIGHTS .	225
SECTION I.- ASSESSING THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE MAJOR NATIONAL DIALOGUE .	226
Paragraph 1.- The Level of Implementation of the Four Main Recommendations of the MND as at 31 December 2020 .	226
Paragraph 2.- The Level of Implementation of Other MND Recommendations as at 30 December 2020 .	228
SECTION II.-THE IMPACT OF THE MAJOR NATIONAL DIALOGUE ON HUMAN RIGHTS IN CAMEROON .	229
CHAPTER IV - CORRUPTION AND HUMAN RIGHTS .	231
SECTION I.- LEGAL AND INSTITUTIONAL DEVELOPMENTS IN THE FIGHT AGAINST CORRUPTION .	231
Paragraph 1.- Scope of Anti-Corruption Legal Standards .	231
Paragraph 2.- Institutions involved in the Fight against Corruption .	231
SECTION II.-IMPLICATIONS OF CORRUPTION ON HUMAN RIGHTS .	232
PART VI - MONITORING OF INTERNATIONAL COMMITMENTS AND INTERACTION WITH HUMAN RIGHTS MECHANISMS .	233
CHAPTER I.- INTERACTION WITH THE AFRICAN HUMAN RIGHTS SYSTEM .	235
SECTION I.- CAMEROON'S PARTICIPATION IN THE FLAGSHIP ACTIVITIES OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLE'S RIGHTS (ACHPR) .	235

Paragraph 1.- The organisation of ACHPR sessions and the presentation of Cameroon's Periodic Report	236
Paragraph 2.- References in Cameroon for other ACHPR activities	238
SECTION II.- MONITORING CAMEROON'S COMMITMENTS TO THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD	244
Paragraph 1.- Highlights of the ACERWC Sessions	244
Paragraph 2.- The respect for Cameroon's commitments under the African Charter on the Rights and Welfare of the Child	245
CHAPTER II.- INTERACTION WITH THE INTERNATIONAL HUMAN RIGHTS SYSTEM	249
SECTION I.-CAMEROON'S COOPERATION WITH THE TREATY BODIES IN 2020	249
SECTION II.- MONITORING THE ACTIVITIES OF THE HUMAN RIGHTS COUNCIL	250
Paragraph 1.- Handling some of the issues of concern discussed during the general debates in the Council in 2020	250
Paragraph 2. - The resolutions adopted by the Human Rights Council and Cameroon's positions	252
SECTION III.-THE SITUATION OF STATE-RELATED COMPLAINTS AND THE FOLLOW-UP OF CAMEROON'S COOPERATION WITH THE UN SPECIAL PROCEDURES	256
Paragraph 1. - Follow-up on the complaints against the State of Cameroon	256
Paragraph 2.- Follow-up on requests for invitations to Special Procedures in Cameroon	260
CONCLUSION	263

LIST OF ILLUSTRATIONS

1. LIST OF TABLES

TABLE 1.- SUMMARY OF ISSUES DISCUSSED AT THE MONTHLY COORDINATION MEETINGS OF THE CHAIRS AND RAPPORTEURS OF WORKING GROUPS DURING THE YEAR 2020	34
TABLE 2.- NUMBER OF AWARENESS-RAISING AND CAPACITY-BUILDING ACTIVITIES ORGANISED OR HOSTED BY HEAD OFFICE AND BRANCHES	41
TABLE 4.- DATA ON COMPLAINTS FILED AT THE HEAD OFFICE AND BRANCHES IN 2020	46
TABLE 1 AND CHARTS 1 AND 2 ABOVE PORTRAY THE VOLUME OF COMPLAINTS HANDLED BY THE COMMISSION'S HEAD OFFICE AND BRANCHES.	47
TABLE 5.- DATA ON COMPLAINTS HANDLED AT HEAD OFFICE AND BRANCHES IN 2020	48
TABLE 6.- DATA ON THE TYPE OF HUMAN RIGHTS ALLEGEDLY VIOLATED IN THE COMPLAINTS FILED IN 2020	49
TABLE 7.- NUMBER AND TYPES OF RESPONDENTS IN COMPLAINTS OF ALLEGED HUMAN RIGHTS VIOLATIONS HANDLED BY THE NCHRF IN 2020	52
TABLE 8.- NUMBER AND TYPE OF COMPLAINANTS IN HANDLING ALLEGED CASES OF HUMAN RIGHTS VIOLATIONS	54
TABLE 9. - DATA ON ALLEGED VICTIMS PER CATEGORY	55
TABLE 10.- DATA ON LETTERS TO AND HANDLED BY AUTHORITIES CONCERNING ALLEGED CASES OF HUMAN RIGHTS VIOLATIONS FILED	56
TABLE 11.- DATA ON SUMMONSES ISSUED AND CASES REFERRED	57
TABLE 12.- DATA CONCERNING THE NUMBER OF SELF-INITIATED CASES BROKEN DOWN PER REGION ..	58
TABLE 13.- DATA ON THE TYPES OF ALLEGED CASES OF HUMAN RIGHTS VIOLATIONS UNDER SELF-INITIATED INVESTIGATIONS IN 2020	59
TABLE 14.- CORRESPONDENCES RECEIVED AND SENT BY THE NCHRF	64
TABLE 15: EVOLUTION OF THE NUMBER OF TEACHERS IN THE SECONDARY SCHOOL CYCLES BETWEEN THE 2015/2016 AND 2019/2020 SCHOOL YEARS	79
TABLE 16. NUMBER OF STUDENTS IN SECONDARY EDUCATION IN THE FAR NORTH REGION FOR THE SCHOOL YEARS 2014/2015 TO 2019/2020	81
TABLE 17. NUMBER OF STUDENTS IN SECONDARY SCHOOLS IN THE NORTH WEST REGION FOR THE 2015/2016 TO 2019/2020 SCHOOL YEARS	83
TABLE 18. NUMBER OF STUDENTS IN SECONDARY SCHOOLS IN THE SOUTH WEST REGION FOR THE 2015/2016 TO 2019/2020 SCHOOL YEARS	83
TABLE 19: NUMBER OF JOBS CREATED IN THE MODERN SECTORS OF THE ECONOMY IN 2020	86
TABLE 20: DISTRIBUTION OF EMPLOYERS REGISTERED IN 2020 BY CATEGORY AND MONTH	88
TABLE 21: DISTRIBUTION OF EMPLOYERS REGISTERED IN 2020 BY MONTH OF REGISTRATION	88

TABLE 22: DISTRIBUTION OF JOB LOSSES IN THE MODERN SECTOR NOT RESULTING FROM COVID-19	.91
TABLE 23: DISTRIBUTION OF JOBS LOST IN THE MODERN SECTOR DUE TO COVID-19	.91
TABLE 24 - RATIO OF EMPLOYMENT/LAY-OFFS TO LAY-OFFS IN ENTERPRISES DUE TO THE COVID-19	.92
TABLE 25: NUMBER OF HEALTH FACILITIES BY REGION	.97
TABLE 25: EVOLUTION OF THE NUMBER OF ALLEGATIONS OF VIOLATION OF PROPERTY RIGHTS REGISTERED AT THE COMMISSION BETWEEN 2007 AND 2020	.106
TABLE 26: EVOLUTION OF THE NUMBER OF COMPLAINTS OF VIOLATIONS OF THE RIGHT TO HOUSING REGISTERED BY THE NCHRF BETWEEN 2007 AND 2020.	.109
TABLE NO. 27: AVERAGE RATE OF ACCESS TO WATER (%) BY REGION (PLUS YAOUNDE AND DOUALA)	.113
TABLE 28: SOME ELECTRICITY ACCESSIBILITY INDICATORS	.116
TABLE NO.29: SUMMARY OF PERSONS ARRESTED DURING THE CRM ILLEGAL DEMONSTRATIONS ON 22 SEPTEMBER 2020	.157
TABLE NO.30: SUMMARY OF PERSONS ARRESTED BY THE NATIONAL GENDARMERIE ON 31 DECEMBER 2020	.157
TABLE 31. SUMMARY OF BENEFICIARIES OF COMMUTATION AND REMISSION OF SENTENCES IN THE LITTORAL REGION	.167
TABLE 32. SUMMARY OF BENEFICIARIES OF COMMUTATION AND REMISSION OF SENTENCES IN THE SOUTH REGION	.167
TABLE 33: PRISON POPULATION STATISTICS PER REGION AS AT 31 DECEMBER 2020	.169
TABLE 34,-NUMBER OF REFUGEES, THEIR NATIONALITY AND CATEGORY	.177
TABLE 35 - NUMBER OF CAMEROONIAN REFUGEES RETURNING FROM NIGERIA.	.177
TABLE 36.- STATUS OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS SESSIONS IN 2020	.236
TABLE 38.- SUBMISSIONS IMPLICATING CAMEROON BEFORE THE ACERWC	.246
TABLE 37.- SUMMARY OF CAMEROON'S COLLABORATION WITH THE SIX TREATY BODIES IN 2020	.249
TABLE 38.- SUMMARY OF CAMEROON'S POSITIONS AT THE HUMAN RIGHTS COUNCIL	.253
TABLE 40.- STATUS OF REQUESTS FOR VISITS BY SPECIAL RAPPORTEURS	.261

2. LIST OF GRAPHS

CHART 1.- NUMBER OF COMPLAINTS FILED AT HEAD OFFICE AND BRANCHES IN 2020	47
CHART 2.- PERCENTAGE OF COMPLAINTS FILED AT THE HEAD OFFICE AND BRANCHES IN 2020	47
CHART 3.- RATIO OF COMPLAINTS HANDLED PER CHRC ENTITY VERSUS COMPLAINTS RECEIVED IN 2020	48
CHART 4.- NUMBER OF ALLEGED CASES OF HUMAN RIGHTS VIOLATIONS IN 2020 COMPLAINTS	51
CHART 5.- PERCENTAGE OF ALLEGED CASES OF HUMAN RIGHTS VIOLATIONS IN 2020 COMPLAINTS ..	51
CHARTS 6 AND 7.- DISTRIBUTION OF RESPONDENTS IN NUMBER AND PERCENTAGE	53
CHARTS 8 AND 9.- DISTRIBUTION OF COMPLAINANTS PER TYPE OF PERSON IN ABSOLUTE AND RELATIVE VALUE	54
CHART 10 AND 11.- DISTRIBUTION OF ALLEGED VICTIMS PER CATEGORY IN ABSOLUTE AND RELATIVE VALUE	55
CHART 12.- NUMBER OF CORRESPONDENCES TO AUTHORITIES FOLLOWING ALLEGED CASES OF HUMAN RIGHTS VIOLATIONS FILED	56
CHART 13.- PERCENTAGE OF REPLIES RECEIVED	56
CHART 14.- NUMBER OF SUMMONSES ISSUED	57
CHART 15: EVOLUTION OF THE NUMBER OF ALLEGATIONS OF VIOLATION OF PROPERTY RIGHTS REGISTERED AT THE COMMISSION BETWEEN 2007 AND 2020	106
CHART 16: PERCENTAGE OF ALLEGATIONS OF PROPERTY RIGHTS VIOLATIONS REGISTERED AT THE COMMISSION BETWEEN 2007 AND 2020	106
CHART 17: EVOLUTION OF THE NUMBER OF ALLEGED VIOLATIONS OF THE RIGHT TO HOUSING REGISTERED BY THE NCHRF BETWEEN 2007 AND 2020	110
CHART NO. 18 - NATIONAL DAILY WATER PRODUCTION (BETWEEN 2018 AND 2019 IN M3)	113
CHART NO. 19: AVERAGE WATER ACCESS RATE (%) BY REGION (PLUS YAOUNDE AND DOUALA)	113

LIST OF ALLEGATIONS OF HUMAN RIGHTS VIOLATIONS RECEIVED THROUGH COMPLAINTS AND CITED IN THE REPORT

CASE NO. 1 - CASE OF THE NATIONAL UNION OF WORKERS IN THE DEVELOPMENT OF POWER GENERATION, TRANSMISSION AND REGULATION FACILITIES (SYNTDOPTRE) VS. ELECTRICITY DEVELOPMENT CORPORATION (EDC)	89
CASE NO. 2 - CASE OF THE ASSOCIATION OF FARMERS AND BREEDERS OF BAKANA BANTAÏ VS. ABDOULAYI ABOUBACAR	107
CASE NO. 3 - CASE OF THE ESOBO COUPLE VS. TSIMI EVOUNA GILBERT	110
CASE 8 - CASE OPPOSING STÉPHANE ARIEL EBA OBAMA TO FULBERT FLAURENT AWONO AMIE	129
CASE 9 - CASE OPPOSING CHEMUANGUH FAMILY AND DEPENDANTS TO CHIEF WARRANT OFFICER NJOYA AND OTHER GENDARMES OF THE CENTRAL SERVICES OF THE NATIONAL GENDARMERIE	130
CASE NO. 10 - SEIDOU HAMADICKO ON BEHALF OF BILLAL MOHAMAN DICKO VS. POLICE INSPECTOR BOUGANG	139
CASE NO. 11 - TIAVE MEMBOU HERBERT VS. PROSECUTOR AT THE COURT OF FIRST INSTANCE OF MFOU AND CAPTAIN METOU'OU	140
CASE NO. 12 - JACOB SAAKINVO VS. THE MFOUNDI HIGH COURT	143
CASE NO. 13 - CASE OF MS MBUA SARAH WONJE VS. OFFICER EYEGUE PHILEMON ON SEXUAL VIOLENCE BASED ON GENDER	189
CASE NO. 14 - CASE OF THE RAPE OF MISS KUM WISDOM, AGED 7, VS. DANIEL PRAISE	190

SELF-REFERRED CASES CITED IN THE REPORT

CASE 4 - ALLEGED MURDER OF NJOMI TCHAKOUNTE (MATHEMATICS TEACHER AT THE CLASSICAL HIGH SCHOOL, NKOLBISSON)	126
CASE 5 - ALLEGED DEATH OF DIVIN CABREL LEUKEFACK, STUDENT AT THE NKOL-ETON BILINGUAL HIGH SCHOOL IN YAOUNDÉ	127
CASE 6 - ALLEGED DEATH OF JAMES ASSAM, A CATTLE BREEDER IN BOUS VILLAGE NEAR EBOLOWA ..	127
CASE 7 - ALLEGED DEATHS OF AUDREY SUZANNE MENGUE ZANG AND PIERRE ABESSOLO ABESSOLO IN THE TOWN OF KYE-OSSI	128

LIST OF ACRONYMS

ACAT:	Action by Christians for the Abolition of Torture
ACERWC:	African Committee of Experts on the Rights and Welfare of the Child
ACHPR:	African Charter on Human and Peoples' Rights
ACRDR:	Cameroonian Association for the Reduction of Risks Related to the Consumption of Drugs amongst Youths
AD:	Adamawa Region
AFCNDH:	<i>Association francophone des commissions nationales des droits de l'homme</i>
AIDS:	Acquired Immunodeficiency Syndrome
ANDP:	National Alliance for Democracy and Progress
ANIF:	National Financial Investigation Agency
APME:	Agency for the Promotion of Small and Medium-sized Enterprises
ARMP:	Public Contracts Regulatory Agency
AU:	African Union
AUC:	African Union Commission
BEAC:	Bank of Central African States
BEPC:	<i>Brevet d'études du premier cycle</i>
BIR:	Rapid Intervention Battalion
BRIC:	Bloc for the Reconstruction and Economic Independence of Cameroon
CAMPHIA:	Cameroon Population-Based HIV Impact Assessment
CAMWATER:	Cameroon Water Utilities Corporation
CAN:	African Cup of Nations
CAO:	Orange Offer for the Salvation of Cameroon
CAT:	Committee Against Torture
CCP:	Code of Criminal Procedure
CDC:	Cameroon Development Corporation
CDE:	Cameroon Water Company (<i>Camerounaise des eaux</i>)
CDP:	Cameroon Democratic Party
CE:	Centre Region
CEDAW:	Committee on the Elimination of All Forms of Discrimination against Women
CEDIC:	Centre for Studies and Research in International and Community Law
CEMAC:	Central African Economic and Monetary Community
CENAME:	National Centre for the Supply of Medicines and Essential Medical Consumables
CEP:	<i>Certificat d'études primaires</i>
CESCR:	Committee on Economic, Social and Cultural Rights
CFO:	Cameroon Freedoms Observatory

CHAN:	African Nations Championship
CHR:	Reference Hospital Centre
CHRACER:	Hospital Center for Research and Application in Endoscopic Surgery
CHRC:	Cameroon Human Rights Commission
CHU:	University Teaching Hospital
CICAM:	Industrial Cotton of Cameroon
CIFED:	Information and Training Centre for Environment and Development
CIRCB:	Chantal Biya International Reference Centre
CJARC:	Centre for Blind Youth Rehabilitated in Cameroon
CLSC:	Coalition for the Development and Promotion of Sign Language
CNADHP:	African Commission on Human and Peoples' Rights
CNC:	National Communication Council
CNDDR:	National Committee for Disarmament, Demobilization and Reintegration
CNDHL:	National Commission on Human Rights and Freedoms
CNLS:	National Committee for the Fight against AIDS
CNPBM:	National Commission for the Promotion of Bilingualism and Multiculturalism
CNSF:	Cameroon National Salvation Front
COMDEJPAX/MI:	Mbam and Inoubou Departmental Committee for Democracy, Justice and Peace
CONSUPE:	Supreme State Audit
COVID-19:	Coronavirus Disease 2019
CPDM:	Cameroonian People's Democratic Movement
CPP:	Cameroon People's Party
CPTA:	Committee for the Prevention of Torture in Africa
CRC:	UN Convention on the Rights of the Child
CRM:	Cameroon Renaissance Movement
CRTV:	Cameroon Radio Television
CSO:	Civil Society Organization
CURY:	Yaoundé Emergency Center
DGRE:	Directorate General for External Research
DGSN:	General Delegation for National Security
ECAM:	Cameroonian Household Survey
ECCAS:	Economic Community of Central African States
ECOWAS:	Economic Community of West African States
EDC:	Electricity Development Corporation
DHS-MICS:	Demographic and Health Survey Multiple Indicator Cluster Survey
ELECAM:	Elections Cameroon

EN:	Far North Region
EPA:	Economic Partnership Agreement
ESCR:	Economic, Social and Cultural Rights
ESF:	Energy Sector Development Fund
EU:	European Union
FFCI:	Frontline Fighters for Citizens Interests
FIACAT:	International Federation of Action by Christians for the Abolition of Torture
GBV:	Gender-Based violence
GDN:	Major National Dialogue
GDP:	Gross Domestic Product
LE:	Large enterprise
GICAM:	Inter-Employers' Group of Cameroon
GNA:	<i>Groupe Nouvelle Afrique</i>
HIV:	Human Immunodeficiency Virus
HRC:	Human Rights Committee
HYSACAM:	<i>Société d'Hygiène et de Salubrité publique</i>
ICCPR:	International Covenant on Civil and Political Rights
ICESCR:	International Covenant on Economic, Social and Cultural Rights
ICRC:	International Committee of the Red Cross
ICT:	Information and Communication Technologies
IDPH:	International Day of Persons with Disabilities
IDPs:	Internally Displaced Persons
IHC:	Integrated Health Centre
IHRDA:	Institute for Human Rights and Development in Africa
ILO:	International Labour Office
ILO:	International Labour Organization
INGN:	International Non-Governmental Organization
IOM:	International Organization for Migration
IPES:	Private Institution of Higher Education
JPO:	Judicial Police Officer
LANACOME:	National Laboratory for Quality Control of Medicines and Expertise
LDHD:	League of Human Rights and Democracy
LGBTQIA+:	Lesbian, gay, bisexual, transgender, queer, intersex, asexual and other
LT:	Littoral Region
MAETUR:	Mission of development and equipment of urban and rural land
MBOSCUA:	Mbororo Social and Cultural Development Association
MCNC:	<i>Mouvement citoyen national du Cameroun</i>

MDI:	Movement for Democracy and Interdependence
ME:	Medium-sized enterprise
MINADER:	Ministry of Agriculture and Rural Development
MINAS:	Ministry of Social Affairs
MINAT:	Ministry of Territorial Administration
MINCOMMERCE:	Ministry of Commerce
MINDCAF:	Ministry of State Property, Surveys and Land Tenure
MINDEF:	Ministry of Defence
MINEDUB:	Ministry of Basic Education
MINEE:	Ministry of Water Resources and Energy
MINEFOP:	Ministry of Employment and Vocational Training
MINEPA:	Ministry of Livestock, Fisheries and Animal Industries
MINEPAT:	Ministry of Economy, Planning and Regional Development
MINEPDED:	Ministry of the Environment, Nature Protection and Sustainable Development
MINESEC:	Ministry of Secondary Education
MINESUP:	Ministry of Higher Education
MINFI:	Ministry of Finance
MINH DU:	Ministry of Housing and Urban Development
MINJEC:	Ministry of Youth and Civic Education
MINJUSTICE:	Ministry of Justice
MINPMEESA:	Ministry of Small and Medium-sized Enterprises, Social Economy and Handicrafts
MINPOSTEL:	Ministry of Posts and Telecommunications
MINPROFF:	Ministry of Women Empowerment and the Family
MINREX:	Ministry of External Relations
MINSANTE:	Ministry of Public Health
MINSEP:	Ministry of Sports and Physical Education
MINTSS:	Ministry of Labour and Social Security
MPCN:	Patriotic Movement for a New Cameroon
NACC:	National Anti-Corruption Commission
NHRI:	National Human Rights Institution
NMPT:	National Mechanism for the Prevention of Torture
NANHRI:	Network of African National Human Rights Institutions
NGO:	Non-governmental organization
NIC:	National Identity Card
NR:	North Region
NSIF:	National Social Insurance Fund
NW:	North-West Region

OAU:	Organization of African Unity
OBS:	Observatory of Societal Development
OBSIC-AC:	Sub-regional Observatory for Community Integration in Central Africa
OCCU:	Cameroonian Civil Organization for UNESCO
OCDS:	Cameroonian Organization for the Development of the Deaf
OCHA:	United Nations Office for the Coordination of Humanitarian Assistance in Cameroon
OFFGO:	Organic Farming for Gorillas Cameroon
OHCHR:	Office of the High Commissioner for Human Rights
OIA:	Observation, Investigation and Alert Unit
OIF:	<i>Organisation internationale de la Francophonie</i>
ONEFOP:	National Observatory of Employment and Vocational Training
ONSP:	National Observatory of Public Health
OPCAT:	Optional Protocol to the United Nations Convention against Torture and other cruel, inhuman or degrading treatment or punishment
OPDC:	Anointing for Peace and Development in Cameroon
OU:	West Region
PAD-CACAO:	Cocoa Development Support Project
PADF-CAJOU:	Project to Support the Development of the Cashew Sector
PAEA-MRU:	Rural Water Supply and Sanitation Project
PAEPYS:	Yaounde Drinking Water Supply Project from the Sanaga River
PANEJ:	National Action Plan for Youth Employment
PANETEC:	National Action Plan for the Elimination of the Worst Forms of Child Labour
PANGIRE:	National Action Plan for Integrated Water Resources Management
PANPPDH:	National Plan of Action for the Promotion and Protection of Human Rights
PAP:	People's Action Party
PAPMAV-Q:	Project to support the production of quality plant material
PARF-CAFÉ:	Project to Support the Revival of the Coffee Sector
PCRN:	Cameroonian Party for National Reconciliation
PDPP:	Pygmy Peoples Development Plan
PEFSC:	Economic, Financial, Social and Cultural Programme
PEMVEP:	Rainwater studies and recovery project
PES:	Physical Education and Sports
PIB:	Public Investment Budget
PICEF:	Project to Improve the Conditions for Exercising Freedoms in Cameroon
PLANUT:	Three-year National Emergency Plan for Accelerating Growth
PMTCT:	Prevention of Mother-to-Child Transmission of HIV
PNADCC:	National Cereal Crop Development Support Project

PNG:	National Governance Program
PPP:	Public-Private Partnership
PRERETD:	Project to Strengthen and Extend Electricity Transmission and Distribution Networks
PRO-SAPAVA:	National Project for Structuring and Supporting Producers and Agricultural Extension
PROTECT QV:	Promotion of Technologies that Guarantee Environments and Quality of Life
PRSSE:	Fertilizer Sub-Sector Reform Program
PURS:	People United for Social Renewal
RECODH:	Cameroonian Network of Human Rights Organizations
REDHAC:	Network of Human Rights Defenders in Central Africa
RNDD:	National Rally for Democracy and Development
S:	Headquarters (NCHRF/CHRC)
SCC:	Special Criminal Court
SDF:	Defense and Security Forces
SDF:	Social Democratic Front
SDGs:	Sustainable Development Goals
SE:	Small Enterprise
SED:	State Secretariat for Defence
SEMIL:	Military Security
SEMRY:	Yagoua Rice Expansion and Modernization Corporation
SIC:	Cameroon Real Estate Company
SMEs:	Small and Medium-Sized Enterprises
SND 2030:	National Development Strategy to 2030
SODECOTON:	Cotton Development Company in Cameroon
SODIACAM:	Cameroon Food Distribution Company
SONATREL:	National Electricity Transmission Company
SSD:	District Health Service
SU:	South Region
SUCAM:	Universal Health Cameroon
SW:	South-West Region
SYMEC:	Union of Doctors of Cameroon
SYNPEMS:	National Union of Medical and Health Personnel
SYNTDOPTRE:	National Union of Development for Workers, Electricity Generation, Transmission and Regulation Facilities
UDHR:	Universal Declaration of Human Rights
UDP:	United Democratic Party
UFP:	Union of Progressive Forces
UHC:	Universal Health Coverage

UMS:	Union of Socialist Movements
UN:	United Nations Organization
UNCHRD-CA:	United Nations Centre for Human Rights and Democracy in Central Africa
UNDP:	National Union for Democracy and Progress
UNDP:	United Nations Development Programme
UNECA:	United Nations' Economic Commission for Africa
UNESCO:	United Nations Educational, Scientific and Cultural Organization
UNFPA:	United Nations Population Fund
UNHCR:	United Nations High Commissioner for Refugees
UNVDA:	Upper Noun Valley Development Authority
UPC:	Union of the Peoples of Cameroon
VAT:	Value Added Tax
VSE:	Very small enterprise
WAA:	Women in Alternative Action
WASH:	Drinking water Supply, Hygiene and Sanitation
WFP:	World Food Programme
WHO:	World Health Organization
WILFP:	Women's International League for Peace and Freedom

INTRODUCTION

In more than 120 countries, in all continents, human rights are protected and promoted by national Commissions, Councils, Committees, Institutes, “Defensor”, “Procuraduria”, which belong to the same “family” of National Human Rights Institutions (NHRI). National Human Rights Institutions are integral parts of the universal system of human rights protection and their main characteristic is that they are independent of the States that created them, without being confused with Civil Society Organisations (CSOs). NHRIs are established by States to promote and protect human rights within their territories, under the “Paris Principles”¹ and Goal 16 of the United Nations² on Sustainable Development Goals (SDGs) titled “Peace, Justice and Strong Institutions”. Out of the 54 States in the African continent, 47 have created or set up a NHRI.

Cameroon was no exception to this trend. The mandate of the National Committee on Human Rights and Freedoms, set up by Decree No. 90/1459 of 8 November 1990, had been transferred to the National Commission on Human Rights and Freedoms (NCHRF) created by Law No. 2004/016 of 22 July 2004, as amended and supplemented by Law No. 2010/004 of 13 April 2010. It was itself replaced by the Cameroon Human Rights Commission (CHRC) by virtue of Law No. 2019/014 of 19 July 2019. According to section 19 (2) of the above-mentioned law of 2004, which lays down its organisation and functioning, the NCHRF “shall submit an annual report to the President of the Republic, the Speaker of the National Assembly [and] the President of the Senate” and shall publish it at the behest of its Chairperson (section 19 (4) of the same law of 2004).

These provisions enshrines the obligation of the National Human Rights Institution (NHRI) of Cameroon to produce an annual report on the state of human rights in the country. The current report is produced to meet this legal requirement and gives an account of both the activities carried out by the NCHRF during the year 2020 and the human rights situation during the same period. The year 2020 was essentially marked by the weakening of the health context due to the outbreak of the Covid-19 pandemic and by the instability of the socio-political and security environment, which remained scarred by the unrest that broke out since 2016 in the North West and South West Regions, the demands in the public arena in the aftermath of the 2018 presidential election, the terrorist attacks in the Far North Region and insecurity in the other two Northern Regions. The NCHRF has observed that all these situations have had an impact on the state of human rights in Cameroon and addresses these issues in this report. Despite budgetary constraints, the NCHRF demonstrated its dynamism during the period under review through the conduct of numerous activities within the scope of its mandate, which are also reflected in this report. Thus, the NCHRF’s 2020 Annual Report is structured in six parts, of which the first provides a general overview of the institution’s activities during the period under review. The second and third parts present the situation of economic, social and cultural rights, as well as civil and political rights respectively, while parts four and five provide an overview of the situation of the rights of specific categories and special issues. Finally, part six specifically examines Cameroon’s implementation, during the same period, of the recommendations made by regional and universal human rights monitoring mechanisms.

¹ Resolution 48/134 adopted by the UN General Assembly on 20 December 1993

² Goal 16 of the SDGs aims to «promote peaceful and inclusive societies for sustainable development, ensure access to justice for all and build effective, accountable and inclusive institutions at all levels»

PART I.– THE 2020 ACTIVITIES OF THE NCHRF

At the organisational level, according to Law No. 2004/016 of 22 July 2004 establishing it, the National Commission on Human Rights and Freedoms comprises 30 members, including a Chairperson and a Vice-Chairperson. The Commission has a permanent Secretariat headed by a Secretary-General to perform its duties. Similarly, the Commission has four working groups, each headed by a Chair who assists the Chairperson of the Commission in implementing its mandate.

The Chairperson represents the Commission in all civil and legal proceedings. He/she shall ensure the management of the Commission³. Should he or she be temporarily unable to attend or unavailable, the Vice-Chairperson shall deputise for him or her and carry out the tasks entrusted to him or her by the Chairperson.

The Commission shall meet in ordinary session once every six months. It may meet in extraordinary sessions when circumstances so require.

In 2020, the Commission carried out the following activities: the activities of its decision-making bodies (Chapter I), the traditional activities of promotion and protection of human rights (Chapter II), the cross-cutting activities of cooperation, communication, as well as management of administrative and financial resources (Chapter III), and observation of the twin legislative and municipal elections of 9 February 2020 (Chapter IV).

³ Section.16 (1) of Law No. 2004/016 of 22 July 2004

CHAPTER I.- ACTIVITIES OF DECISION-MAKING BODIES

This report covers the activities of the Chairperson, Vice-Chairperson and members of the NCHRF in sessions, working groups and monthly coordination meetings, respectively.

The activities of the NCHRF's decision-making bodies include the 28th ordinary session in December 2020 (**Section I**), the organisation of monthly coordination meetings, audiences and working sessions (**Section II**) and participation in human rights meetings (**Section III**).

SECTION I.- THE 28TH ORDINARY SESSION OF THE NCHRF

According to Section 14(1) of the law to set up and organise the Commission and regulate its functioning, “the Chairperson of the Commission shall convene an ordinary session once every six months”. It was in the application of this provision that the 28th ordinary Session of the NCHRF was held on 22 December 2020, at the Jouvence International Hotel in Yaounde and was chaired by the vice-chairperson serving as interim chairperson, following the death of the chairperson, Chemuta Divine BANDA, on 17 May 2020 due to illness. After the official opening ceremony (**Paragraph 1**), the deliberations proper (**Paragraph 2**) took place as per the agenda the members adopted and culminated in the adoption of resolutions and recommendations (**Paragraph 3**).

Paragraph 1.- The official opening ceremony of the meeting

The opening ceremony was divided into five parts, namely: the singing of the national anthem, the roll call of members and checking of the quorum, the examination and adoption of the agenda, the opening speech by the Acting Chairperson and the group photo.

In his opening remarks, the Acting Chairperson, Professor James MOUANGUE KOBILA, immediately called on the members of the Commission to observe a minute's silence in memory of the late Dr Chemuta Divine BANDA, the NCHRF Chairperson, and Mr PAHO Edgard de Juliot, staff of the NCHRF Littoral Branch Office, who both passed away in the course of the year 2020.

He then thanked the Prime Minister, Head of Government, Chief Dr. Joseph DION NGUTE, for the exceptional measures he had instructed, through the Minister Secretary General of his Office, which were implemented by the Minister of Finance, by granting a budgetary extension to the Commission, enabling it to hold the said session and fulfil other obligations within its mandate.

While presenting the human rights situation, the Acting Chairperson emphasized that the year 2020 was “a difficult year for human rights in Cameroon”, as much as for the Commission itself. He noted that the human rights situation in the country was mainly affected by security challenges, natural disasters and the new corona virus pandemic. In the same vein, he pointed out that our society also experiences violence in various forms (mob justice, attacks on women and teachers, armed assaults, etc.). He also highlighted the political tensions which, during the year under review, were sometimes heated, with some political parties calling for a boycott of the electoral processes and others even organising public demonstrations to call for the overthrow of the democratically elected President and, consequently, of the constitutional order and the rule of law, based on unproven allegations of electoral fraud that altered the authenticity of the results of the 2018 presidential election. The authors of these allegations were indeed unable to prove them before the Constitutional Council. On this point, he added that, according to various observers, unfounded challenges to the 2018 presidential results by various actors have led to a spike in hate speech, including calls for genocide, particularly on social networks.

However, the Acting Chairperson was keen to point out that all was not bleak in the area of human rights in Cameroon in 2020. He commended the sentencing, by the Yaoundé Military Tribunal, of four soldiers to ten years in prison and another to two years in prison for the 2015 «murder» of two women and their two children in the Far North Region, on 21 September 2020. He also lauded the opening of disciplinary proceedings against all the soldiers involved in the sad events of Ngarbuh, the arrest of three of them, as well as ten members of the local vigilance committee also involved “and the opening of legal proceedings against them [so that] justice can be rendered to the victims”, announced in a communiqué by the Minister of State, Secretary General of the Presidency of the Republic on 21 April 2020.

He concluded by underscoring that human rights are not absolute dogmas, and that “where there is a right, there is an obligation”, as stated in the Preamble of the Constitution of 18 January 1996, and in Articles 27 to 29 of the African Charter on Human and Peoples’ Rights⁴.

Paragraph 2.- Deliberations

In addition to examining and adopting the Report of the 27th Ordinary Session of 13 January 2020, and following up on the implementation of the resolutions and recommendations of this Session, the deliberations of the 28th Ordinary Session covered the following items:

- examination and adoption of the NCHRF’s 2019 report
- examination and adoption of the plan for the NCHRF 2020 report
- examination and adoption of the draft awarding an end-of-term bonus to the members of the Commission
- examination of the draft granting a good parting bonus for the staff
- examination and adoption of the draft amendment to the NCHRF Rules of Procedure
- examination of the draft resolution on the special bonus for some collaborators (accountant, specialised financial controller and offices of the President, Vice-President and Secretary General)
- the restitution of the election results of the chairpersons and rapporteurs of the working groups
- the presentation and adoption of the NCHRF 2021 budget
- the adoption of resolutions and recommendations.

Concerning specifically the 2021 budget draft, the Secretary-General of the Commission presented a total budget amounting to 1,746,000,000 CFA F that is about 996,000,000 FCFA for the operating budget and 250,000,000 FCFA for the investment budget. To this sum should be added 117,399,570 FCFA representing funds from the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF).

The examination of all the above-mentioned items led to resolutions and recommendations.

Paragraph 3.- Adopting resolutions and recommendations

At the end of the session, the members adopted the following resolutions and recommendations.

A- Resolutions

1. The members examined the Report of the 27th ordinary Session, which had been submitted to them and adopted it, taking on board the editorial amendments proposed.
2. The follow-up document on implementing the resolutions and recommendations adopted at the 27th ordinary session was approved with corrections.

⁴ Adopted on 27 June 1981 by the 18th Assembly of Heads of State and Government of the Organisation of African Unity in Nairobi (Kenya), the African Charter on Human and Peoples’ Rights entered into force on 21 October 1986. Cameroon signed it on 23 July 1987 and ratified it on 20 June 1989. Its instruments of ratification were lodged on 18 September 1989

3. The plan for the NCHRF 2020 report was adopted, pending adjustments to be considered.
4. The proposal to grant an end-of-term bonus to the members of the Commission was adopted as it stood. However, the Acting Chairperson of the NCHRF shall send a letter to the Prime Minister, Head of Government in early 2021 to have this resolution endorsed.
5. The process of adopting a collective bargaining agreement by the NCHRF should be accelerated to better regulate the rights of staff.
6. The draft amendment to Article 20, paragraph 1 of the NCHRF Rules of Procedure is adopted as presented.
7. The examination and adoption of the draft resolution on the special bonus for some staff members (accounting officer, financial controller and staff of the offices of the Chairperson, Vice-Chairperson and Secretary General) were postponed for further consideration.
8. The NCHRF 2021 budget was adopted. However, the members recommended revising it, to take into consideration the specific features of some branches.
9. Members TEZANOU Paul and Tilder KUMICHII who were absent from the session due to illness were granted session dues.

B- Recommendations

1. The NCHRF's 2019 annual report shall be due for completion by the end of January 2021 and submitted to the members for appraisal, before transmission to the relevant authorities. The publication of the report will be combined with the publication of the institution's 2020 annual report.
2. The Commission shall undertake consultations to adopt a common collective bargaining agreement across similar state institutions (ELECAM, CONAC, CNPBM, etc.).
3. The Branch Heads should update the directory of affiliated CSOs in the regions. They should encourage closer collaboration with the said CSOs, to improve the promotion and protection of human rights.

Concerning the working group elections whose chairpersons and rapporteurs' tenures expired in May 2020, the results were as follows:

- Working group on Civil and Political Rights
Chair: Me KAMGA NOUTCHOGUIN Laurette
Rapporteur: Mr BOBIOKONO Christophe
- Working group on Economic, Social and Cultural Rights
Chair: Me Dr BALEMAKEN Eugène Louis
Rapporteur: Mr METUGE Manfred AKAME
- Working group on Vulnerable Groups
Chair: Mrs BOUBA née HAWÉ HAMAN
Rapporteur: Mrs MPOUNG, née MEMONG MENO Élise Pierrette
- Working group on Special Issues
Chair: Prof. YANPELDA Virginie
Rapporteur: Mrs TILDER KUMICHII NDICHIA

It should finally be mentioned that, on the acting Chairperson's initiative and alongside the deliberations, the members visited the construction site of the Commission's Head Office building, following the termination of the construction contract awarded to the GRACE MADI / TIEC-CAM Group. This tour permitted the members to observe that the Chinese party, a partner of the GRACE MADI

Company, was proceeding with the works as per the initial specifications. In addition, this co-contractor has offered to continue the contract on their own should the decision to terminate the contract be cancelled. It was agreed that an in-depth working session would be organised with all the stakeholders to evaluate the proposal.

SECTION II.- MONTHLY COORDINATION MEETINGS AND THE AUDIENCES GRANTED BY THE NCHRF

To ensure the smooth day-to-day running of the institution, the members regularly held monthly coordination meetings (**Paragraph 1**). In addition, the Commission granted audiences to various personalities and institutions (**Paragraph 2**).

Paragraph 1.- Monthly coordination meetings

In 2020, nine (9) monthly coordination meetings of Chairpersons and Rapporteurs of Working Groups were held, i.e. eight (8) ordinary meetings and one (1) extraordinary session held on 18 November 2020. Eight (8) press releases were issued following these meetings.

During the meetings, issues concerning the socio-political and security situation affecting human rights in the different regions of the country, the impact of the New Coronavirus pandemic on human rights, the functioning of the NCHRF, the organisation of the funeral of the late Chairman of the NCHRF, and the project for the construction of the head office building of the Commission were examined.

The extraordinary session of 18 November 2020 was an opportunity to examine the issue of the distribution of competencies between the head office and branches in terms of handling human rights protection cases. The resolutions of this meeting led to the signing of a memorandum on 24 November 2020. This special session also made it possible to review the principles governing the management of financial and material resources made available to the branches. The work thus initiated continued with the revision, during the 28th ordinary session, of some Articles of the NCHRF Rules of Procedure to clarify the distribution of roles between the branch heads and the regional secretaries.

The following summary table provides an overview of the items on the agenda of these meetings.

Table 1.- Summary of issues discussed at the monthly coordination meetings of the Chairs and Rapporteurs of Working Groups during the year 2020

No.	Topic	Date
1	Update on the transition from the NCHRF to the CHRC	29 January 2020
2	NCHRF 2019 Annual Report	29 January, 26 February, 25 March, 29 April, 27 May 2020
3	Supervision of the 9 February 2020 twin elections (NCHRF Report)	29 January, 26 February, 25 March, 29 April 2020
4	Preparation of the First ordinary session of the NCHRF	25 March, 29 April, 27 May 2020
5	Update on the impact of the COVID-19 pandemic on human rights	25 March, 29 April, 27 May, 24 June 2020, 26 August, 28 October 2020
6	Update on the social, political and security aspects of human rights in Cameroon	29 January, 26 February, 25 March, 29 April, 27 May, 24 June, 26 October 2020
7	NGARBUH case	26 February, 25 March, 29 April, 27 May 2020
8	Organisation of the funeral of the NCHRF Chairperson	27 May, 24 June 2020
9	Organisation of the NCHRF Ordinary Session	24 June 2020

No.	Topic	Date
10	Impact of the budgetary adjustment of 3 June 2020 on the functioning of the NCHRF	24 June 2020
11	Distribution of competences between the Head Office and the regional branches in the handling of human rights protection cases	18 November 2020

Source. - NCHRF 2020

Paragraph 2.- Audiences granted by the Chairperson of the NCHRF

The year 2020 was marked by the hearings granted to a World Bank delegation (A), to the Deputy Resident Representative of the Office of the High Commissioner for Refugees (B), and the Israeli Ambassador to Cameroon (C), followed by a delegation of Civil Society Organisations (D).

A- Audience with World Bank delegation

A World Bank delegation paid a visit to the NCHRF on 26 January 2020 as part of a consultation mission on the socio-economic impacts of the ongoing security unrest in the North-West and South-West Regions of Cameroon. The mission objectives were to prepare the draft study on forced displacement, analyse the socio-economic situation in Cameroon before the unrest, assess the impact of the unrest and continue consultations with various partners. The World Bank delegation was welcomed by the Secretary General of the Commission who offered the institution's support for the effective implementation of the planned survey.

B- Audience with the Deputy Representative of the UNHCR in Cameroon

In May 2020, the Acting Chairperson of the NCHRF granted an audience to the Deputy Resident Representative of the Office of the High Commissioner for Refugees. The discussions between the two officials centred on the phenomenon of statelessness. At the end of this meeting, the signature of a partnership agreement between the Commission and the High Commission was envisaged on this subject.

C- Audience with the Israeli Ambassador to Cameroon

On 11 June 2020, Professor James MOUANGUE KOBILA, acting Chairperson of the NCHRF, received H.E. Isi YANOUKA, Embassy of Israel in Cameroon at the Head Office of the institution. During the one-to-one discussions, the diplomat cited the areas of cooperation between his country and Cameroon, namely: security, agriculture and support to start-ups. He added that his country is also very interested in issues concerning the protection of human rights and especially those of vulnerable groups such as women, children, persons with disabilities and lesbian, gay, bisexual, transgender, queer, intersex and others (LGBTQI+).

H.E. Isi YANOUKA further encouraged the NCHRF Chairperson to include the date of 27 January, the International Day dedicated to the victims of the Holocaust in the calendar of commemorative days marked by the Commission.

The Acting Chairperson, in response to these requests, informed his host that the NCHRF was prepared to work with the Israeli Embassy on several issues, except for those related to the sexual orientation of LGBTQI+ persons, whose legal status is not recognised in Cameroon. Nevertheless, he stressed that these persons enjoy general protection granted by the State to all citizens.

D- Audience with delegations of Civil Society Organisations

The Acting Chairperson of the NCHRF received on 21 October 2020, two Civil Society Organisations (CSOs) delegations, including the National Coordinator of the Cameroon Network of Human Rights Organisations (RECODH) and the representative of the International Federation of Action by Christians for the Abolition of Torture (FIACAT) accompanied by the representative of its member association ACAT Cameroon.

Concerning the audience granted to RECODH, discussions concerned the presentation of the project for building the capacities of actors in the judicial chain in the protection and care of detainees, particularly those in vulnerable situations, and the promotion of the implementation of alternative sentences. According to the members of this delegation, the project is in line with the missions of the NHRI of Cameroon.

Regarding the audience granted to the FIACAT delegation, during discussions, the two parties referred to Cameroon's support for the awareness-raising and advocacy mission undertaken by these organisations from 20 to 22 October 2020 for Cameroon's vote in support of the resolution calling for a universal moratorium on capital punishment at the UN General Assembly session in December 2020.

SECTION III.- PARTICIPATION IN HUMAN RIGHTS EVENTS

During the period under review, the Commission's officials participated in various meetings on human rights at national (**Paragraph 1**), regional and international levels (**Paragraph 2**).

Paragraph 1.- Participation in national meetings on human rights

At the national level, due to restrictions caused by the outbreak of the COVID-19 pandemic in February 2020, several human rights meetings and events planned during the year under review were postponed or cancelled. However, the NCHRF participated in the following meetings:

- the advocacy for strengthening the consideration of gender in the electoral process organised by Elections Cameroon (ELECAM) on 9 September 2020
- the validation workshop of the National Action Plan to combat statelessness in Cameroon on 8 October 2020
- the preparatory meeting for the visit of the Special Rapporteur on the Rights of Minorities, organised by MINREX, on 27 October 2020
- the colloquium on the social protection of the Child in Cameroon, organised on 29 October 2020 by MINAS
- the first evaluation session on implementing the Action Plan for the protection of persons with disabilities as part of the national response to COVID-19, organised by MINAS on 13 November 2020
- the workshop on monitoring the impact of COVID-19, organised by UNDPHD-AC from 25 to 27 November 2020
- the working sessions devoted to examining the draft decree on the organisation and functioning of the permanent secretariat of the Cameroon Human Rights Commission (CHRC) in collaboration with the Permanent Secretariat for Administrative Reform
- the validation workshop of the National Development Plan for Indigenous Peoples, on 9 November 2020

- the activities marking the celebration of International Human Rights Day, organised by the University of Yaoundé 2, the Catholic University of Central Africa, the French Institute and the Belgian Embassy on 10 December.

Paragraph 2.- Participation in regional and international conferences on human rights

As a member of the Network of African National Human Rights Institutions (NANHRI) Working Group on Sustainable Development (Agendas 2030 and 2063), the NCHRF participated in two meetings organised by the Economic Commission for Africa (ECA) from 22 to 27 February 2020 in Zimbabwe. The NHRIs of Zimbabwe, Ghana, South Africa, Kenya, Malawi, Côte d'Ivoire, Democratic Republic of Congo, Egypt, Togo, and representatives of several other States, African Union bodies, the United Nations Development Programme (UNDP), the Office of the High Commissioner for Human Rights (OHCHR) and some NGOs also participated. The goal of these meetings were to promote the planning of the activities of the NANHRI-SDGs Working Group and the involvement of African NHRIs in the achievement of the 2030 and 2063 Agendas and to position NHRIs and the human rights-based approach in the discussion and monitoring of the achievement of the SDGs. The discussions and experience-sharing led to the development of a series of action proposals for the follow-up of the 2030 and 2063 Agendas. In essence, the recommendations made were as follows:

- Develop collaborative frameworks between NHRIs and national statistical institutes for the monitoring of the SDGs
- Encourage NHRIs to promote their role in implementing the SDGs
- Build the capacity of NHRIs to produce voluntary national reports, in collaboration with the ministries in charge of planning, inter alia
- Call on the NHRIs to formulate key messages that could be highlighted in the sustainable development forum.

Similarly, an NCHRF delegation paid a fact-finding visit to the Kenyan National Commission on Human Rights (KNCHR). The delegation comprised Dr CHEMUTA Divine BANDA, the late Chairperson, Mr NONETCHOUPO Gabriel, Head of the PICEF Project, and Mrs Mabelle NKWENTI, Focal Point Programme Officer of the same Project.

The purpose of this study mission which took place from 3 to 6 February 2020 was to examine the best approaches to the supervision and support of human rights organisations, to facilitate the exchange of best institutional practices in the area of freedoms, promote dialogue on issues of common interest, and share experiences and innovative techniques in the area of freedoms. The aim was also to consider avenues of cooperation between the two institutions.

The NCHRF also participated in several virtual sessions organised by the African Commission on Human and Peoples' Rights (ACHPR), the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), and the following fora and General Assemblies of NHRI networks:

- the 4th African Union Commission - NANHRI Policy Forum on the State of NHRIs with the theme Role of National Human Rights Institutions in the 'Silencing the Guns' Campaign in Africa, 22-24 September 2020. The Forum which brought together members of the African Union Commission (AUC) and representatives of NHRIs, aimed to encourage NHRIs to act as a bridge between national conflict prevention mechanisms and to define a regional strategy on the role of NHRIs in conflict prevention, management and resolution. The NCHRF seized the opportunity to present its actions for the prevention and management of socio-political crises in Cameroon.

- the General Assembly of the Francophone Association of National Human Rights Commissions (AFCNDH) on 30 September 2020, chaired by Mr Khalid IKHIRI, Chairperson of the National Human Rights Commission of Niger. During the meeting, AFCNDH's activity and financial reports for 2019 were approved and the activities carried out in 2020 for the benefit of NHRIs were presented.
- the General Assembly of the Global Alliance of NHRIs (GANHRI) from 30 November to 5 December 2020, which adopted previous meeting reports, examined the annual report, approved the final audit and financial report for 2019, and adopted the strategic plan for 2020-2022, along with the draft budget for 2021 for the network.
- the 36th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child, combined with the celebration of the 30th anniversary of the African Charter on the Rights and Welfare of the Child, held from 23 November to 4 December 2020.
- in prelude of the NHRI Forum to the 67th Ordinary Session of the ACHPR organised by the NANHRI on 10-12 November 2020, the Acting Chairperson of the NCHRF made a statement on the human rights situation and presented the implementation of recommendations of the Communication 290/2004-Open Society Justice Initiative (on account of Pius NJAWE NOUMENI) v. the Republic of Cameroon.
- the 67th Session of the ACHPR held from 13 November to 3 December 2020, during which the State of Cameroon presented its report under the ACHPR, the Maputo Protocol and the Kampala Convention.

CHAPTER II.- HUMAN RIGHTS PROMOTION AND PROTECTION ACTIVITIES

In 2020, the NCHRF carried out human rights promotion (**Section I**) and protection (**Section II**) activities according to its mandate both at the head office and regional offices, despite some disruption due to the COVID-19 pandemic.

SECTION I.- HUMAN RIGHTS PROMOTION ACTIVITIES

As part of its mission to promote human rights as defined in Section 2 of the Law establishing the NCHRF and organising its functioning, the NCHRF is expected to disseminate through all means the instruments relating to Human Rights, and to ensure the development of a culture of human rights within the public through teaching, information and through the organisation of conferences and seminars.

The deployment of the NCHRF in human rights advocacy during the reference year slowed down due to the COVID-19 pandemic, on the one hand, which imposed new habits to reduce the risks of propagation, and a restrictive financial environment due to budgetary adjustments, on the other hand. Nevertheless, the NCHRF continued to carry out awareness-raising activities, especially by issuing statements on issues related to the themes of certain human rights commemorative days (**Paragraph 1**). Furthermore, in a spirit of collaboration with various institutional and Civil Society actors, the Commission participated in several jointly organised activities (**Paragraph 2**).

Paragraph 1.- Human Rights Commemorative Days

On Human Rights Days, the Commission uses various means (radio, television, print media, social networks, etc.) and techniques (educational talks, conferences, statements and press releases, etc.) to raise awareness on human rights with the public and decision-makers.

In 2020, the NCHRF organised five (5) awareness-raising activities on human rights days (**A**) and issued six (6) statements with specific recommendations to improve the human rights situation in such contexts (**B**).

A- Awareness-raising activities on Human Rights Days

During the reference year, the NCHRF organised five human rights awareness-raising activities at both its headquarters and regional branches, to mark the International Women's Day and the Day of the African Child. These activities were as follows:

- **The Youth Day** celebrated on 11 February 2020: To mark this event, the NCHRF's Far- North Branch organised on 10 February 2020, an educational talk on *Respect for Human Rights in schools*. Students and teachers from primary and secondary schools in the city of Maroua took part in this discussion which was held in the conference room of the branch office.
- **The 35th International Women's Day** was celebrated on 8 March 2020 under the theme *Promotion and Protection of Women's Rights by 2020: Taking stock of actions taken, setting a fresh course*. To mark the event, the NCHRF's North Branch participated in a debate on Radio FM Bénoué on 2 March 2020 at 10 am. On 3 March 2020, with the support of MINPROFF, the NCHRF organised an educational talk on *violence against women and women's participation in governance* in Badjengo. Some 60 women and 15 men from Badjengo participated in that activity. During the same period, the Branch took part in a mass awareness campaign on the themes of *Women, peace and security, legal protection of women's rights, and the importance of civil registration* in the chiefdom of Djaouro Baba and Ouro Lawan in Garoua. The NCHRF Far-North Branch organised an educational talk with about 30 young women and girls on *the importance of International Women's Day* in its conference room on 7 March 2020. The NCHRF West Branch organised edu-

cational talks and legal clinics that offered women a space to listen and denounce violence and other harmful practices of which they are victims, to identify the main challenges to the realisation of women's rights to improve their involvement in the development process in Cameroon, to popularise the legal instruments and monitoring mechanisms relating to women's rights and finally, to make the missions and actions of the NCHRF and its partners better known. The conference which took place in the Branch Office conference room from 6 to 8 March 2020 was attended by more than 500 people and 400 pamphlets were distributed. During the legal clinics, 10 women whose concerns related to their right to education, right to health, right to property and freedom of enterprise were received, advised and assisted by the NCHRF West Regional office.

The 30th edition of the Day of the African Child was celebrated on 16 June 2020 under the theme: "Access to child-friendly justice in Africa". On this occasion, the relevant departments at the Commission's Head Office prepared messages in the two official languages, presenting the possibilities of the institution to provide legal and judicial assistance to children in conflict with the law. These digital materials were disseminated through social media and obtained 579 views on the NCHRF Facebook account and 196 views on the NCHRF Twitter account by 31 December 2020.

The NCHRF Adamawa Regional Office took part in a radio programme on the regional station of the *Cameroon Radio Television* (CRTV) on 16 June 2020, from 11 am to 12 pm. The discussions focused on issues such as the situation of children in prisons in the Region during the health crisis caused by the Covid-19 pandemic, child labour, as well as the support of orphans and other vulnerable children.

B - Release of Statements with Recommendations

From June 2020, public information and awareness-raising activities were also carried out via regular publication of statements and press releases to mark African regional and international human rights days. The multiplier effect of the media, which plays a major role in their dissemination, reaches a large number of persons, making these statements effective tools for promoting human rights. For the year 2020, the NCHRF released six statements at the following events:

- World Refugee Day (20 June)
- International Day of the Rights of Indigenous Peoples (9 August)
- International Day of Non-Violence (2 October)
- African Human Rights Day (21 October), which also marked the 34th anniversary of the entry into force of the African Charter on Human and Peoples' Rights, as well as the African Human Rights System
- International Day of Persons with Disabilities (3 December)
- International Human Rights Day (10 December).

Paragraph 2. - Activities conducted in collaboration with various human rights actors

The NCHRF can collaborate with national and international organisations working for similar interests as part of its mission to liaise with Civil Society Organisations (CSOs) under Section 2 of Law No. 2004/016 of 22 July 2004, which establishes, organises and governs the functioning of the Commission. In 2020, the Commission organised or hosted several human rights awareness-raising and capacity-building activities at the Head Office and Branches (A), and participated in activities organised by or with the support of partners (B).

A - Awareness-raising and capacity-building activities organised or hosted by the NCHRF

During the year 2020, the NCHRF hosted and/or organised a total of 36 awareness-raising and capacity-building activities, of which only five were held at the NCHRF's Head Office and 31 were held in the Branches, as indicated in the table below.

Table 2.- Number of awareness-raising and capacity-building activities organised or hosted by Head Office and Branches

Bodies	Head Office	Adamawa Branch	Centre Branch	Far-North Branch	Littoral Branch	North Branch	NW Branch	West Branch	South Branch	SW Branch
Number of workshops held/hosted	5	10	2	7	5	4	1	00	1	1
Total	36									

Source. - NCHRF 2020

The Commission held the following activities at the Head Office:

- capacity building workshop for members of the *Ligue des Droits de l'Homme et de la Démocratie* (LDHD) on election observation (10 June 2020)
- a day of reflection on the theme *Coherence of laws on freedom of assembly and association in Central Africa with the Guidelines of the African Commission on Human and Peoples' Rights: the case of Cameroon* (6 October 2020), in collaboration with the *Association Promotion des technologies garantes des environnements et de la qualité de vie* (PROTEGE QV)
- a capacity-building workshop for members of the Cameroonian Civil Organisation for UNESCO (OCCU) on the promotion and protection of human and people's rights (9 October 2020)
- workshop to develop the *Gender Responsive Planning and Budgeting Guide for local authorities in Cameroon* (21 October 2020)
- training of members of the Sub-Regional Observatory for Community Integration in Central Africa (OBSIC-AC) in election observation (4 December).

Concerning the awareness-raising and capacity-building activities organised or hosted by NCHRF's branches, the following should be mentioned, inter alia:

- Training workshop for 95 youth in and out of school on Human Rights values during the Youth Day celebration, in the CESOQUAR meeting room in Maroua, from 3 to 4 February 2020.
- Training workshop for CSO members on human rights monitoring and reporting - including during elections - from 4 to 6 February 2020, in the Hall of Acts of the Ngaoundéré City Council.
- Training workshop for CSO members on human rights monitoring and reporting - including during elections - from 4 to 6 February 2020, at the New Town Palace Hotel in Garoua.
- Training workshop for CSO members on human rights monitoring and reporting - including during elections - from 4 to 6 February 2020, at the Mbatcam Hotel in Bafoussam.
- Training workshop for CSO members on human rights monitoring and reporting - including election observation - from 4 to 7 February 2020. 33 CSO members and seven NCHRF trainees were trained.
- PACEL Training Workshop on Human Rights Monitoring and Reporting at the *Woila* Complex Meeting Room, 5-7 February 2020. 30 staff members and CSO representatives were trained.
- Educational talks on *The respect of Human Rights in schools* organised by the Far North Regional Office on 10 February 2020, during the Youth Day celebrated on 11 February 2020. About 30 students and teachers from primary and secondary schools in the Maroua took part in the debates, which were held in the conference room of this Regional Office.
- Awareness raising of the population of Maroua on the respect of barrier measures and the dangers of the Covid-19 pandemic, through radio broadcasts on the local *Woila* FM, on 25 April 2020.

- Awareness campaign on measures to curb COVID-19 targeting vulnerable groups especially older persons and street children in Ngaoundéré, which the NCHRF Adamawa Branch Office held in collaboration with *Solidarité Association*, on Sunday 17 May 2020. This campaign took place alternately at the village square of the chiefdom of the “Burkina” quarter and at the headquarters of the *Association d’encadrement des enfants de la rue de la Gare*, known as *Communauté Yide Bikoué* (located in the Baladji 2 quarter in Ngaoundéré). Some 60 older persons (men and women) and 40 street children were educated on the barrier measures to combat COVID-19 and (five hundred) 500 pieces of soap, two hundred and fifty (250) washable masks and two buckets with taps for handwashing were distributed to the persons concerned, in collaboration with the Adamawa Regional Delegation of Social Affairs and the Vina Divisional Representative of the Red Cross.
- Training workshop for 12 students in Psychopedagogy from the University of Maroua on the basic notions of Human Rights, within the framework of inclusive education from 22 June to 1 July 2020, in the Conference Room of the NCHRF North Regional Office.
- Training workshop for 42 CSO members and 30 elements of the Defence and Security Forces on the prevention of terrorism in the Woila Complex meeting room on 21 July 2020.
- Workshop to build the technical capacities of actors in the sustainable reintegration process of migrants, on 29 and 30 July 2020 in Douala.
- Training workshop on combating COVID-19 and psychological support for the communities of the Far-North Region, on 7 August 2020 in Maroua.
- Awareness-raising of members of a CSO, seven representatives of the FMO (Military Security and Garoua I Company) and 15 traditional chiefs, during a working session with the Head of the Regional Office on 22 September 2020, at the premises of the NCHRF North Regional Office in Garoua. The working session aimed at identifying major cases of human rights violations and encouraging the participants to work in synergy with the NHRI.
- Training workshops for 60 young people from the northern regions on human rights, organised respectively by the Adamawa, North and Far-North Branches, in October and November 2020, with funding from the International Organisation of the Francophonie (OIF).
- Human rights training of 100 students from the Bilingual High School, the Classical and Modern High School and the Kakatare High School in Maroua, in the conference room of the Far North Regional Office, on 15 and 22 October 2020.
- Awareness-raising workshop for Mbororo women’s associations and host communities on women’s rights organised on 26 October 2020 in Ngaoundéré in collaboration with the *Laimaru Association*
- Workshop organised from 10 to 12 November 2020 in Douala, with funding from the *Association francophone des Commissions nationales des Droits de l’Homme* (AFCNDH) to examine the draft legally binding instrument on business and human rights for transnational corporations and other business entities
- Capacity building and awareness-raising workshop against COVID-19 at the Centre Regional Office on 11 November 2020.
- Educational talk with the staff of the Governor’s Office of the Centre Region on human rights on 12 November 2020. This activity helped to sensitise 30 staff members and officials of the Governor’s Offices on basic concepts of human rights and to strengthen the collaboration between the CHRC and these Offices.

- Training workshop for 25 young student members of associations of young girls and people with disabilities on basic notions of human rights and on the role of young people in the promotion and defence of human rights, from 19 to 20 November 2020 at the Caribe Complex in Garoua.
- Educational talk with the staff of the Ministry of Youth and Civic Education and its attached services on the culture of human rights and peace for harmonious living together, on 25 November 2020. This activity enabled the capacity building of 33 leaders of youth associations and movements in the promotion and respect of human rights, as well as the culture of peace for responsible citizenship.
- Training workshop for 20 young residents of the Maroua youth centre on the concepts of human rights from 24 to 25 November 2020.

B - Participation in promotion activities organised by partners

During the year 2020, the NCHRF participated in 47 human rights promotion activities organised by its partners, of which 16 were at the Head Office and 31 in regional Branches.

The Commission's Head Office was involved in Human Rights promotion activities organised by national and foreign partners in 2020 in the following ways:

- Participation in the Day of Reflection on the theme "*Freedom of Association, Freedom of Assembly and the Internet in Cameroon*", organised on 28 January 2020 by the Association "PROTEGE QV" in the Conference Room of the Commission's Head Office. This activity was attended by about ten CSO representatives, as well as representatives of some administrations and international organisations including the Ministry of Posts and Telecommunications (MINPOSTEL), the Telecommunications Regulatory Agency (ART), the National Agency for Information and Communication Technologies (ANTIC) and the United Nations Educational, Scientific and Cultural Organisation (UNESCO).
- The capacity building workshop for members of the Association called the Human Rights and Democracy League (LDHD) on election observation was held on 10 June 2020 at the NCHRF Head Office in Yaounde. This activity was part of the preparation of members of this Association to observe the presidential elections scheduled to take place in Côte d'Ivoire during the year under review.
- Participation in the Peace Building Youth Camp, organized on 17 September 2020 by Women in Alternative Action (WAA) on the Comprehensive High School Nkolbong campus.
- Capacity building workshop for members of the CSO called Cameroonian Civil Organisation for UNESCO (OCCU) on 9 October 2020, in the Conference Room of the Head Office in Yaounde.
- the participation of the NCHRF South-West Branch in the Strategic Advisory Group of the UNHCR operations in the North-West and South-West Regions. As a member of the Strategic Advisory Group, the Branch developed an action plan to facilitate access to justice for prisoners. The Branch Office also contributed to the adoption of a strategic plan for the issuance of lost civil registration documents to IDPs
- the participation of the NCHRF Adamawa Branch in consultation with Regional officials of Elections Cameroon (ELECAM) on 1 June 2020, concerning the conduct of the electoral process in the Adamawa Region. The meeting brought together, in addition to ELECAM staff, representatives of the Vina Court of First Instance, representatives of some political parties (UNDP, SDF, CNSF, PCRN and CPDM), representatives of administrative bodies and other structures involved in electoral matters, and representatives of Civil Society Organisations and local authorities. The discussions provided an opportunity to take stock of the 9 February 2020 twin elections, the on-

- going voter registration process and the impact of COVID-19 on the unfolding of the electoral process in the Adamawa Region
- The participation of the NCHRF Littoral Branch in the awareness campaign on drug abuse and illicit trafficking organised by the Cameroon Association for the Reduction of Drug Related Harm among Youth (ACRDR), on Friday 26 June 2020, to mark the International Day against Drug Abuse and Illicit Trafficking, under the slogan “Support, don’t punish!
 - The participation of the Promotion Unit of the NCHRF Head Office in the citizen initiative for peace entitled *Peace Building Youth Camp*, organised by the Women in Alternative Action (WAA) association, on 17 September 2020 at the Christian Comprehensive Secondary School in Nkolbong, Yaoundé, through a lecture on the topic “Promoting human rights for effective peace-building and conflict prevention in Cameroon».
 - Participation in the “COVID-free back-to-school” campaign organised by the OSC One Mission, on 21 October 2020 at the Nkolbiyen High School.
 - Participation in the “*My Life, My Rights*” Forum, organized by the CSO United Africa, on 21 October 2020 at the Efoulan Applied Training Institute.
 - the participation of the NCHRF Centre Branch in the celebration of the 3rd edition of International Sign Language Day, at the initiative of the Coalition for the Development and Promotion of Sign Language (CLSC), at the Hope for Life Center in the Tsinga district of Yaoundé, through a presentation on *the Rights of persons with disabilities, and specifically deaf-mutes, to employment in Cameroon*, on 23 September 2020
 - the dialogue with local and national authorities on *Access to land and the gender-sensitive social protection system*, organised by the Ministry for Women Empowerment and the Family in Maroua, with the participation of the Far-North Branch on 12 November 2020;
 - the restitution Workshop on the Survey on the establishment of Civil Registration Records in the Communes of the Ntem Valley Division, by the Centre for Information and Training for the Environment and Development (CIFED), with the participation of the South Branch on 19 November 2020
 - Workshop on monitoring the impact of COVID-19 on Human Rights, organised in Douala by the United Nations Centre for Human Rights and Democracy in Central Africa, from 25 to 27 November 2020
 - The official opening ceremony, by the Minister of Posts and Telecommunications, of the sole inclusive multimedia centre in Central Africa in Yaoundé, housed at the Centre for Rehabilitation of Blind Youths in Cameroon (CJARC) on 2 December 2020
 - The ceremony in honour of the 2.9 million persons living with a disability in Cameroon at the Cardinal Paul-Émile Léger National Rehabilitation Centre, as part of celebrating the International Day of the Rights of Persons with Disabilities on 3 December 2020
 - The conference on *Women’s rights in the current crises*, and the projection of three short films on its effects in the North-West and South-West Regions, particularly on IDPs, at the French Institute in Yaoundé, on 10 December 2020
 - The study tour on the topic *Existe-t-il un droit de l’homme à la sécurité Fondements, contours, contraintes* held at the University of Yaounde II by the *Centre d’études et de recherches en Droit international et communautaire* (CEDIC) [Centre for Studies and Research in International and Community Law], during which the acting Chairperson of the NCHRF presented a paper on *Les débiteurs du droit à la sécurité au Cameroun*, on 10 December 2020

- A conference was organised at the Catholic University of Central Africa on the theme: *The necessary reconstruction of public health systems post COVID-19 in Africa, to guarantee the effectiveness of the right to health*, to mark the 72nd International Human Rights Day on 10 December 2020
- The Online Workshop on the Implementation of the Commitments of the High-Level Segment on Statelessness and the Refugee Forum from 14 to 15 December 2020, as a follow-up to the celebration of the 72nd International Day of Refugees' Rights

As for the Commission's branches, they were involved in human rights promotion activities organised by national and foreign partners in 2020 in the following ways.

- Participation of the NCHRF Littoral Regional Branch in the awareness-raising campaign on drug abuse and illicit trafficking organised by the Cameroonian Association for Harm Reduction Related to Drug Use among Young People (ACRDR) on Friday 26 June 2020 in Douala, on the International Day against Drug Abuse and Illicit Trafficking, under the slogan "*Support, don't punish!*"
- Participation of the NCHRF Central branch in the celebration of the 3rd edition of the International Sign Language Day, organized by the Coalition for the Development and Promotion of Sign Language (CLSC), on 23 September 2020 at Hope for Life Centre in the Tsinga neighbourhood of Yaounde, through a presentation on the *Rights of people with disabilities, specifically deaf-mutes, to employment in Cameroon*
- Participation in the Extraordinary Congress of the Nouvelles Perspectives Association on 9 October 2020, at the Hotel Transcam in Ngaoundere, to present the results of the election observation missions.
- Participation in the awareness-raising workshop for Mbororo women's group leaders and host communities on women's rights, violence against women and climate change, as well as the promotion, empowerment, political and community participation of Mbororo women, organised in the Ngaoundere Urban Council Hall, on 26 October 2020
- Participation in the workshop to set up a framework for discussion and consultation between the security forces and community actors on the issues relating to community violence, traditional justice, human rights and a criminal law framework that respects cultural diversity, organised by MINPROFF on 28 October 2020 in Meiganga
- Dialogue with local and national authorities on access to land and the gender-sensitive social protection system, organised on 12 November 2020 in Maroua by the Ministry of Women Empowerment and the Family, with the participation of the Far North regional branch
- The workshop on the presentations of outcomes of the survey on the establishment of civil status certificates in the Ntem Valley Division councils, organised by the Centre for Information and Training for the Environment and Development (CIFED), on 19 November 2020, with the participation of the South regional branch.
- Participation in the Human Rights Training Workshop for the youth of the Adamaoua Region, organized by the Adamaoua Regional Council, from 19 to 20 December 2020
- Participation of the Centre Regional branch in the Dialogue with defenders of indigenous peoples' land rights and representatives of their organisations, organised by the Cameroon Network of Human Rights Organisations (RECODH), on 23 December 2020.

SECTION II.- HUMAN RIGHTS PROTECTION ACTIVITIES

SECTION 2 of Law No. 2004/016 of 22 July 2004 determines the content and scope of the human rights protection mission assigned to the National Commission on Human Rights and Freedoms (NCHRF). It stipulates that the Commission shall:

- *receive all denunciations relating to violations of human rights and freedoms*
- *conduct all enquiries and carry out all the necessary investigations on violations of human rights and freedoms and report thereon to the President of the Republic;*
- *refer cases of violations of human rights and freedoms to the competent authorities;*
- *as and when necessary, inspect penitentiary establishments, police stations and gendarmerie brigades, in the presence of the competent State Counsellor or his representative; such inspections may entail the drafting of a report submitted to the competent authorities.*

Accordingly, in 2020, under its mission to protect human rights and freedoms, the NCHRF received 971 allegations of human rights violations, including 913 complaints and 64 self-initiated cases. This number is down by 225 compared to the 1202 reported cases in 2019, i.e., 1031 complaints and 171 self-initiated cases. This situation can be explained by the Covid-19 outbreak and the application of the restrictive measures which the Government prescribed as part of responding to the pandemic.

However, during the reference period, the NCHRF handled human rights complaints filed with the Commission (**Paragraph 1**) and those initiated by the Commission (**Paragraph 2**).

Paragraph 1.- The handling of alleged cases of human rights violations contained in complaints

The study of the handling of human rights complaints by the NCHRF in 2020 attempts to examine complaints of alleged human rights violations registered and handled (**A**), the nature of the alleged human rights violations, the perpetrators and potential victims (**B**), the actions taken and the achievements of the complaints procedure (**C**).

A - Complaints alleging human rights violations filed and handled

The handling of complaints referred to the NCHRF sometimes led to fact-finding visits, which were however, rendered difficult by the restrictions on access to certain locations and financial constraints encountered by the institution.

1 - Complaints filed in 2020 at NCHRF's Head Office and Branches

The following tables illustrate the volume of complaints of alleged human rights violations filed in 2020.

Table 4.- Data on complaints filed at the Head Office and Branches in 2020

N°	Bodies→ Complaints ↓	AD ⁵	CE	EN	ES	LT	NO	NW	W	S	SU	SW	Total number of cases
1.	Number of complaints ⁶ filed with body	49	277	38	/	114	77	124	17	89	21	107	913
2.	Percentage of complaints filed with the body compared with the total number of complaints (%)	5.37	30.34	4.16	0	12.49	8.43	13.58	1.86	9.75	2.30	11.72	100

Source. - NCHRF 2020

Chart 1.- Number of complaints filed at Head Office and Branches in 2020

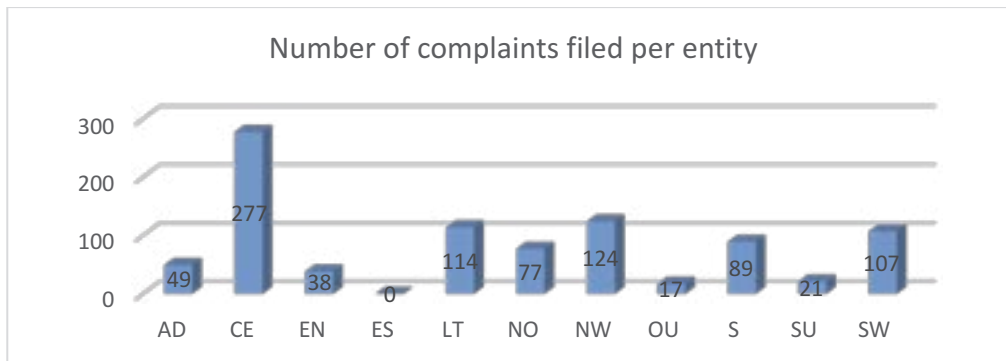


Chart 2.- Percentage of complaints filed at the Head Office and Branches in 2020

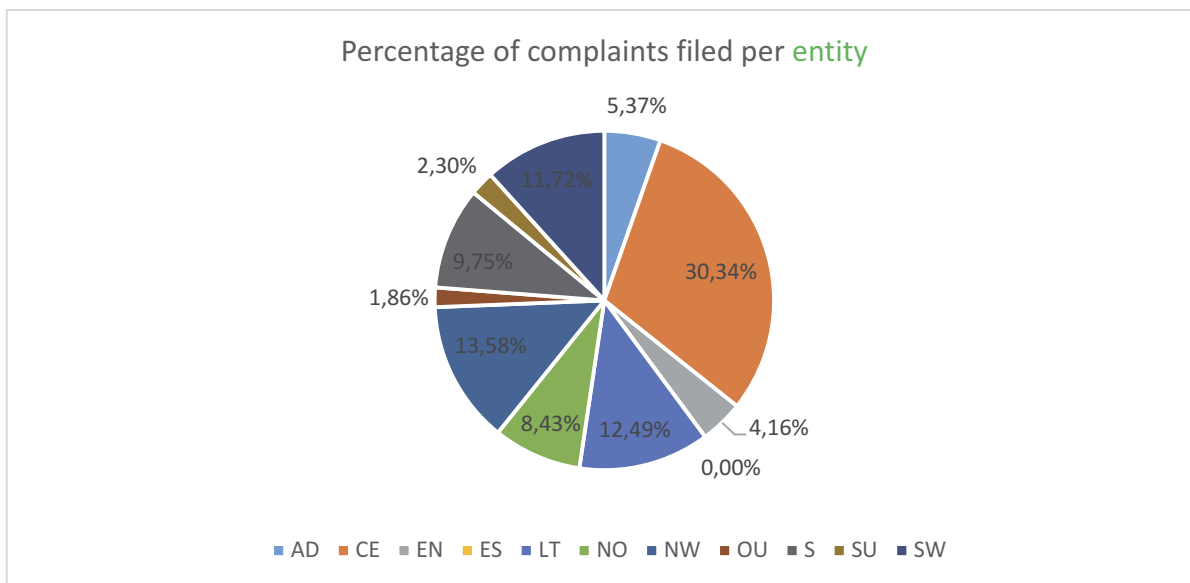


Table 1 and Charts 1 and 2 above portray the volume of complaints handled by the Commission's Head Office and Branches.

Analysis reveals that during the reference year, more than a quarter of the complaints came from the Centre Branch, accounting for 30.34 per cent of cases, followed by the North-West Branch (13.58%) and the Littoral Branch (12.49%). There is also an overwhelming proportion of allegations of human rights violations from requests i.e., 93.45%, in overall cases (913) reported to the Commission in 2020, compared to only 6.55% of self-referrals. These figures were 88.65% compared to 11.35% in 2019.

2 - Complaints handled in 2020 at NCHRF Head Office and Branch Offices

When the NCHRF received complaints containing alleged cases of human rights violations, it deployed the means of action provided for in its enabling legislation to follow up on them, if need be. These means of action included: summon of the parties or witnesses for hearing, investigative missions, refer cases to the competent authorities so that they put an end to the violations observed, mediation and

⁵ Adamawa(AD), Centre (CE), East (ES), Far-North (EN), North (NO), North-West (NW), West (OU), South (SU), South-West (SW), Littoral (LT), Head Office (S).

⁶ The data contained in this section was collected from the annual reports of NCHRF branches and relevant entities at the institution's Head Office.

conciliation in non-repressive matters, etc. The following table portrays the number of complaints the Commission handled in 2020, compared to the number of complaints filed.

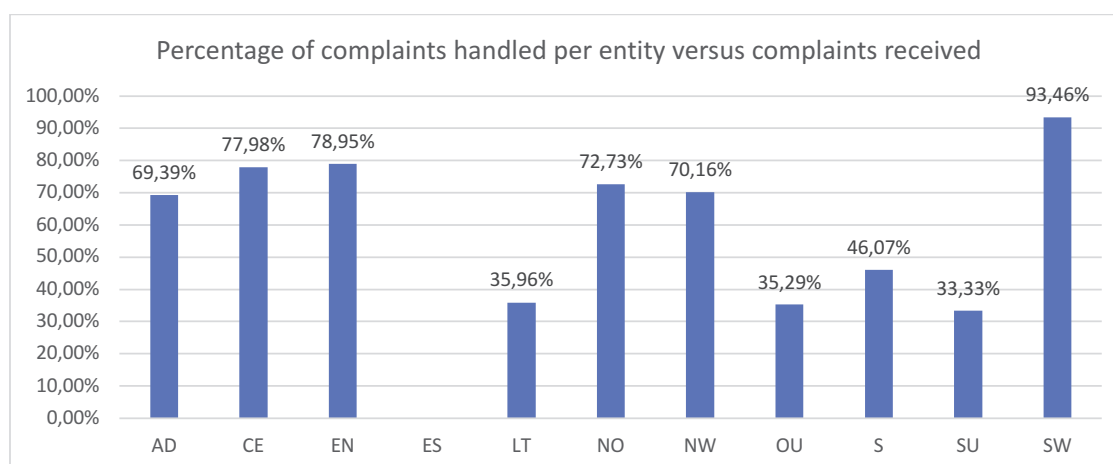
Table 5.- Data on complaints handled at Head Office and Branches in 2020

Bodies→ Title	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total number of complaints
Complaints handled by bodies	34	216	30	0	41	56	87	6	41	7	100	618
Complaints filed to bodies	49	277	38	0	114	77	124	17	89	21	107	913
The ratio of cases handled vs. cases filed per entity	69,39 %	77,98 %	78,95 %	0%	35,96 %	72,73 %	70,16 %	35,29 %	46,07 %	33,33 %	93,46 %	67,69 %

Source.- NCHRF 2020

The South-West Branch was the most efficient in terms of handling complaints (93.46%), followed by the Far-North Branch (78.95%) and the Centre Branch (77.98 %), as shown in the graph below.

Chart 3.- Ratio of complaints handled per CHRC entity versus complaints received in 2020



Although the Littoral (35.96%), West (35.29%) and South (33.33%) branches handled the fewest number of complaints filed, globally, all NCHRF Bodies handled 67.69 per cent, i.e. more than two-thirds of the complaints received in 2020. The remaining complaints continued to be processed in 2021.

B - The type of complaints of human rights violations and the actors involved

The handling of complaints of human rights violations in 2020 reveals a varied pattern of alleged violated rights, and equally varied profiles of complainants, respondents and victims. It involves both natural and legal persons such as government bodies, defence and security forces and Civil Society Organisations, to name just a few. The statistical data contained in the following tables are sufficiently illustrative.

1 - The pattern of alleged cases of human rights violations recorded in 2020

In 2020, the handling of complaints revealed some 30 types of rights alleged to have been violated, which fall under civil and political rights, economic, social and cultural rights, and the rights of vulnerable groups. The following tables and charts provide an overview of the number of allegations filed per type of right, a complaint or self-initiated case often reporting more than one alleged violation of several rights.

Table 6.- Data on the type of human rights allegedly violated in the complaints filed in 2020

Bodies→ Type of rights involved\	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total number of alleged cases of human rights violations per type of rights	Percentage of the total number of reported allegations of human rights violations (%)
Right to Property	16	68	12		42	42	21	15	20	6	26	268	25,16
Right to physical and moral integrity	10	30	9		15	36	9	16	4	2	13	144	13,52
Right to a fair trial	2	54	5		22	3	5	5	9	11	2	118	11,08
Right to work and workers' rights	1	78	1		14	7	5	2	3	0	18	129	12,11
Right to life	1	3	0		2	9	32	3	1	1	0	52	4,88
Right to safety	0	4	3		3	24	10	4	2	3	0	53	4,98
Freedom of movement (right to personal safety)	9	28	0		0	16	18	0	6	1	27	105	9,86
Prohibition of torture and other cruel, inhuman and degrading treatment or punishment	1	5	0		1	4	11	2	2	0	7	33	3,10
Right to Family	0	5	0		9	7	10	0	1	0	0	32	3,00
Right to shelter	0	3	0		1	0	11	0	1	0	0	16	1,50
Right to education	1	9	0		1	1	3	0	1	0	20	36	3,38
Right to health	0	4	0		3	5	0	0	1	0	0	13	1,22
Right to dignity	0	0	0		2	1	0	0	1	0	0	4	0,38
Non-respect for rule of law	0	8	0		0	1	0	0	1	0	0	10	0,94
Right to protection from enforced disappearance	1	0	0		0	0	6	0	0	0	3	10	0,94
Right to identity	0	6	0		0	1	0	0	0	0	0	7	0,66

<div>Bodies→</div> <div>Type of rights involved↓</div>	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total number of alleged cases of human rights violations per type of rights	Percentage of the total number of reported allegations of human rights violations (%)
Right to assistance	1	4	0		0	0	0	0	2	0	0	7	0,66
Freedom of association	0	2	0		2	0	0	0	0	0	0	4	0,38
Right of access to public utility	2	1	0		0	0	0	0	0	0	0	3	0,28
Right to a healthy environment	0	3	0		1	2	0	0	0	0	0	6	0,56
Right to food	0	0	0		1	1	0	0	1	0	0	3	0,28
Freedom of press	0	1	0		0	0	0	0	1	0	0	2	0,19
Freedom of conscience and freedom worship	0	0	0		1	1	0	0	0	0	0	2	0,19
Freedom to conduct a business	0	2	0		0	0	0	0	0	0	0	2	0,19
Right to participate in the management of public affairs	1	0	0		0	0	0	0	4	0	0	5	0,47
Consumer rights	0	1	0		0	0	0	0	0	0	0	1	0,09
Total number of alleged cases of human rights violations per entity	46	319	30	0	120	161	141	47	61	24	116	1065	100,00
Percentage of the total number of reported alleged cases of human rights violations (%)	4,32	29,95	2,82	0	11,27	15,12	13,24	4,41	5,73	2,25	10,89	100	

Source.- NCHRF 2020

Chart 4.- Number of alleged cases of human rights violations in 2020 complaints

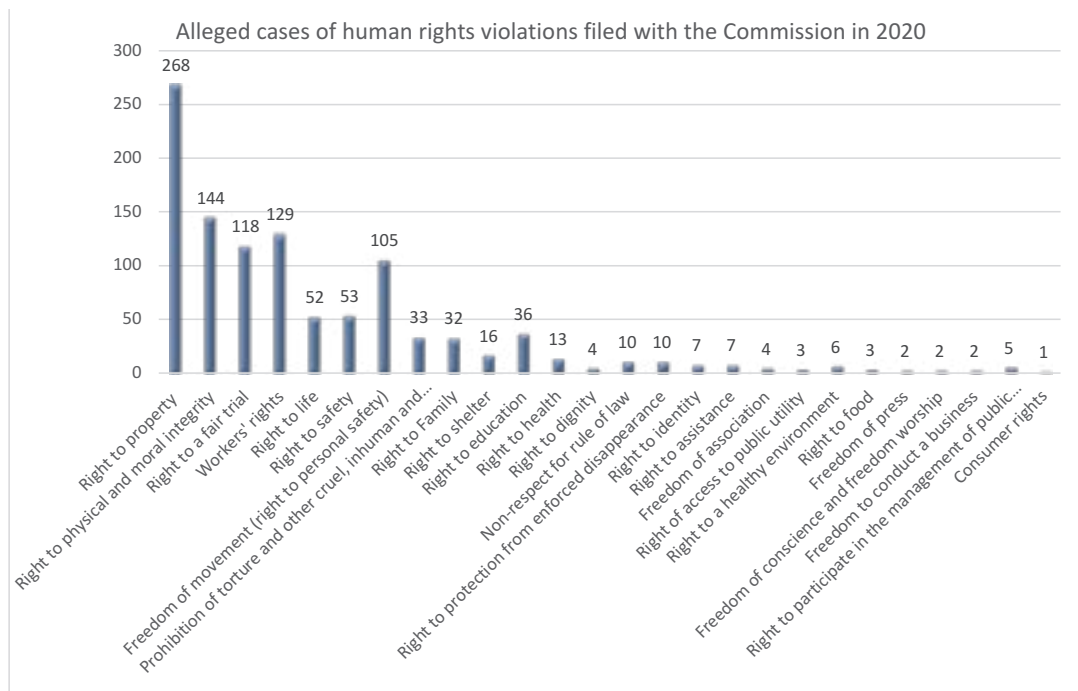
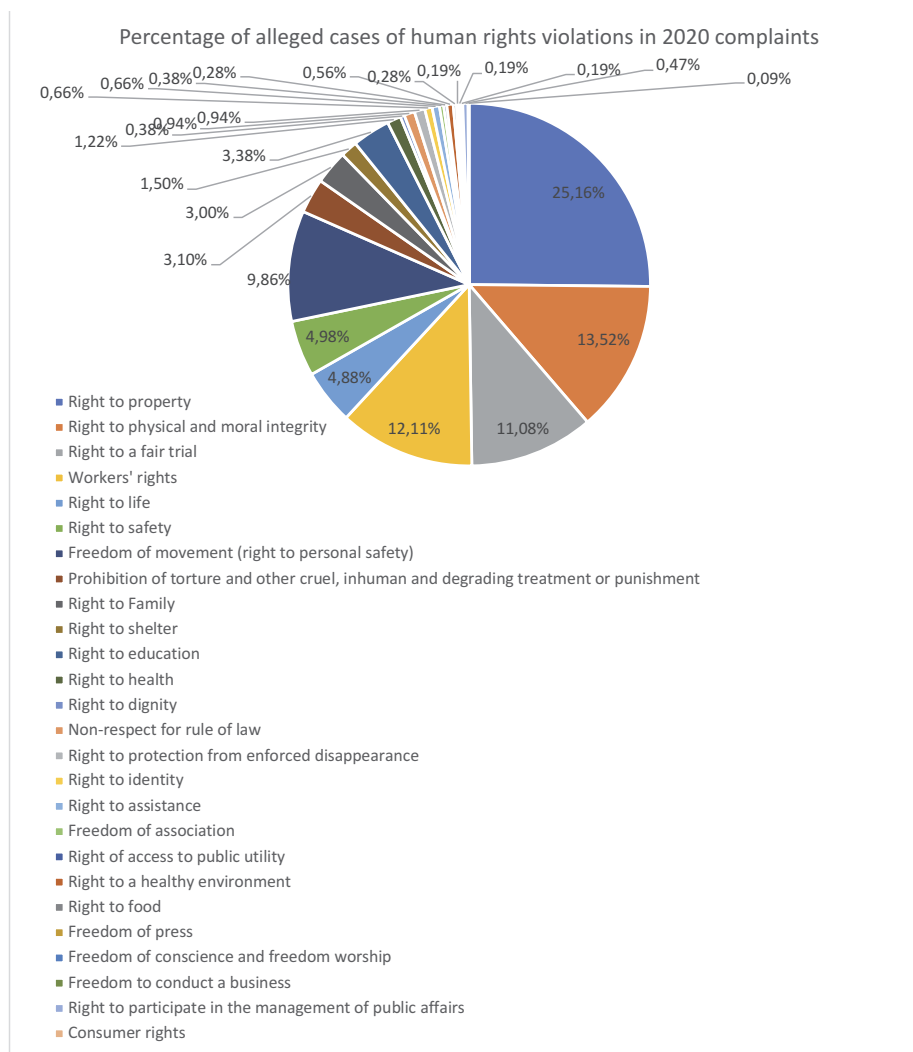


Chart 5.- Percentage of alleged cases of human rights violations in 2020 complaints



Looking at the table and graphs above, it is clear that, as in 2019, alleged cases of violation of the right to property remain the most numerous with 268 occurrences (25.16%), followed by those of violation of the right to physical and moral integrity with 144 cases (13.52%), workers' rights with 129 cases (12.11%) and the right to a fair trial with 118 cases (11.08%).

2 - Types of respondents and complainants

The aim here is to present the types of natural or legal persons implicated in the alleged cases of human rights violations contained in the complaints in 2020, as well as those of complainants who have referred cases to the NCHRF.

The table and graph below show the disaggregated data from the NCHRF's Head Office and Branches concerning the respondents.

Table 7.- Number and types of respondents in complaints of alleged human rights violations handled by the NCHRF in 2020

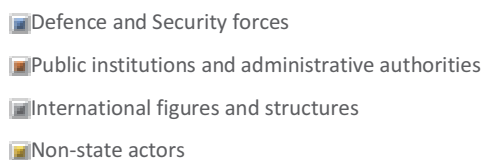
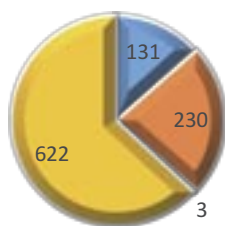
Bodies→ Respondents ↓	AD	CE	EN	E S	LT	NO	NW	OU	S	SU	SW	Number of respondents	Percentage of respondents per type compared to the total number of respondents (%)
Defence and Security forces	5	13	0	0	4	18	47	3	4	1	36	131	13,27
Army	2	2	0	0		3	28	0	3	0	14	52	5,27
Gendarmerie	2	4	0	0	4	9	13	2	1	1	7	43	4,36
Police	1	7	0	0		6	6	1	0	0	15	36	3,65
Public institutions and administrative authorities	10	138	2	0	7	9	22	1	17	14	10	230	23,30
Penitentiary administration	2	2	0	0		0	2	0	0	1	1	8	0,81
Public administrative bodies	0	88	0	0	4	7	11	1	3	1	2	117	11,85
Administrative authorities	6	20	0	0	1	2	3	0	7	2	6	47	4,76
Judicial authorities	1	5	1	0	2	0	4	0	4	10	0	27	2,74
Regional and local authorities	1	6	0	0		0	0	0	2	0	0	9	0,91
Public companies	0	17	1	0		0	2	0	1	0	1	22	2,23
Public institutions	0		0	0		0	0	0	0	0	0	0	0
International figures and structures	0	3	0	0	0	0	0	0	0	0	0	3	0,3
Embassies	0	3	0	0		0	0	0	0	0	0	3	0,3
Other foreign bodies				0						0		0	0

International organisations	0	0	0	0		0	0	0	0	0	0	0	0
Non-state actors	33	221	36	0	63	70	72	13	36	9	69	622	63,02
Religious leaders	0	1	0	0		0	0	0	0	0	0	1	0,1
Traditional authorities	5	0	4	0	1	8	0	0	2	0	2	22	2,23
The Bar Association	2	0	0	0		0	0	0	0	0	0	2	0,2
Private companies	2	25	0	0	11	5	3	0	2	1	6	55	5,57
Individuals	24	159	32	0	35	57	66	10	31	8	56	478	48,43
Civil Society Organisations	0	35	0	0	16	0	3	3	1	0	5	63	6,38
Others	0	1	0	0		0	0	0	0	0	0	1	0,1
Total number of respondents per region or entity	48	376	38	0	74	97	141	17	57	24	115	987	100
Percentage of respondent per region or entity compared to the total number of respondents nationwide (%)	4,86	38,10	3,85	0	7,50	9,83	14,29	1,72	5,78	2,43	11,65	100	

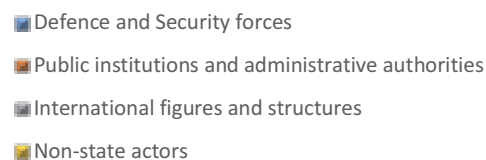
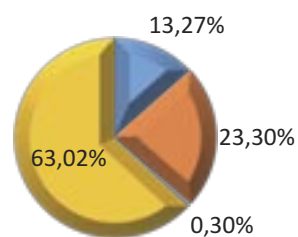
Source.- NCHRF 2020

Charts 6 and 7.- Distribution of respondents in number and percentage

Distribution of respondents in absolute terms



Distribution of respondents in relative terms



Data on respondents in the NCHRF's handling of complaints of alleged human rights violations in 2020 reveals the following:

- the total number of respondents was 987, out of which three (0.3%) were international personalities and structures, 131 (13.27%) were security and defence forces, 230 (23.3%) were public institutions and administrative authorities, and 622 (63.02%) were non-state actors, including re-

ligious authorities, private companies, Civil Society Organisations and religious authorities. In comparison, in 2019, the number of respondents was 1,069, with a majority of non-state actors at 731 (68.38%), followed by 228 (21.33%) public institutions and administrative authorities, 102 (9.54%) actors from the security and defence forces, and 8 (0.75%) international figures and structures

- the Centre and North-West Regions recorded, as in 2019, the highest number of suspects, i.e. 376 (38.1%) and 141 (14.29%) respectively, compared to 335 (31.34%) and 306 (28.62%) in 2019.

Complainants are natural or legal persons who undertake to file a complaint with the Commission against human rights violations either on their behalf or on behalf of third parties. The complaint is made using a written or verbal report to the NCHRF's Head Office or Branches.

In 2020, out of the 804 complainants who filed a complaint with the Commission, 615 (76.49%) were natural persons and 189 (23.51%) were legal entities, while in the previous year 781 (78.81%) were natural persons and 210 (21.19%) legal entities filed a complaint with the NCHRF, for a total of 991 complainants.

The table and graphs below show the types of complainants in 2020.

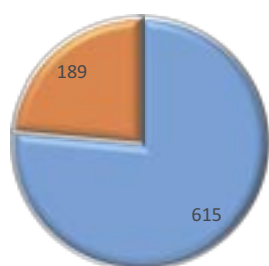
Table 8.- Number and type of complainants in handling alleged cases of human rights violations

Bodies→ Complainants ↓	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total number per type of complainant	Percentage of complainants per region compared to the total number of complainants (%)
Legal entities	8	68	0		27	14	8	2	14		48	189	76,49
Natural persons	41	148	38		81	85	133	8	22		59	615	23,51
Number of complainants per entity	49	216	38		108	99	141	10	36		107	804	100
Percentage of complainants per entity (%)	6,09	26,87	4,73	0	13,43	12,31	17,54	1,24	4,48	0	13,31	100	

Source.- NCHRF 2020

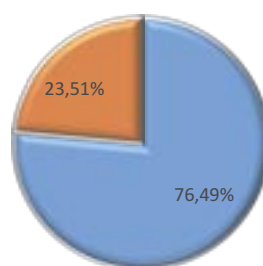
Charts 8 and 9.- Distribution of complainants per type of person in absolute and relative value

Distribution of complainants
in absolute terms



■ Natural persons ■ Legal entities

Distribution of complainants
in relative terms



■ Natural persons ■ Legal entities

3 - Types of alleged victims

An alleged victim is any person or group of persons who are identified as having suffered, or who believe they have suffered, direct or indirect damage as a result of a violation or infringement of their rights. In 2020, the NCHRF recorded 873 alleged victims, of which 758 (86.83%) were natural persons and 115 (13.17%) were legal persons. In contrast, in 2019 these statistics were 685 natural persons and 107 legal persons in absolute value for a total of 792 alleged victims.

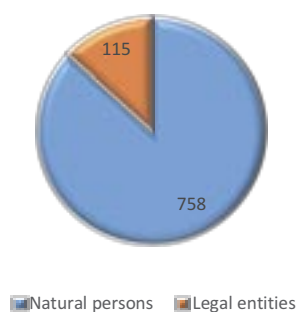
Table 9. - Data on alleged victims per category

Bodies→ Alleged Victims ↓	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total number of alleged victims per types	Percentage of alleged victims per entity out of the total number (%)
Natural persons	44	228	30		102	77	79	9	93	21	75	758	86,83
Legal entities	5	39	0		8	22	8	1	0	0	32	115	13,17
Total number of alleged cases per entity	49	267	30		110	99	87	10	93	21	107	873	100
Percentage of alleged victims per entity out of the total number (%)	5,61	30,58	3,44		12,6	11,34	9,97	1,15	10,65	2,41	12,26	100	

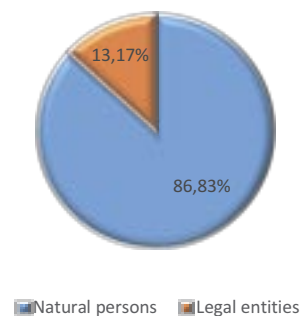
Source.- NCHRF 2020

Chart 10 and 11.- Distribution of alleged victims per category in absolute and relative value

Distribution of alleged victims in absolute terms



Distribution of alleged victims in relative terms



C - Actions undertaken as part of handling complaints

The NCHRF is an institution with quasi-judicial competence to deal with complaints. To that end, it must respect the Rights of Defence and may use various means of action, such as summons and hearing of parties or/and witnesses, conduct investigations and enquiries, refer cases to the competent authorities to put an end to the human rights violations observed, conciliation in non-repressive matters, mediation, etc., in compliance with the relevant provisions of the NCHRF's enabling law.

Concerning referred cases to the competent authorities, the NCHRF issued 234 letters following alleged cases of human rights violations filed in 2020, for which 55 replies were obtained and 29 cases were resolved by the authorities referred to, as illustrated in the table and diagrams below.

Table 10.- Data on letters to and handled by authorities concerning alleged cases of human rights violations filed

Bodies→ Letters ↓	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total
Number of letters to authorities following alleged cases of human rights violations filed	18	109	13		15	21	13	15	12	13	5	234
Number of replies received	4	19	2		3	4	3	6	5	5	4	55
Percentage of replies received (%)	22		.22 17.43 15.38	0	20	.19 .05	23.08	40	.41 .67	38.46	80	23.5
Number of cases settled by the referred authority	3	0	8		0	2	7	3	2		4	29
Percentage of cases settled by the referred authority	16,67	0	61,54	0	0	9,52	53,85	20	16,67	0	80	12,39

Source.- NCHRF 2020

Chart 12.- Number of correspondences to authorities following alleged cases of human rights violations filed

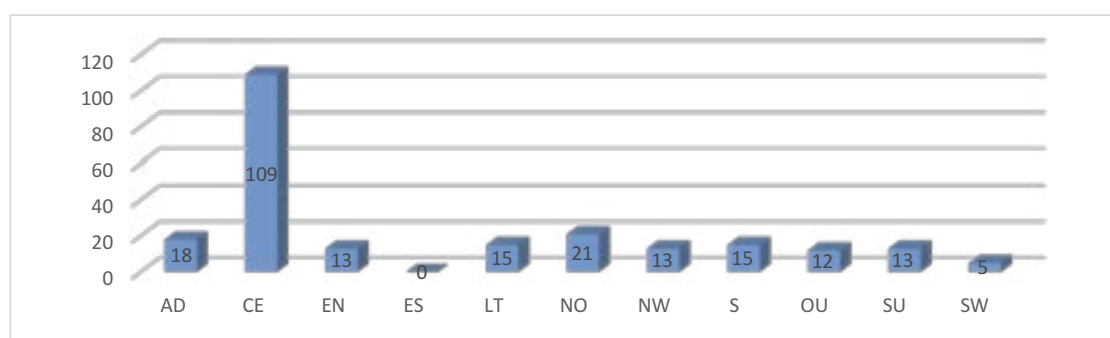
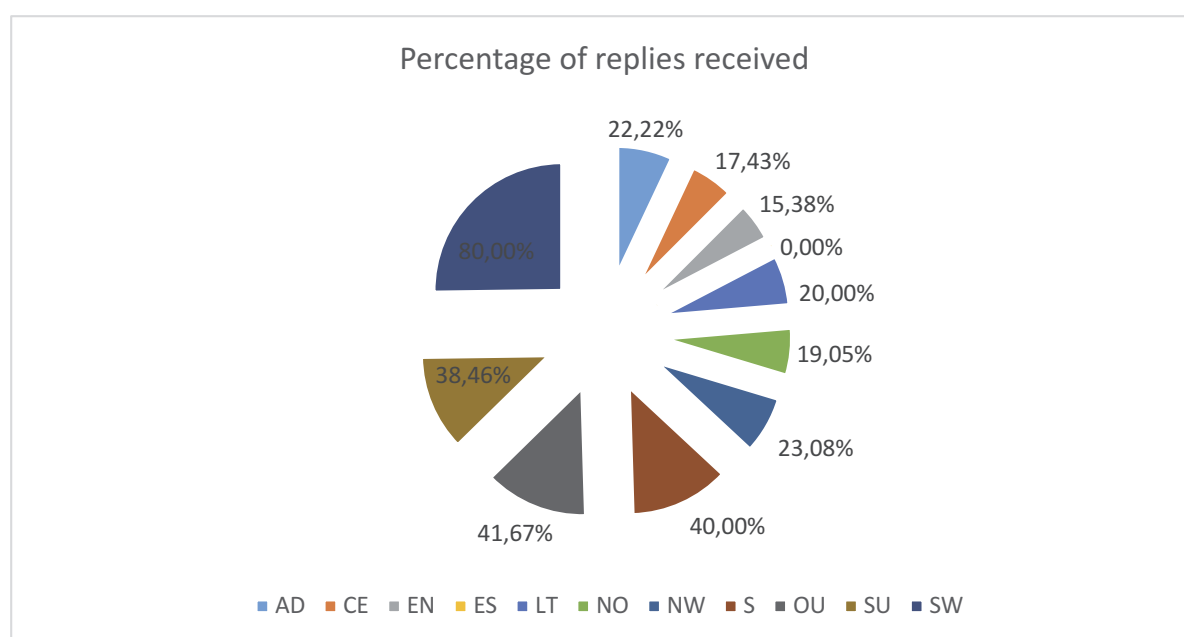


Chart 13.- Percentage of replies received



Upon analysis, it appears that the Centre and North Regions were the sources of the greatest number of letters addressed to authorities, i.e. 109 and 21 respectively out of 234 letters issued in 2020 by the NCHRF. The authorities were contacted and solutions were found in 29 cases.

However, given the timid response from the administrative authorities and other non-state bodies referred to the Commission, several cases remain unresolved and long pending at the Commission, which sometimes prevents from stopping violations and victims from their rights to compensation and encourages impunity.

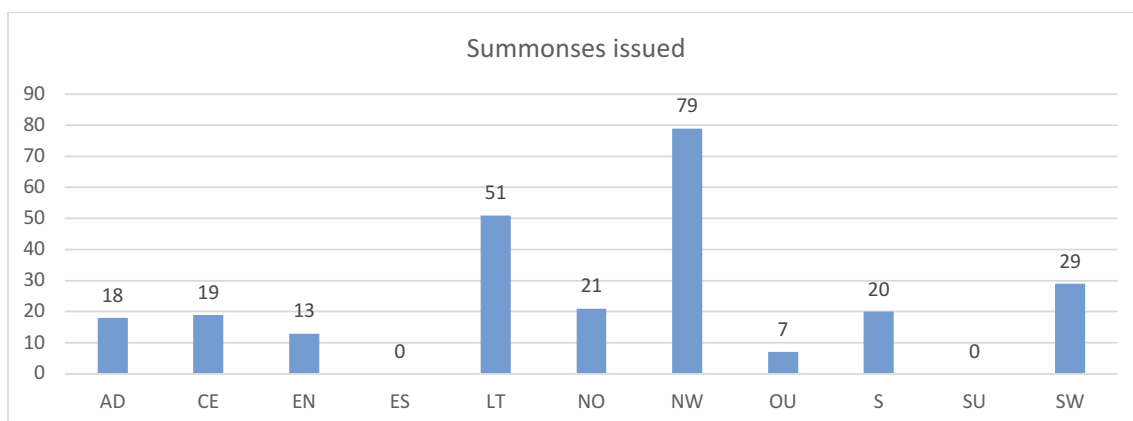
As for the summons, it is a tool that allows the Commission to respect the principle of contradiction by allowing the parties (complainants, respondents, victims, witnesses, etc.) to present their version of the facts and provide evidence for cases under examination at the commission.

Table 11.- Data on summonses issued and cases referred

Bodies→ Summonses ↓	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total
Summonses issued	18	19	13	0	51	21	79	7	20	0	29	257
Cases referred	12	16	11	0	45	15	54	5	12	0	23	193
Failure to refer a case	6	3	2	0	6	6	25	2	8	0	6	64
Percentage of cases referred (%)	66,67	84,21	84,62	0	88,24	71,43	68,35	71,43	60	0	79,31	75,13
Percentage of cases not referred (%)	33,33	15,79%	15,38%	0	11,76%	28,57%	31,65	28,57	40,00	0	20,69	24,97

Source. - NCHRF 2020

Chart 14.- Number of summonses issued



In 2020, of the 257 persons and bodies summoned by the Commission, 193 complied with the summonses sent to them and 64 did not respond, giving a response rate of 75.13 per cent. This referral rate is up from 56.29% in 2019. A comparative analysis of the performance of the Regions reveals that the highest number of summonses was issued by the North-West Branch (79 summonses), while the Littoral Region has the highest referral rate to summonses issued by the Commission's Branches (88.24).

In any case, the Commission reiterates the legal obligation to respond to the summonses, which is binding on all. This was already provided for in Section 28⁷ of the 2004 Law setting up the NCHRF. The law promulgated in 2019, which establishes the Cameroon Human Rights Commission (CHRC) to replace the NCHRF, enshrines the same obligation in these terms: “Whoever, having been duly served with a summons, fails to appear before the Cameroon Human Rights Commission shall be punished with a fine of CFAF 4000 (four thousand) to CFAF 25,000 (twenty-five thousand) or with imprisonment for 5 (five) to 10 (ten) days or with both such fine and imprisonment».

Paragraph 2.- The handling of alleged cases of human rights violations under the Commission’s initiative

The Commission not only examines complaints but also ensures the protection of human rights through self-initiated investigations into alleged cases of human rights violations of which it is aware. As part of this procedure, the Commission uses information relayed by the media, reports made by Civil Society Organisations, including anonymous reports, etc. to identify cases likely to involve human rights violations. It then carries out investigations to establish the facts and, if necessary, alert the competent authorities by all means to put an end to the established violations. If the facts are not established, the cases concerned are simply closed. Such operations are carried out at NCHRF Head Office by the Observation, Investigation and Alert Unit and the Regional level by each of the operational branches.

During the reference year, the NCHRF handled 65 alleged cases or facts likely to have jeopardised human rights. The breakdown of these cases (A) and the types of rights concerned (B) will be presented.

A - Distribution of self-initiated cases

The alleged cases of human rights violations handled by the NCHRF in 2020 are divided between the Head Office and the Branches as follows:

Table 12.- Data concerning the number of self-initiated cases broken down per Region

Bodies→ Self-initiated cases	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Nombre total de cas
Number of self-initiated cases per entity	1	5	5	0	2	22	5	3	14	3	5	65
Percentage of self-initiated cases per region in relative value	1,53	7,69	7,69	0	3,07	33,84	7,69	4,61	21,53	4,61	7,69	100

Source. - NCHRF 2020

Upon analysis, it is apparent that the North Region initiated the largest number of self-initiated cases, i.e. 22 (33.84%), followed by the Head Office (21.53%).

B - Types of rights concerned

The following table shows the types of rights that were allegedly violated and referred to the NCHRF in 2020, both from the Head Office and Branches.

⁷ Section 28 (1) states that: “any person who, having been duly summoned, refuses to comply with the summonses of the National Commission on Human Rights and Freedoms, shall be liable to the sanctions provided for in Article R 370 of the Penal Code. Section 28 (2) specifies that ‘proof of the summons shall be provided by any means in writing’.”

Table 13.- Data on the types of alleged cases of human rights violations under self-initiated investigations in 2020

Bodies→ Type of rights ↓	AD	CE	EN	ES	LT	NO	NW	OU	S	SU	SW	Total number of cases of human rights violations per type of rights	Percentage of instances per type of right, out of all cases recorded (%)
Right to property	1					7	4	12				24	20
Right to physical and moral integrity	2	1				10						13	10,83
Right to a fair trial	0	1					1	8				10	8,33
Right to work and workers' right	0					1		3				4	3,33
Right to life	1	2				17	9	2		3		34	28,30
Right to security						16						16	13,33
Right to the safety of person (protection against arbitrary or abusive arrest and detention)		3				1	5					9	7,5
Prohibition of torture and other cruel, inhumane and degrading treatment		2				1	2					5	4,16
Freedom of movement (Right to the safety of the person)	0							1				1	0,83
Right to shelter							2					2	1,66
Right to education												0	0
Right to health						2						2	1,66
Total number of instances of human rights violations per entity	4	9	0	0	0	55	23	26	0	3	0	120	100
Percentage of instances of alleged human rights violations per relative value	0	7,7	0	0	0	47,4	19,8	22,4	0	2,5	0	100	

Source. - NCHRF 2020

Out of the 12 types of human rights covered by self-initiated cases in 2020, the right to life was the most at risk, with 34 instances out of the 120 cases, representing a percentage of 28.30 percent.

Beyond the data presented above, specific cases where NCHRF had taken action and achieved concrete results are highlighted in the Parts and Chapters on the human rights situation in Cameroon in 2020.

CHAPTER III. - CROSS-CUTTING ACTIVITIES: COOPERATION, COMMUNICATION AND MANAGEMENT OF ADMINISTRATIVE AND FINANCIAL RESOURCES

The NCHRF conducted various other activities in the areas of cooperation (**Section I**), communication (**Section II**) and management of its human and financial resources (**Section III**), in addition to promoting and protecting human rights and freedoms.

SECTION I.- COOPERATION ACTIVITIES

Cooperation activities in 2020 fell under the scope of collaboration with Public administrations (**Paragraph 1**) and of the implementation of the activities of the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF) (**Paragraph 2**).

Paragraph 1. - Cooperation with Public administrations

The National Human Rights Institution (NHRI) of Cameroon regularly interacts with Public administrations in carrying out its activities. The institution is generally solicited for its support in the form of advice, opinions, evaluation, and contributions on human rights issues falling within the scope of the administration concerned.

For the year in reference, interactions between the NCHRF and Government authorities in the domain of Human Rights concerned mainly the evaluation of the implementation of the National Action Plan for the Promotion and Protection of Human Rights 2015-2019 (**A**), the mid-term evaluation of the Universal Periodic Review (**B**), the input to the Report of the Ministry of Justice (MINJUSTICE) on the human rights situation in Cameroon in 2019 (**C**) and the contributions of these administrative services to the NCHRF report on the State of Human Rights in Cameroon (**D**).

A - Evaluating the implementation of the National Action Plan for the Promotion and Protection of Human Rights 2015-2019

On 10 January 2020, the Ministry of Justice requested the NCHRF to contribute towards evaluating the implementation of the National Action Plan for the Promotion and Protection of Human Rights (NAPPPHR 2015-2019). In this perspective, the Commission presented activities carried out by the Institution to implement the said Action Plan, noting that it was in charge, *inter alia*, of recruiting a consultant to carry out such an evaluation, but that it was not possible due to the lack of specific resources allocated to the implementation of the NAPPPHR as a whole. Based on these findings, the Commission recommended, during an evaluation meeting organised in Yaoundé on 6 January 2021 by the Ministry of Justice, that a new NAPPPHR be adopted and given a more effective implementation and supervision mechanism that also involves the Cameroonian NHRI, together with sufficient specific resources, which can be mobilised internally or with the assistance of the State's technical and financial partners.

B - The Universal Periodic Review Mid-Term Assessment

According to a request from the MINJUSTICE, the NCHRF evaluated the implementation of the 193 recommendations adopted by the State of Cameroon following its appearance before the Universal Periodic Review mechanism in September 2018. Several initiatives were highlighted during the evaluation, including the institutional strengthening of the NCHRF, capacity building of actors and awareness raising on human rights, as well as measures to combat torture, arbitrary detention and incommunicado detention.

C - Contribution to the Ministry of Justice Report on the Human Rights Situation in Cameroon in 2019

In 2020, NCHRF's contribution to the MINJUSTICE Report on the human rights situation in Cameroon in 2019 covered:

- activities for the promotion and protection of human rights and freedoms
- the activities of the Project to Improve the Conditions for Exercising Freedoms (PICEF) in Cameroon
- the introduction of the innovations of Law No. 2019/014 of 19 July 2019 relating to the establishment, organisation and functioning of the Cameroon Human Rights Commission
- the correlations between the rights mentioned in the report and the Sustainable Development Goals, which the State is expected to achieve.

These items were accompanied by some recommendations. NCHRF suggested introducing in this report a recommendation encouraging the completion of the reform of the National Human Rights Institution of Cameroon, to ensure that its accreditation to A-status is maintained, as proof of its compliance with the Paris Principles.

D- Contributions of Public administrations to the NCHRF report on the State of Human Rights in Cameroon

As part of preparing its annual report on the human rights situation in Cameroon, the Commission periodically solicits contributions from public administrative services, other partners, including CSO. Thus, in 2020, through this practice, the Commission contacted 42 public administrations by mail to solicit information for the NCHRF's 2019 annual report. Based on such requests, 26 authorities responded positively, i.e. a positive response rate of about 62 per cent.

Paragraph 2.- The activities conducted under PICEF

The Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF) is the outcome of a funding agreement between the State of Cameroon and the European Union (EU), signed on 9 November 2016. The specific grant contract between NCHRF and the EU, derived from this funding agreement, was signed on 22 February 2019. This was followed by the effective launch of the project activities on 29 April 2019.

The second year of the project's implementation (2020) aimed, among other things, to ensure the effective setting up of the Cameroon Freedoms Observatory (CFO), the building of the operational capacities of the CFO's member Civil Society Organisations and awareness-raising of the focal points of public administrations on Human Rights.

Among the activities that the project steering team conducted in 2020, the following can be mentioned:

- the capacity building workshop for NCHRF staff to provide technical support to CSO members of the CFO, on 9 January 2020 in Kribi
- a study tour of three NCHRF officials to Morocco to share experiences between the NHRIs of Cameroon and Morocco in terms of collaboration with public administrations and CSOs, from 22 to 28 July 2020
- the study tour of three officials of the NCHRF to Kenya to examine the best practices of the NHRI of that country concerning the computerised system of alert and follow-up of cases of human rights violations, from 3 to 6 February 2020

- the screening of 241 CSO members of the CFO following a tender for interest published in January 2020
- the CFO activity planning workshop from 21-23 January 2020 in Yaoundé
- the first annual meeting for experience sharing, capitalisation and planning of CFO activities, from 29 to 30 October 2020 in Bertoua
- the appointment of CFO national and regional coordinators
- the capacity building of NCHRF Focal points of Public administrations, from 3 to 4 March 2020 in Mbalmayo
- the organisation of three educative talks by the Focal points of the Ministry of Communication, Ministry of Youth and Civic Education and the Office of the Governor of the Centre Region
- the organisation of four visits to companies (SOFAMAC, PROMETAL, *Aciéries du Cameroun*, DANGOTE Cement) from 18 August to 8 December 2020
- the organisation of two visits to infrastructure and road construction sites (Olembe Sports Complex and the Sangmelima-Djoum-Ouessou highway) from 7 to 12 August 2020
- the involvement of CSO members of CFO in the observation of the legislative and municipal elections of 9 February 2020.

SECTION II.- COMMUNICATION AND MAILING ACTIVITIES

In 2020, media interaction (**Paragraph 1**) facilitated better visibility of the institution, while mailing services facilitated the flow of information between NCHRF and external actors (**Paragraph 2**).

Paragraph 1.- Interaction with the media

Interaction with the media plays an important role in implementing the Commission's actions, either through the press, the internet or the audio-visual media.

Accordingly, the Commission published 13 press releases during the year 2020, of which eight were issued after the monthly coordination meetings of Chairpersons and Rapporteurs of Sub-Commissions, and five on human rights issues in Cameroon. Similarly, the NCHRF issued six (6) statements to mark the commemorative days of human rights. These statements were disseminated through the press, social media and digital platforms.

In addition, the Commission organised two press conferences on 17 February and 11 March 2020 to observe the twin legislative and municipal elections of 9 February 2020 and the Ngarbuh massacres respectively. Similarly, Dr Chemuta Divine BANDA, the Chairperson of NCHRF, made two media appearances as part of NCHRF's information campaign, on the one hand, on prevention and response measures against the new coronavirus on 13 and 14 April 2020 and, on the other hand, on the results of the enquiry ordered by the Head of State to shed light on the tragic events in Ngarbuh on 26 April 2020.

Furthermore, media coverage was provided by 279 media outlets for all human rights promotion activities and other events organised by the institution.

Paragraph 2.- Handling of mail

During the year 2020, a total of 1636 written correspondences were received by the NCHRF and 1380 letters were sent to various recipients, as shown in the following table.

Table 14.- Correspondences received and sent by the NCHRF

Addressees	Number of letters received	Addressees	Number of letters sent
Public administrative services	251	Public administrative services	535
Diplomatic missions, international organisations and NHRIs	231	Diplomatic missions	57
CHRC staff	24	Political parties	7
CSOs	331	Media	279
Individuals	333	Individuals	182
Service providers	202	Service providers	145
Miscellaneous	72		
TOTAL	1636	TOTAL	1380

Source. - NCHRF 2020

From the above analysis, the Commission was frequently approached by individuals in 2020 (333 instances). This is due to the complaint mechanism, the majority of complainants who approached the NCHRF to report alleged cases of human rights violations were individuals. This category is closely followed by CSOs (331 instances), whose frequency is explained by the same principle of complaints. CSOs, as partners of the NCHRF and frequently report the human rights violations they witness or are subject to the Commission. This is followed by Public administrations (251 instances) and diplomatic missions (231 instances), which are the main partners of the Commission, with whom the Commission collaborates to fulfil its mission.

Concerning the destination of correspondences addressed by the Commission, Public administrations largely dominate this category, as they are the actors most frequently approached by the Commission to seek an end to human rights violations duly filed with the Commission, as Section 2 (3rd indent) of the founding law of the NCHRF which states that it “*refer any offence noted in matters falling within the remit of this law to the minister in charge of justice*”. The media occupies the second level in this category as they are essential partners in disseminating the Commission’s missions and activities to the public.

SECTION III.- THE MANAGEMENT OF HUMAN AND FINANCIAL RESOURCES

The management of administrative and financial resources was an important component of the NCHRF’s activities in 2020. Specifically, actions related to human resource management are (**Paragraph 1**) and those related to financial resource management (**Paragraph 2**) will be discussed.

Paragraph 1.- Human resource management

The Commission had one hundred and nine (119) staff members in 2020, of which sixty-eight (68) were men (57%) and fifty-one (51) were women (43%). Although women are a minority, they hold positions of responsibility than men in the institution, with 11 (eleven) chiefs of service out of the twenty (20) in the post and six (6) chiefs of office out of seven (7), as opposed to a single man.

However, there were two (2) women among the fourteen (14) supervisors in the institution, eighteen (18) women secretaries, compared to two (2) men, and five (5) women housekeepers, as opposed to a man.

During the year 2020, the Commission recruited ten staff members, mainly comprising temporary staff whose presence were necessary to ensure the interim of staff on leave. In addition, six (6) staff members ceased to work at NCHRF, namely two (2) managers due to retirement or resignation and four (4) house helpers at the end of their contract.

Four officials were appointed during the year. These are the Head of the Division for the Protection and Promotion of Human Rights, the Chief of Staff of the Chairperson of the NCHRF, the Chief of the Communication Unit and the Chief of the Translation and Interpretation Service. A further 12 staff members were assigned.

The recruitment and supervision of interns is also part of the activities of the NCHRF which, in 2020, welcomed five batches of interns between the months of February and December. During the reference year, the Commission received 135 applications for internships. Of these, 96 applicants were admitted, of which 53 were women (55.20%) and 43 were men (44.79%).

Paragraph 2.- Financial resource management

The main financial activity during the year 2020 can be described in the following sections.

In addition to considering the institution's operating needs in 2020, the focus was on the management of the budget for the reference year, which the Commission adopted on 13 January 2020 during its 27th Ordinary Session. This budget was set in revenue and expenditure at a total sum of 1,786,289,549 CFA francs, that is, 996,000,000 CFA francs for the operating budget and 250,000,000 CFA francs for the investment budget. o this amount was added 117,399,570 CFA francs as funds from the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF). During this fiscal year, the Ordinance of the Head of State No. 2020/01 of 3 June 2020, amending and supplementing certain provisions of Law No. 2019/023 of 24 December 2019 to lay down the Finance Law of the Republic of Cameroon for the fiscal year 2020, reduced the said budget to 1,442,993,549 CFA francs, i.e., a reduction of nearly 574,000,000 CFA francs. This reduction led to readjustments on the lines dedicated to the salaries of Members, Staff and Officials of the NCHRF, and those reserved for activities for the promotion and protection of Human Rights and Freedoms. In any case, at the end of the reference year, the Commission achieved a 98.08% implementation rate of its budget.

CHAPTER IV.- OBSERVATION OF THE DUAL LEGISLATIVE AND MUNICIPAL ELECTIONS OF 9 FEBRUARY 2020

Following decree n° 2019/612 of 10 November 2019 on the convocation of the electoral body for the election of deputies to the National Assembly and municipal councillors scheduled for 9 February 2020, the NCHRF, per its mandate, directed its action towards the *monitoring the respect of human rights in the successive phases of the electoral process*; with the goal to identify areas to be improved upon, note good practices and make recommendations where necessary.

To achieve this, the NCHRF based its mission on its capacity as a *human rights observation and evaluation institution* according to Section 2 of Law No. 2004/016 of 22 July 2004 to set up and organise the NCHRF; on the provisions of Law No. 2012/001 of 19 April 2012 on the Electoral Code, amended and supplemented by Law No. 2012/017 of 21 December 2012; on certificate No. 000149 A/MINAT/SGQE of 6 February 2020 on the accreditation of NCHRF observers for the 9 February 2020 twin elections; and all the institution's relevant internal instruments, such as the *briefing note of 27 December 2020 on the monitoring of the 2020 legislative and municipal elections*.

The objective of the NCHRF was thus to ensure respect for rights and freedoms during the electoral process, identify areas for improvement and note good practices. The observers comprised some members of the NCHRF, its staff, and CSO representatives who underwent capacity building before their deployment in the field. Despite the limited number of observers deployed *due to the unilateral reduction of the list of the NCHRF election observers by the Ministry of Territorial Administration (MINAT)* at the time of accreditation, the observation of the twin elections was nevertheless achieved with the financial support of the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF)⁸.

The following developments concern the actions undertaken by the NHRI of Cameroon during the preparatory phase (**Section I**) and the observations made during the different phases of the elections (**Section II**), and the difficulties encountered and recommendations made to the different actors (**Section III**).

SECTION I.- ACTIONS CARRIED OUT DURING THE PREPARATORY PHASE

The NCHRF, to observe the legislative and municipal elections of 9 February 2020, applied for accreditation (**Paragraph 1**) and organised the training of its observers and their deployment in the field and within the monitoring centre (**Paragraph 2**).

Paragraph 1.- The issue of accreditation

In order to observe the legislative and municipal elections, the NCHRF applied for accreditation for 280 observers from the Ministry of Territorial Administration (MINAT). However, only 88 accreditations were granted to the institution, thus depriving several NCHRF Commissioners and part of the staff of the Permanent Secretariat of participating in this legal observation mission. This close to 70 per cent slash in the number of observers of a National Human Rights Institution which has the mandate to observe elections, when no specific support was expected from the administration in charge of accreditation, is a *hindrance* to the fulfilment of the NHRI's mission.

⁸ PICEF is part of the Procivis Programme which has received funding from the European Union under the 11th European Development Fund.

Some the NCHRF's partner civil society organisations under PICEF, having obtained accreditation for their members, were associated with NCHRF's teams to conduct the observation of the twin elections, with funding provided by the above-mentioned Project.

Paragraph 2.- Training and deployment of observers

The NCHRF trained Commissioners, staff members observers and partner CSOs, in *human rights monitoring techniques during elections*. This training was funded by PICEF, a project implemented by the NCHRF.

After this activity which took place simultaneously in the 10 regions from 28 to 30 January and from 4 to 5 February 2020, more than 300 election observers, mainly Commission staff and representatives of member CSOs of the OLPC, had been trained. Observation kits were also distributed to them by the NCHRF, along with specific information documentation on the electoral process in Cameroon.

Following these trainings, and due to PICEF budgetary constraints, only one hundred and seventeen (117) observers were deployed on the national territory as follows:

- North-West: 11 (Boyo, Bui, Donga-Mantung, Menchum, Mezam, Momo, Ngoketunjia);
- East: 13 (Haut-Nyong, Boumba-et-Ngoko, Lom-et-Djerem) ;
- South: 11 (Dja-et-Lobo, Océan, Vallée-du-Ntem, Mvila);
- Far North: 12 (Diamaré, Mayo-Danay, Logone-et-Chari, Mayo-Kani, Mayo-Tsanaga);
- North: 7 (Mayo-Louti, Bénoué, Mayo-Rey and Faro);
- Adamawa: 9 (Vina, Mbéré, Djerem, Faro-et-Déo);
- Centre: 12 (Mfoundi);
- South-West: 10 (Meme, Fako, Manyu, Koupé-Manengouba, Ndian);
- West: 17 (Mifi, Noun, Menoua, Koung-Khi, Bamboutos);
- Littoral: 15 (Wouri).

It should be noted that, *on the initiative of the CSOs involved in the project, a monitoring mechanism led by the Chairperson of the NCHRF was put in place* during twin elections. Through permanently open telephone lines, the observers deployed on the ground and the local communities were able to instantly bring to the Commission's attention cases of human rights violations observed during the electoral process, to alert the competent authorities and to provide solutions to such situations, if necessary.

This mechanism was based at the NCHRF Head Office and comprised three chambers: a technical chamber in charge of receiving and recording alerts or reports from observers in the field, an analysis chamber in charge of reviewing reports recorded by the technical chamber and suggesting actions, and a decision-making chamber whose mission consisted of assessing the solutions proposed by the analysis chamber and giving the final decision to be adopted for each case.

In addition to the Chairperson of the NCHRF, the Head of the Division for the Protection and Promotion of Human Rights, the Head of the Protection Unit and the Head of the Observation, Investigation and Alert Unit were responsible for coordinating this mechanism.

Following this twin elections, NCHRF made several observations during the pre-election, election and post-election phases.

SECTION II.- OBSERVATIONS MADE DURING THE TWIN ELECTIONS

This section deals with major developments in the pre-election (**Paragraph 1**), election (**Paragraph 2**) and post-election phases (**Paragraph 3**).

Paragraph 1.- The pre-election phase

The Commission's activity throughout the pre-election phase consisted of observing, throughout the national territory, the level of respect for the *right to participate in the management of public affairs*, which includes: the right to stand for election, the right to safety, the right to freedom of expression and opinion, the right to freedom of assembly and public demonstration, the right to a fair trial, etc. Observations were thus made on candidatures (**A**), campaign activities (**B**) and pre-election litigation (**C**).

A- Registration of candidates

Article 25 of the International Covenant on Civil and Political Rights states that:

- *Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:*
- *To take part in the conduct of public affairs, directly or through freely chosen representatives;*
- *To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;*
- *To have access, in general terms of equality, to public service in his country.*

Pursuant to this statement and to Articles 175 et seq. of the Electoral Code, any citizen who satisfies the necessary conditions can stand for election and thus participate in the management of the affairs of the community.

NCHRF observers noted that in some regions, some citizens were hindered from *exercising their right to stand for election*. These obstacles included, for example:

- the non-availability of certain administrative (Divisional Officers) and municipal authorities (Divisional officer) on the eve of the deadline for submitting application files. This made it impossible to prepare some of the documents required for the submission of files within the deadline
- the abusive requirement, by some tax officials, of a fee for preparing the certificate of non-royalty which was one of the essential documents to be included in the application file.

For example, the Cameroon Party for National Reconciliation (PCRN), one of the parties concerned by the situation, requested Elections Cameroon (ELECAM) for a 15-day postponement of the deadline for filing nomination papers. The Electoral Council rejected the request because there is no provision in the Electoral Code for such an appeal to ELECAM.

B- Campaign events

According to reports by NCHRF observers, campaign events were peaceful, serene and secure in most of the constituencies, although some sporadic incidents were reported.

Indeed, all competing political parties were able to conduct mass and local campaigns, deliver their messages on the *Cameroon Radio Television* (CRTV) station and other private media and were assisted by the security and law enforcement forces, when necessary.

Some areas for improvement were related to late campaign funding, the uneven distribution of public display space, and finally, hate speech. There were threats, intimidation and recorded fighting during this period.

In addition, the climate of insecurity in the North-West and South-West Regions severely reduced campaign activities in some communities. There were cases of terrorist-secessionist threats against the representatives of the municipal offices of ELECAM in the South-West, with cases of the abduction of some agents, such as Mr AMIKENG Ferdinand in Muyuka, who was fortunately released later. The turnout at the campaign meetings was rather scanty in these communities, due to threats from non-state armed groups. The few meetings that were held in Buea, Kumba, Mamfe, Limbe, Tiko and Akwaya were mainly led by candidates of the Cameroon People's Democratic Movement (CPDM), under a strong escort of the security and defence forces.

The campaign was also marked by the resignation of some candidates following threats from armed bands. Such was the case with two candidates of the Social Democratic Front (SDF) to the municipal election in the Muyuka council and to the legislative election in the Fako-East constituency.

In the North-West Region, in addition to the week of what is known as “ghost town” exercises that secessionist terrorists impose, acts of violence were also recorded. There were, however, some clashes during the campaign period between the army and secessionist terrorists, acts of destruction of property in Kumbo, assassinations in the Boyo Division, attacks of convoys in the area of Mbengwi by secessionist terrorists, or recurrent gunfire in Mezam.

C - Pre-election litigation

As part of the pre-election dispute over the election of MPs, the Constitutional Council filed 55 appeals from eight political parties, including the *Union des populations du Cameroun* (UPC), the Social Democratic Front (SDF), the *Union nationale pour la démocratie et le progrès* (UNDP), the Cameroon People's Democratic Movement (CPDM), the *Parti camerounais pour la réconciliation nationale* (PCRN), the *Union des forces progressistes* (UFP), the *Front pour le salut national du Cameroun* (FSNC) and the *Mouvement citoyen national du Cameroun* (MCNC). This body issued its decisions on 19 December 2020: the rejection of some CPDM lists and in principle UPC candidates, and the rehabilitation of a PCRN list and some UPC lists.

Similarly, the dispute relating to the validation of the lists of candidates for the election of municipal councillors was brought before the competent administrative courts.

Paragraph 2.- The election phase

The election phase is when voters elect between competing candidates on the day of the twin elections. This phase, therefore, concerns the conduct of the poll. Concerning the elections of 9 February 2020, the polling was peaceful throughout the national territory (A). However, some incidents were reported in the North-West and South-West Regions due to insecurity (B).

A - Voting across the country

In the course of 9 February 2020, the NCHRF observers noted the following positive aspects:

- free access of accredited election observers to the polling stations
- the opening of almost all polling stations at 8 am prompt, except for certain areas such as Salapoumbé and Mouloundou, and Bonis I Government School, where delays were observed, among other things, due to the late arrival of representatives of some political parties or voting materials
- the compliance of candidates and political parties with the ban on campaign activities on election day
- the inclusion of a gender approach in the composition of local polling commissions
- the availability of Braille ballots in some polling stations

- support for voters who are persons with disabilities and older persons as they exercise their right to vote
- the improvement of voter information on polling station venues, through the establishment of a toll-free line (8111)
- the discreet presence of law enforcement officers
- the continued awareness-raising of citizens about voting procedures, including through spots and other accessible media.

The Commission equally identified and deplored some areas where things could be improved, as follows:

- the lack of familiarity with the electoral process or voting procedures on the part of some polling station workers and voters, especially in rural areas
- poor attendance of candidates' delegates at some polling stations
- the installation of some polling stations in army barracks, private homes or traditional rulers' palaces
- the transfer of some polling stations without prior and adequate information to voters.

B- The special case of the North-West and South-West Regions

Due to the security situation in the North-West and South-West Regions, the institution in charge of the organisation and management of elections in Cameroon opted for a regrouping of polling stations within the polling centres mostly situated in the major towns of the Regions concerned, thereby guaranteeing the security of voting operations. Although this measure was useful, it brought about some dysfunctions, such as:

- delays in the start of voting operations
- lack of sufficient voter information on the structure of the polling centres and specific location of polling stations in the centres
- difficulties in getting voters in remote areas to the polling centres etc.

The Commission equally deplored cases of violence and threats that caused the displacement of both voters and election observers in some communities, and numerous violations of the right to life, physical and moral integrity, the right to vote, etc., by secessionist terrorists.

Soldiers interrupted the counting of votes in some polling stations because of impending attacks on the polling centres where they were stationed.

Paragraph 3.- The post-election phase

Disputes (A) and the resumption of elections in some constituencies (B) shaped the post-election phase.

A- Post-election disputes

Post-election disputes were brought before the Constitutional Council for the election of MPs and the Administrative Courts for the municipal councillors' elections. This phase helped observe the effectiveness of the rights of access to justice and fair trial of candidates for MPs and municipal councillors who felt aggrieved by the outcome of the election.

Concerning the disputes over the legislative election, including the by-election of 22 March 2020, 33 appeals for total annulment and six appeals for partial annulment were lodged with the Constitutional Council⁹ by 12 political parties, namely the SDF (18), the l'UNDP (5), the CPDM (4), the ANDP (2),

⁹ See Constitutional Council, Compendium of Decisions 2020, Constitutional Council publication, 509 pp.

UNIVERS (2), the UDP (2), the BRIC (1), the PURS (1), Orange Offer (1), the MPCN (1), the PCRN (1) and the RNDD (1). The Constitutional Council's deliberations culminated in the rejection of 29 appeals, as against 11 that were successful. These include appeals for the annulment of the poll in some constituencies of the North-West and South-West Regions, filed by the SDF and which the Constitutional Council upheld by Decision No. 29/SRCER/G/20 of 25 February 2020, annulling the poll in 11 election constituencies. In the South-West Region, the only constituency concerned by this measure was that of Lebialem, while in the North-West Region, the following constituencies were concerned: Menchum-North, Bui-West, Mezam-South, Bui-South, Bui-Centre, Mezam-Centre, Momo-East, Menchum-South, Momo-West and Mezam-North. In support of the annulment of the election in these constituencies, the Constitutional Council ruled that:

- the transfer of polling stations to public places without the knowledge of voters actually deprived many of them of their fundamental right to vote, as a result of the distance between these public places and the places of residence of the voters who, on top of that, could not move from one place to another, following an Order of the Minister of Territorial Administration forbidding the movement of persons and goods from one place to another on polling day;
- polling stations were relocated in violation of the provisions of Article 96 (1) of the Electoral Code as well as Decisions No. 450/ELECAM/DGE and No. 453/ELECAM/DGE of 30 January 2020 on the publication of polling station lists and voters' lists per polling station in the Regions concerned.

As for the disputes concerning the election of municipal councillors, the administrative courts were also referred to, under the provisions of Section 267, paragraphs 1 and 2 of the Electoral Code. The courts thus referred to rules within the 40-day deadline stipulated in paragraph 3 of the aforementioned Section 267.

B - The legislative election of 22 March 2020, after the post-electoral dispute

Following the court decisions following the aforementioned post-electoral dispute, the President of the Republic, by Decree No. 2020/120 of 6 March 2020, summoned the electoral body on 22 March 2020, to resume legislative elections of 9 February 2020 in the 11 constituencies concerned. The election, which involved the election of 13 MPs, involved the following political parties: the CPDM, the SDF, the Cameroon Democratic Party (CDP), the UDP, the OPDC and the BRIC (*Bloc pour la Reconstruction et l'indépendance Economique du Cameroun*).

Overall, the NCHRF was unable to deploy observers to this election due to the Covid-19 outbreak in March 2020. Despite the ongoing climate of insecurity in the communities concerned by this re-run of the polls, the authorities announced, through the Minister of Territorial Administration, that the elections were serene, with heavy protection from the defence and security forces.

Some media outlets reported gunfire for several hours in Bamenda, especially in the Santa Sub-Division. Pictures of people crouching in front of polling stations, as a precaution, during this gunfire, were published and commented on social media. Despite this tense situation, the elections were held in the 11 constituencies concerned and the appeals lodged again by some political parties proved futile.

SECTION III.- DIFFICULTIES ENCOUNTERED AND RECOMMENDATIONS

Based on the election observation and monitoring of the human rights situation during the 9 February 2020 twin legislative and municipal elections, the NCHRF encountered some difficulties (**Paragraph 1**) and made recommendations for improving the process (**Paragraph 2**).

Paragraph 1.- Difficulties encountered

The difficulties the NCHRF encountered were mainly related to the inadequate budget allocated to this activity (A) and the drop in the number of its observers (B).

A- Inadequate budget for the NCHRF

Due to budget constraints following the restructuring that took place in the course of FY2020 because of the Covid-19 pandemic, several planned activities, such as the twin election observation, could not be conducted in their initial formats, and requests to the Prime Minister, Head of Government for special funding for the NCHRF's participation in this process were not successful. Thus, the deployment of the institution was only made possible through the resources of the Project to Improve the Conditions for Exercising Freedoms (PICEF), which were not sufficient to ensure optimal coverage of all the phases of the electoral process in the ten regions.

B- Reducing the number of observers

The NCHRF requested (wrongly) from the Ministry of Territorial Administration, the accreditation of 280 observers from among its members, staff and CSO partners at the Head Office and regional levels, ahead of its deployment on the ground for election observation. Unfortunately, the Commission only obtained a list of 88 accredited observers from the Ministry, thus depriving some sworn members and staff of the NCHRF the opportunity to carry out their missions as required by law. It should be noted that the terminology used by the Minister of Territorial Administration to designate the National Commission on Human Rights and Freedoms in his certificate No. 149/A/MINAT/SG/IGQE of 6 February 2020, signed by him, and relating to the accreditation of observers for the legislative and municipal elections of 9 February 2020, was inappropriate, in so far as this national institution of sovereignty was expressly qualified as a "*Civil Society Organisation*" by the Minister concerned.

Furthermore, the very insufficient number of accredited observers led the NCHRF to diversify its sources of information by relying on CSO members of the Cameroon Freedoms Observatory who had obtained individual accreditation.

Paragraph 2.- Recommendations

After the electoral process leading to the election of MPs and municipal councilors on 9 February and 22 March 2020 respectively, NCHRF reiterates the recommendations issued during the presidential election of 18 October 2018 which have not yet been considered. NCHRF also makes the following new recommendations to the stakeholders of the electoral process:

A- To ELECAM

- Continue the computerisation, recasting and revision process of the voters' lists and the electoral register
- Continue awareness raising, education and information of voters on their right to political participation in collaboration with NCHRF and other actors in the electoral process
- Design posters with pictures showing the voting procedure and place them in front of each polling station
- Continue to raise voter awareness for the collection of voter cards, including through SMS reminders
- Ensure that polling stations are well lit
- Ensure that voting is facilitated for people registered and accredited as election observers across the national territory

- Introduce biometrics throughout the electoral process to facilitate the monitoring of votes and the centralisation of data
- Increase citizens' awareness of voting procedures on an ongoing basis, including through advertisements and other accessible media
- Support political parties in the process of training activists on the voting process
- Provide specific tables in polling stations to facilitate counting during the counting process
- Raise awareness among election officials on the role and importance of election observers.

B - To political parties

- Ensure that at least one representative is deployed in each polling station where the party concerned is competing
- Become more involved in raising awareness and educating the public for greater voter participation
- Become more involved in the registration process in synergy with ELECAM
- Train militants on the election process and the principles of democracy.

C - To the Government

- Ensure that funds for the election campaign are made available within a reasonable time-frame
- Take measures to guarantee the availability of public services in the administrative offices and structures responsible for issuing the documents required for candidates' applications during the elections
- Ensure that structures housing polling stations (schools, social centres, municipal libraries, etc.) are electrified to facilitate ballot count operations
- Take measures to ensure that IDPs can participate in the voting process
- Ensure the delivery of accreditations to civil society organisations within a reasonable time-frame
- Monitor media activities during elections to prevent hate speech and dissemination of false information, including through social media
- Ensure that the use of public spaces reserved for posters by the various candidates and political parties is equitable.

D - To Election Observers

- Work in synergy for information sharing and capacity building during elections.

E - To the people

- Register massively on the voters' lists
- Collect voter's cards
- Perform their civic duty by voting on election day
- Avoid hate speech, defamation and all forms of violence (physical, verbal, etc.) during the elections.

PART II. THE SITUATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Economic, social and cultural rights are enshrined in several national, regional and international instruments as rights whose realisation is *progressive* and depends on the level of development of each State.

This part presents the situation of the right to education (Chapter I), the right to work, worker's rights, CSR due diligence (Chapter II), the right to health (Chapter III) and the right to an adequate standard of living (Chapter IV) in Cameroon in 2020.

CHAPTER I. THE RIGHT TO EDUCATION

In 2020, although the *mechanism for access to education* was strengthened (**Section I**), it appears that the COVID-19 pandemic and the unrest in the Far North, North West and South West Regions in particular have seriously jeopardized the realization of the right to education (**Section II**).

SECTION I. STRENGTHENING OF THE MECHANISM OF ACCESS TO EDUCATION

This section outlines the instruments and mechanisms that have contributed to improving the legal framework (**Paragraph 1**) and the institutional framework relating to the right to education, by increasing the supply of infrastructure and human resources (**Paragraph 2**).

Paragraph 1.- Improvement of the legal framework on the right to education

According to the Preamble of the Constitution of 18 January 1996, the State shall: “*ensure the right of the child to education. Primary education is compulsory. The organisation and control of education at all levels are imperative duties of the State*” Article 17(1) of the African Charter of Human and Peoples’ Rights provides that: “*Every individual shall have the right to education*”. Similarly, Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) states that: “*The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms.*”

Based on the sustainable development goal No. 4 (SDG 4), States have committed to *provide quality education to all children and adolescents by 2030*. Before making it a priority objective in its SDGs Contextualisation Paper, Cameroon had already proclaimed *equal education opportunity without discrimination* in Law No. 98/004 of 14 April 1998 to lay down Guidelines on Education.

Furthermore, the Government’s vision for 2035 for the education sector has the strategic objectives of *achieving 100% completion rate at primary level; reducing regional disparities in terms of school infrastructure and teaching staff; and increasing the supply of vocational and technical training from 10 to 25% at secondary level and from 18 to 35% at primary level*.

As for the National Development Strategy for 2030 (NDS 30) launched in 2020, its various pillars emphasize equal access to education for girls and boys, education decentralisation, universalization of Human Rights education, and matching the education system to entrepreneurial demand. On 14 July 2020, the actors in the sector of education validated the National Strategic Plan for the development and sustainability of the Education Management Information System (EMIS) and the school map in Cameroon. This is a document that defines all the resources for acquiring, storing, structuring and communicating information in the form of text, images, sound and coded data within organisations. This information system should allow for the production of a statistical yearbook of the education and training sector, an electronic school and university map, and a geographic information system on primary and secondary schools and universities¹⁰.

Apart from these important public policies that set State priorities in the education sector, the NCHRF noted that the relevant legal framework was strengthened in 2020 by new instruments, including in the sector of higher education. These instruments include:

¹⁰ www.cameroon-tribune.cm/articles.html/33631/fr.html/reforme-du-systeme-educatif-on-sarrime-linternational, accessed on 10 August 2021.

- Decree No. 2020/272 of 11 May 2020 to fix the transformation of the Faculty of Industrial Engineering into the National Higher School of Polytechnic of Douala;
- Decree No. 2020/273 of 11 May 2020 to organize the National Higher School of Polytechnic of Douala;
- Decree No. 2020/274 of 11 May 2020 to reorganize the National Higher School of Polytechnic of Maroua;
- Decree No. 2020/275 of 11 May 2020 to change the name and reorganize the National Higher School of Polytechnic of Yaounde.

These decrees were followed by operational measures aimed at increasing the supply of education and the professionalization of education. In this perspective, the fourth conference on structuring the professionalisation of teaching was launched, as well as discussions and projects relating to the revision, harmonisation and alignment of training curricula in several higher education programmes with the requirements of the professional world, were initiated.

Regarding secondary education, emphasis was laid on *pursuing the alignment of all programmes with the competence-based approach*, particularly through *real-life situations* in general secondary education and *work situations* in technical education.

Paragraph 2.- Growth in the supply of infrastructure and human resources

Many investments were made in 2020 to increase the supply of school infrastructure, namely the construction of teaching blocks and classrooms, as well as the rehabilitation of schools and universities.

With regard to the supply of educational facilities in secondary education, we can mention the completion of five (5) school infrastructure projects, namely the rehabilitation, expansion and fitting out of:

- the Maroua Bilingual High School,
- the Bonaberi Bilingual Technical High School (Douala),
- the Molyko Technical High School in Buea,
- the Ahala High School in Yaounde and
- the Mbalmayo-Oyack High School.

It should be noted, however, that 90 private schools ¹¹ were closed in the secondary school cycle due to irregularities.

As for higher education, 23 new Private Higher Education Institutes (IPES) received authorisations to operate in 2020, taking the number of IPES in the country to 307¹². These IPES benefit, as much as public universities, from the “*E-National Higher Education Network*” project which began with the acquisition of 500,000 “*Paul Biya Higher Education Vision*” (PBhev) laptops for students and continued with the construction of nine (9) university digital development centres¹³.

With regard to the supply of human resources, the government has recruited teachers in the secondary and higher education. Thus, more than 8 000 secondary school teachers were recruited between 2019 and 2020, as illustrated in the table below.

¹¹ That is eighty-one (81) schools closed in general education and nine (9) in technical education.

¹² MINESUP's Contribution to the NCHRF 2020 Annual Report.

¹³ *Idem*.

Table 15: Evolution of the number of teachers in the secondary school cycles between the 2015/2016 and 2019/2020 school years

Year	Number of teaching staff
2015/2016	70,504
2016/2017	56,752
2017/2018	61,137
2018/2019	63,958
2019/2020	72,614

Source. - MINESEC's Contribution to the NCHRF 2020 Annual Report

In higher education, the results of the first phase of the special recruitment¹⁴ of 1,237 lecturers for the eight (8) state universities, published in 2019, resulted in the *deployment of 960 PhD-holder lecturers in 2020*, that is, 132 for the University of Bamenda, 130 for the University of Buea, 127 for the University of Douala, 109 for the University of Dschang, 102 for Maroua, 130 for Ngaoundere, 130 for the University of Yaounde I and 100 for the University of Yaounde II.

However, the realisation of the right to education was jeopardised in 2020, both for health and security reasons.

SECTION II.- BARRIERS TO THE REALISATION OF THE RIGHT TO EDUCATION IN CAMEROON IN 2020

The right to education was severely undermined in 2020, both for the nursery and primary education cycles and for secondary and higher education, due to the impact of COVID-19 (**Paragraph 1**) and the insecurity in the Far North, North West and South West Regions (**Paragraph 2**). These hazards have led to, among other things, *the closing down of 2,739 schools during the 2019/2020 school year*, thus undermining the efforts of the State to improve access to and quality of education in Cameroon.

Paragraph 1.- The impact of COVID-19 on education

The unexpected outbreak of the COVID-19 pandemic and its adverse effects on all human rights led to the closure of schools and universities and the suspension of classes nationwide from 18 March to 1 June 2020. During this period, *31,851 schools were closed and the education of over 7,000,000 pupils and students was affected*. The partial reopening of schools on 1 June was limited to universities and examination classes in primary and secondary schools. This situation has had adverse effects on the education sector. These include:

- demobilisation of teachers;
- the disruption of school and academic calendars, namely that of official examinations, resulting in the incomplete coverage of programmes;
- the increase in educational disparities, particularly between children in urban and rural areas or between children from wealthy and low-income families;
- the learning loss, due to the long months of holidays due to the closure of schools; and
- the increased risk of school drop-out, as many children from low-income families or rural areas have found income-generating activities to keep themselves busy during the long break imposed

¹⁴ Press release on the publication of the results of the first phase of the special recruitment of teachers for the eight state universities posted on the website of the Prime Minister's Office of Cameroon, www.spm.gov.cm, accessed on 30 August 2021.

by Covid-19, but also because of the increased risk of unwanted pregnancies, which are one of the main causes of school drop-out among adolescent girls.

It is worth mentioning, however, that when this disruption occurred, Cameroon showed its resilience to the pandemic by maintaining a certain level of learning through the use of remote learning technology solutions and *online and offline educational classes*. This was thanks to the collaboration between authorities of the Ministry of Education, the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the United Nations Children's Fund (UNICEF), as part of the Global Partnership for Education through the Education Cannot Wait project, funded with USD 12 million from UNESCO partners.

However, due to unequal access to information, and to information and communication technologies (ICTs), many children and adolescents have been side-lined from the education system. Those in rural areas have been left out because of “*digital isolation*”, and those in urban areas because of limited capacity to cover the additional costs of purchasing an internet connection. Nonetheless, in July and August 2020, measures were taken to conduct official examinations. These situations have nevertheless led to a drop in the success rate of official examinations in 2020, such as the –*General Certificate of Education* (G.C.E) Advanced level, which recorded a success rate of 47.22% compared to 60.50% in 2019, that is a drop of 13.28%. Similarly, the success rate for the G.C.E Ordinary level- in 2020 stood at 31.96%, compared to 43.82% in 2019, a drop of almost 12%. As for the - First School Leaving Certificate, the success rate was 60.86%, compared to 73.26% the previous year, a drop of about 12.40%.

In the run-up to the reopening of schools in October 2020, several ambitious measures¹⁵ were taken by the Government to combat the effects of the pandemic in the education and university sector. These measures include:

- the provision of hand washing devices and sanitizers to schools and universities
- the reduction of the number of students to 50 per classroom
- the introduction of the two-shift education system to manage overcrowding in some schools
- the development of remote learning and teaching tools
- the publication of a new examination schedule
- the disinfection of classrooms, tutorial rooms and amphitheatres in collaboration with regional and local authorities
- the medical and psychological care of pupils and students
- the supply of drinking water and the improvement of hygiene and sanitary conditions in schools and on campuses
- the improvement of bandwidth and electricity supply in schools and on campuses
- the use of solar energy for vulnerable children in disadvantaged areas.

Although these measures have been beneficial in the fight against the pandemic, they have not been evenly applied across the country, and some of them have had a negative impact on access to and the quality of education. Concerning the management of overcrowding in some schools, the two-shift education system and the ministerial policy of reducing the number of students per classroom to 50 have resulted in *insufficient classrooms to accommodate learners*. These measures have also led to a reduction in the teaching hours and an increase in the workload of teachers due to the duplication of classrooms.

As regards the budget, the diagnosis of the education sector carried out as part of the preparation of the NDS 30 already pointed to the *limited resources allocated to the education sector*. *Against a Covid-19 backdrop, resources have been significantly reduced*, thus limiting investment in this sector. Indeed,

¹⁵ Contributions of the Ministry of Secondary Education and the Ministry of Higher Education to the NCHRF 2020 Annual Report.

following Ordinance No. 2020/001 of 3 June 2020 to amend and supplement certain provisions of Law No. 2019/023 of 24 December 2019: Finance Law for the 2020 financial year, the budget allocation of several ministries has been drastically reduced.

The budget of MINESUP,¹⁶ for instance, fell from 65,228,000,000 CFA francs to 57,136,000,000 CFA francs, which has prevented this Ministry from achieving its objective of increasing the capacity of public universities to 43,000 new seats. This offer could only increase by 5 000 places. The budget of MINEDUB dropped from 235,315,000,000 CFA francs to 226,015,391,000 CFA francs, while that of MINESEC dropped from 404,935,000,000 CFA francs to 392,365,890,000 CFA francs.

This budgetary adjustment has had a greater impact on the realisation of the right to education in Regions already prey to security issues.

Paragraph 2.- Effects of the security situation on education in the Far North, North West and South West Regions

The right to education in Cameroon has been jeopardised for some years now by two major armed conflicts: the *Boko Haram* terrorist group in the Far North Region, and secessionist terrorists in the North West and South West Regions. This insecurity has considerably reduced access of students, teachers and support staff to school infrastructure in these Regions.

Government efforts to reduce the impact of insecurity on the right to education included: the implementation of the 2017-2020 Humanitarian Response Plan of the President of the Republic, the replacement of civilian teachers by military teachers in some localities, and the use of the national integrated distance learning system.

In spite of these measures, some shortcomings were observed in these Regions in 2020.

In the Far North Region, 68 schools remained closed due to insecurity in border areas,¹⁷ namely in the of Mayo-Moskota, Mora, Kolofata, Hile Alifa and Fotokol Sub- divisions; 50 schools were destroyed by armed attacks or fire, 35 in the Mayo-Sava division, 17 in Mayo-Tsanaga and 16 in Logone-et-Chari¹⁸. This situation has forced more than 34,000 pupils and/or adolescents to relocate internally or to drop out of school.

The NCHRF however noted that the enrolment curve in secondary schools in the Far North Region has been fluctuating since 2017, as illustrated on the table below. This situation could be the result of the influx of IDPs into areas where schools have remained open.

Table 16. Number of students in secondary education in the Far North Region for the school years 2014/2015 to 2019/2020

Year	Number of students in the Far North
2014 / 2015	191,488
2015 / 2016	205,089
2016 / 2017	196,168
2017 / 2018	200,848
2018 / 2019	209,328
2019 / 2020	215,128

Source.- MINESEC's Contribution to the NCHRF 2020 Annual Report

¹⁶ Contribution of MINESUP and the website of the Presidency of the Republic of Cameroon www.prc.cm, accessed on 30 August 2021.

¹⁷ *Cameroon Tribune* of 14 July 2020.

¹⁸ OCHA, Situation Report No. 3, October 2020.

In the North West and South West Regions, the situation has been more alarming because of the repeated, violent and deadly attacks on pupils, students and teachers in and out of their schools in 2020. Indeed, although some secessionist movements within the country and abroad have called for the 2020/2021 back-to-school, others have reiterated the boycott action launched in 2016. Sadly, the world has been appalled to see that several pupils, students and teachers have been threatened, kidnapped, harassed, amputated and killed simply for going to school.

In 2020, the record of attacks on the educational community is as follows:

- the murder on 10 August 2020 in Bamenda of Mr Ibrahim PIAYU, a chemistry teacher at the Government Technical High School Santa, for not respecting the “ghost town” watchword-
- the killing in Bamenda on 27 October 2020 of KEAFON Luciano SUNJO, a teaching inspector of economics for the North-West Region, by unidentified armed individuals
- the abduction on 3 November 2020 of eleven (11) teachers from the Presbyterian Primary and Secondary School in Kumbo, North West Region, following an assault by secessionists terrorists on the school; all the teachers were released on 5 November 2020 under pressure from the local population
- the unbearably horrific and barbaric attack on the *Mother Francisca International Bilingual Academy* in the Kumba Sub-division by secessionist terrorists on 24 October 2020, in which half a dozen students were killed and more than a dozen others were seriously injured.

The deceased students are:

- *Princess NGUEMONE (12),*
- *CHE TEHMA NCHANGNWI (11),*
- *Syndi SHENIA (12),*
- *REMA ZAKAMA (9), as well as*
- *Jenifer (12) and Victoire (10).*

The injured students include:

- *Francиска AKIMBOM (12),*
- *Bénédiction MBONG (11),*
- *Juliette MOKA (11),*
- *Princesse AGHAINDRY (10),*
- *James GOLDEN (10),*
- *Belinda Marion (12),*
- *TIFU FOWON (11),*
- *Rémi MUNGE (12),*
- *Thérèse EFFOUTE (11),*
- *Romarin WOSE (11),*
- *SOMENI MOTALA (10),*
- *Princesse NDUN (12) and*
- *Christabel ACHA whose age was not specified*
- the attack on 4 November 2020 on the *Kulu International College in Limbe*, in the South West Region; men armed with machetes and guns broke into the private school, stripped all the students and teachers naked and beat them up; two classrooms were then burnt to the ground and offices ransacked.

These attacks on the lives and physical and moral integrity of pupils, teachers and parents have led to a sharp reduction in the rate of enrolment and attendance of pupils and teachers in these Regions. The

number of pupils enrolled in secondary schools fell by more than 90% in the North West Region and by more over 30% in the South West Region between 2019 and 2020, as illustrated in the following tables.

Table 17. Number of students in secondary schools in the North West Region for the 2015/2016 to 2019/2020 school years

Year	Number of students in the North West
2015 / 2016	250,920
2016 / 2017	212,609
2017 / 2018	110,916
2018 / 2019	15,241
2019 / 2020	18,983

Source: MINESEC's Contribution to the NCHRF 2020 Annual Report

Table 18. Number of students in secondary schools in the South West Region for the 2015/2016 to 2019/2020 school years

Year	Number of students in the South West
2015 / 2016	179,815
2016 / 2017	143,305
2017 / 2018	71,065
2018 / 2019	45,613
2019 / 2020	59,264

Source.- MINESEC's Contribution to the NCHRF 2020 Annual Report

CHAPTER II - THE RIGHT TO WORK, WORKER'S RIGHTS AND DUE DILIGENCE BUSINESS ACTIVITIES

The right to work and worker's rights are enshrined in the preamble of the Constitution of Cameroon of 18 January 1996 and guaranteed by regional and international conventions ratified by the State, including those of the International Labour Organisation (ILO), as well as by enacted laws and regulations signed at national level. Moreover, more than a right, work is also a duty¹⁹ for every citizen who intends to contribute to the construction of the country.

In addition to strengthening the protection of the right to work and workers' rights (**Section I**), this chapter also reports on the impact of COVID-19 on access to employment and on business activities (**Section II**) in 2020.

SECTION I.- STRENGTHENING THE RIGHT TO WORK AND WORKER'S RIGHTS PROTECTION SYSTEM

The protection of the right to work and worker's rights improved somewhat in 2020, in terms of the legal and institutional framework, as well as the implementation of public policies on employment and labour (**Paragraph 1**). However, several challenges related to the social protection of workers and the exercise of freedom of association (**Paragraph 2**) were noted.

Paragraph 1.- Improving the legal and institutional framework on access to employment and social protection

In 2020, the State of Cameroon took legal measures to promote access to employment, through vocational training and guidance. Similarly, the social protection framework for workers has been strengthened to harmonize the retirement age for civil servants and the increase in certain retirement, disability and death pensions. The following decrees were adopted or signed in this regard:

- Decree No. 2020/2592/CAB/PM of 19 June 2020 to lay down procedures for the establishment, organisation and functioning of vocational training and learning centres
- Decree No. 2020/2596/CAB/PM of 19 June 2020 to establish a public vocational orientation and information centre
- Decree No. 2020/2597/CAB/PM of 19 June 2020 to establish a public vocational orientation centre
- Decree of the President of the Republic No. 2020/369 of 3 July 2020 to raise the retirement age of civil servants of the corps of Public Health
- Presidential Decree No. 2020/802 of 30 December 2020 to harmonize the retirement age of civil servants with effect from 1 January 2021, harmonised at 60 (sixty) years for categories 'A' and 'B' civil servants and at 55 (fifty-five) years for categories 'C' and 'D' civil servants
- Decree No. 2020/7951/PM of 30 December 2020 to harmonize the retirement age of State employees governed by the Labour Code with effect from 1 January, harmonized at 60 (sixty) years for categories '8' to '12' personnel, and at 55 (fifty-five) years for categories '1' to '7' personnel
- Presidential Decree No. 2020/376 of 8 July 2020 to fix the coefficient for the upward revision of certain retirement and disability pensions as well as death benefits granted by the National Social Insurance Fund
- Presidential Decree No. 2020/239 of 28 April 2020 to ratify the revised Treaty of the Inter-African Conference on Social Security (CIPRES), adopted in Abidjan on 14 February 2014

¹⁹ The preamble of the Constitution of Cameroon provides that: "all men have the right and duty to work".

- Decree No. 2020/3191/PM of 3 June 2020 to raise the retirement age of State medical and para-medical staff under the Labour Code

All these measures guarantee fair access to employment and social protection for workers, thereby enabling the State to continue to benefit from the experience and skills of its personnel, whilst guaranteeing better old-age pensions to those on retirement.

The institutional framework is essentially based on the administrations and institutions responsible for promoting employment and labour (the National Employment Fund, the *National Employment and Vocational Training Observatory*, the Support Project for Informal Sector Actors, the Employment Network for Africa, etc.), the bodies and institutions responsible for regulating the labour market and employment (the Ministry of Employment and Vocational Training, the Ministry of Labour and Social Security), and the body responsible for social protection, the National Social Security Fund. All these administrations contribute to the implementation of public policies on employment in Cameroon, in collaboration with the International Labour Office and a number of professional organisations.

In 2020, the government continued to implement public policies and actions relating to employment and labour, in conjunction with its technical and financial partners, including private sector actors.

These include:

- the completion of the implementation of the three-year emergency Plan for the Acceleration of Growth (PLANUT) 2015-2017, which creates jobs, namely with the completion of drainage of urban road construction works in cities such as Douala and Yaounde, and the construction of sports infrastructure, including those related to the organisation of the African Cup of Nations (CAN) TotalEnergies 2021, the national emergency telecommunications network such as regional back-up and data centres and video surveillance sites, as well as the continued construction of low-cost housing and the strengthening of hospital technical facilities
- the continued implementation of the National Action Plan on Youth Employment (PANEJ) 2016-2020
- the continuation of the head count of state personnel begun in 2018, with the aim to update and clean up the state payroll, an operation that has helped to identify 7,855 potential cases of fraud on disability and reversionary pensions, for which those concerned have been asked to provide, within a specific timeframe, proof of their situations
- the recruitment of 3,000 new primary school teachers to meet the need for teachers in primary schools across the country, especially in the Far North (700) and North (500) Regions
- the creation of 330,903 jobs²⁰ in the modern sectors of the economy, as illustrated in the table below.

Table 19: Number of jobs created in the modern sectors of the economy in 2020

Sectors	Workforce	Percentage
Public administration	10,526	3.2 %
Integration programmes and projects	15,353	4.6 %
Public employment service	16,714	5.1 %
GDP projects	187,393	56.6 %
Local and regional Governments (LRG)	11,244	3.4 %
Cooperatives	11,574	3.5 %
NGO	2,445	0.7 %
Enterprises	75,654	22.9 %
Grand total	330,903	100.0 %

Source: - MINEFOP/Onefop/2020 Employment Survey

²⁰ *Cameroon Tribune*, 30 March 2021 edition, available online at www.cameroontribune.cm

These data show that the majority of jobs created in 2020 in the modern sectors of the economy are decent jobs, although fixed-term jobs, since they are part of the implementation of projects under the Public Investment Budget (56.6%). Conversely, although the regional and local authorities are the recipients of the resources and skills transferred from certain public administrations, they unfortunately created only 3.4% of the jobs, which implies that these authorities *are failing to harness all the resources necessary for local development*. Since access to employment is a reliable means to improving living conditions and preventing the poverty and vulnerability risks, it is therefore the duty of the Government to create more jobs in the public sector, to take measures to create jobs in the private sector as well as in the local and regional authorities, and to complete the process of transferring resources to the local and regional authorities.

Also, more than 100,000 people lost their jobs for various reasons during the reference year. It is therefore important to focus on social protection for workers.

Paragraph 2.- Social protection of workers and the exercise of freedom of association

In Cameroon, the social welfare of the private sector workers and government employees under the Labour Code is the remit of the National Social Insurance Fund (NSIF)²¹, while that of civil servants and contract employees is the responsibility of the Ministry of Finance. These two bodies only consider workers in the formal sector, who represent a small share of the total number of workers. In an attempt to address this challenge, the NSIF has since 2014, set up a *voluntary insurance* scheme open to workers in the informal sector, which employs almost 90% of Cameroonian workers.²²

However, it should be noted that Cameroon has a fairly broad social security coverage which covers seven (7) of the nine (9) branches defined in the ILO Social Security Convention 102 of 1952, namely: old age, disability, death, occupational accidents and diseases, medical care, family benefits and maternity.

Only branches such as unemployment benefits and survivors' benefits are not covered by the NSIF. This is a significant achievement, given that the ILO Convention No. 102 requires that only three of the nine branches be covered by the Member States at the time of ratification of the Convention, and extend to the rest progressively.

Nevertheless, since the key objective is to extend these benefits to as many workers as possible, Cameroon's performance in this area needs to be improved, considering the high percentage of workers in the informal sector (almost 90%) *and the irresponsibility of some business promoters and managers who do not register their employees with the National Social Insurance Fund (NSIF) and who, in some cases, do not pay the social security contributions*. Data made available by the NSIF Board of Directors revealed that, as of 31 August 2020, *the estimated volume of the NSIF social security debts stood at 201.6 billion CFA francs, depriving 16,000 insured persons of their rights*.

In 2020, 7,040 new employers were registered compared to 11,414 in 2019, taking the number of active employers to 34,575. The "Trade" and "Other services" sectors of activity recorded the highest

²¹ Pursuant to the provisions of Article 2 of Decree No. 2018/354 of 7 June 2018, the National Social Insurance Fund (CNPS) is a special public establishment with legal personality and financial autonomy. In accordance with the provisions of Article 3 of the aforementioned decree, it is responsible for managing the social security schemes entrusted to it by the State and various benefits provided for by social security legislation.

²² Survey of informal businesses in Cameroon, International Labour Organisation, first edition, 2017, p. 8.

number of active employers. Regarding insured persons, 83,836 new registrations under the mandatory scheme, including regularisations, were recorded in 2020 (up by 44% compared to 2019²³).

Table 20: Distribution of employers registered in 2020 by category and month

Employer category	Month of registration												TOTAL
	J	F	M	A	M	J	J	A	S	O	N	D	
Household staff	2	7	27	7	3	1	12	13	8	10	10	7	107
Private sector	828	901	1251	938	314	382	396	411	380	471	389	272	6,933
TOTAL	830	908	1278	945	317	383	408	424	388	481	399	279	7,040

Source: NSIF, Statistical Yearbook 2020, p. 10.

Table 21: Distribution of employers registered in 2020 by month of registration

Item	Month of registration												TOTAL
	J	F	M	A	M	J	J	A	S	O	N	D	
Private sector	4,120	13,343	11,248	5,209	3,831	4,649	6,058	7,860	6,553	6,445	7,557	6,515	83,388
Household staff	14	21	36	17	21	10	17	18	13	14	14	18	213
Total insured persons under the compulsory scheme	4,134	13,364	11,284	5,226	3,852	4,659	6,075	7,878	6,566	6,459	7,571	6,533	83,601
Total insured persons under the compulsory scheme	1,431	1,986	1,734	315	179	182	564	1,363	2,175	3,143	1,675	1,222	15,969
Grand total	5,565	15,350	13,018	5,541	4,031	4,841	6,639	9,241	8,741	9,602	9,246	7,755	99,570

Source: NSIF, Statistical Yearbook 2020, p. 11.

The NCHRF recommends to the Government to take steps to extend social security coverage to all the nine fields set out in ILO Convention 102 and encourage workers in the informal sector to take out voluntary insurance.

With regard to freedom of association, the preamble to the Constitution of 18 January 1996 enshrines “*freedom of association and the right to strike*”. Cameroon has ratified the Convention on Freedom of Association and Protection of the Right to Organise (Convention No. 87) adopted in 1948, as well as the Convention on the Right to Organise and Collective Bargaining adopted in 1949.

Article 3 of the Labour Code recognises the right of workers and employers, without restriction of any kind and without prior authorisation, to freely create professional trade unions designed to study, defend, develop and protect their economic, industrial, commercial and agricultural interests, as well as the social, economic, cultural and moral progress of their members. Thus, any activity that is not likely to promote these objectives remains prohibited for professional trade unions.

Article 4 of this Code stipulates that workers and employers have the right to join a trade union of their choice within their profession or branch of activity. Workers are prohibited from:

- any act of discrimination likely to infringe upon the freedom of association with regard to employment;

²³ See NSIF Statistical Yearbook 2020, p. 10.

- any practice that subjects their employment to their membership or non-membership in a trade union, and to dismiss them or cause them any prejudice by reason of their membership or non-membership in a trade union or their participation in trade union activities.

Staff representative, who are members of professional unions, are responsible for presenting all the individual or collective claims of the employees to the employer. Given the sensitive nature of this role, the law grants the staff representative special protection from the ordinary law with regard to disciplinary sanctions and dismissals. However, in practice, many employers do not grant staff representatives these special privileges and the specific rights linked to their status. Below is an illustration of such a case.

Case No. 1 - Case of the *National Union of Workers in the Development of Power Generation, Transmission and Regulation Facilities (Syntdoptre) vs. Electricity Development Corporation (EDC)*

On 29 June 2020, the NCHRF's Centre regional branch office received a petition from members of Syntdoptre concerning alleged violations of the rights of EDC employees and infringements of the freedom of protest of the union's members.

It appears from this petition that EDC workers have been victims of abuse in the construction of various dams nationwide due to the absence of a collective agreement for workers in this sector of activity, resulting in numerous disparities and discrimination in their salaries, as well as failure to pay for work accidents that occurred on various sites.

Similarly, several workers of this company have been victims of unfair dismissal, such as:

- Mr. Jean Yves NGONO MISSO who, following his dismissal on 20 March 2019, brought an action before the Mfoundi High Court claiming payment of one hundred and fifty-six million (156,000,000) CFA francs as severance pay and other damages for the loss suffered. The case is still pending before the court
- Mr. MIENDJEM ONDOBO, staff representative at EDC, who was dismissed on 1 August 2019 without prior consent of the Board of Directors, in violation of the provisions of the Labour Code and Article 101 of the Statutes of EDC validated by Presidential Decree of 4 May 2020. He referred the matter to the competent labour inspector.

Furthermore, on 15 July 2020, the NCHRF Centre regional branch received another complaint from the Syntdoptre, in which the leaders of this union denounced attacks on the physical integrity and freedom to demonstrate of their members by officers of the Yaounde Central Police Station No. 1, under the command of Superintendent of Police WAFFO, through acts of police brutality and other forms of violence, at the behest of the General Manager of the EDC. During these incidents, BOUYOM Francis, the victim of an accident at work which left him with a 75% disability, who was in the crowd of trade unionists, fainted. He was then taken to the Yaounde Emergency and Resuscitation Centre (CURY). His life is no longer in danger and a complaint was filed by the victim with the Delegate General of National Security concerning the violence inflicted on him by the police officers of the Central Police Station No. 1.

In view of the foregoing, the Commission recommends the Government to:

- strengthen human, material and financial resources of the labour inspectorates to enable them to better deploy in enterprises for the efficient settlement of social conflicts
- monitor the implementation of the “*labour intensive*” (Himo) approach in major projects and at the level of regional and local authorities to encourage the use of local human resources

- increase or strengthen the structures for monitoring compliance with the regulations in force in the workplace
- make incentive policies for business creation, including tax relief and other forms of support effective
- continue to disseminate voluntary insurance and make it more attractive
- strengthen sanction regime against the non-compliance with the social security contributions and salary regulations in force by business managers
- adopt additional measures to strengthen the business resilience to external shocks and crisis situations.

SECTION II.-THE IMPACT OF COVID-19 ON EMPLOYMENT AND BUSINESS ACTIVITIES

The COVID-19 outbreak had an impact on employment (**Paragraph 1**) and on business activities (**Paragraph 2**), causing job losses, as well as the cessation or suspension of certain activities, for business that could not find innovative solutions to deal with the pandemic.

Paragraph 1.- The impact of the pandemic on jobs

In 2020, the global economic context was marked by: the general decline in growth to -3.3%, compared with a 2.8% rise in 2019²⁴; the drop in oil prices from USD 61.04 per barrel in 2019 to USD 41.47²⁵ in 2020, mainly due to geopolitical tensions in the Middle East; instability in the financial markets, leading to a deterioration in the terms of trade; the tightening of credit conditions by regional and international financial institutions; and uncertainty about the outcome of the Brexit in Europe, trade tensions between the United States and China, all of which were to a large extent driven by, or antecedent to, the most infamous event of the year under review, that is, the global spread of the novel coronavirus the disease (Covid-19), which very quickly morphed from an epidemic at the beginning of the year into a full-blown pandemic, affecting virtually all sectors of activity and hence jobs.

At the national level, growth in Cameroon was down by 3 points compared to 2019, from 3.5% to 0.5%²⁶ of real Gross Domestic Product (GDP) growth, well below the 5.5% target set in the GESP²⁷. Inflation remained stable at around 2% on average per year, below the CEMAC convergence threshold of 3%. The overall GDP distribution structure by sector did not change positively.

Concerning jobs in particular, it should be recalled that as part of the employment strategy contained in the GESP, the Government intended to reduce the share of the informal sector in national economic activity and to generate tens of thousands of jobs per year in the formal sector. Unfortunately, the COVID-19 outbreak and other economic factors, have led to, among other things:

- a drop in economic activity and a slowdown in growth
- the reduction of domestic revenue mobilisation targets by 768 653 000 000 (-20.67%)²⁸
- the reduction of the state budget by 546.7 billion (-11%)²⁹

²⁴ National Accounts 2020, National Institute of Statistics (NIS), August 2021, p. 1.

²⁵ Average annual OPEC crude oil price between 1960 and 2021, Statista, January 2022, <https://fr.statista.com/statistiques/564926/prix-annuel-du-petrole-de-l-opec-1960/>.

²⁶ National Accounts 2020, National Institute of Statistics, August 2021, p. 1.

²⁷ Growth and Employment Strategy Paper, GESP 2010-2029.

²⁸ Ordinance No. 2020/001 of 3 June 2020 to amend and supplement certain provisions of Law No. 2019/023 of 24 December 2019: Finance Law of the Republic of Cameroon for the financial year 2020.

²⁹ *Ibid.*

- projected budget deficit, at mid-term, at 4.5%³⁰ of GDP compared with -3.9% the previous year, due to the drop in the state's own revenue.

These disruptions led to the loss of several jobs, reduction of working hours, layoffs, etc. As a result, 102,039 jobs were lost, including 100,621 in enterprises³¹. 62.7% of these job losses were due to dismissals, while 23.6% were due to resignations. Although in most cases these job losses were not exclusively related to COVID-19, it could be noted that changes in strategies or business models in several enterprises in the modern sector of the economy due to the pandemic played an important role. The following tables show the job losses in the modern sector of the economy in 2020, whether or not as a result of COVID-19.

Table 22: Distribution of job losses in the modern sector not resulting from COVID-19

		Dismissals	Resignations	Retirement	Other reasons	Grand total	
						Workforce	%
Integration programmes and projects		59	45	12	2	118	0.2 %
LRG		43	17	41	3	104	0.2 %
Cooperatives		191	139	150	8	488	0.8 %
NGO		10	90	4	-	104	0.2 %
Enterprises		40,123	14,931	7,388	1,207	63,657	98.7 %
Grand total	Workforce	40,435	15,222	7,595	1,220	64,471	100.0 %
	%	62.7 %	23.6 %	11.8 %	1.9 %	100.0 %	

Source: - MINEFOP, Outlook on Employment 2020, Final Report, p. 19.

A survey conducted by MINEFOP on jobs lost in the modern sector of the economy as a result of the health crisis in 2020 reveals that 11,398 workers were made redundant and 26,170 employees were laid off, as shown in the table below.

Table 23: Distribution of jobs lost in the modern sector due to COVID-19

		Dismissal due to Covid	Layoffs due to Covid	Grand total	
				Workforce	%
Integration programmes and projects		69	197	266	0.7 %
LRG		43	11	54	0.1 %
Cooperatives		16	240	256	0.7 %
NGO		-	28	28	0.1 %
Enterprises		11,270	25,694	36,964	98.8 %
Grand total	Workforce	11,398	26,170	37,568	100.0 %
	%	30.3 %	69.7 %	100.0 %	

Source: - MINEFOP/Onefop/2020 Employment Survey

In enterprises in particular, dismissals due to the Covid-19 account for close to 15% and lay-offs 34%.

This result is consistent with the GICAM study conducted between May and June 2020 among 250 enterprises, which already revealed that 46.5% of the enterprises surveyed had had to lay off staff (42.6%) and/or dismiss their permanent staff (12.4%), and that job insecurity was more prevalent in small and medium-sized enterprises, i.e. 54.3% in small enterprises (SEs) and 47.5% in medium-sized enterprises

³⁰ According to the forecasts of the Ordinance of 3 June, op. cit. The deficit was finally established at 3.6%, according to the Directorate General for Budget in its State Budget Execution Report for the 2020 financial year, <https://www.dgb.cm/news/le-rapport-d-execution-du-budget-de-letat-exercice-2020-est-disponible/>, published on 29/07/21 and accessed on 19/10/22 at 11.15 am.

³¹ In spite of COVID-19, no competitive examinations were cancelled by the Ministry of the Civil Service and Administrative Reform.

(MEs) that had laid off staff. This situation is even more pronounced in very small enterprises (VSE) and much less so in large enterprises (LE).

Table 24 - Ratio of employment/lay-offs to lay-offs in enterprises due to the COVID-19

Item	Number of jobs	Number of dismissals due to COVID	Dismissal ratio	Number of layoffs due to the COVID	Layoff ratio
VSE	1,661	702	42.2 %	1,433	86.3 %
SE	5,068	3,594	70.9 %	3,043	60.0 %
ME	12,793	3,214	25.1 %	11,677	91.3 %
LE	56,132	3,761	6.7 %	9,541	17.0 %
Grand total	75,654	11,270	14.9 %	25,694	34.0 %

Source: - MINEFOP, *Outlook on Employment 2020, Final Report*, February 2021 p. 20.

In addition, job losses due to the cancellation of some PIB 2020 projects after COVID-19 outbreak are estimated at 34, 661, increasing the number of employees on layoff during the reference year from 26,170 to 60,831. These losses are predominant in the construction sector, with about 16,917 (or 64.6%) jobs lost in this sector.

Paragraph 2.- Effects of the pandemic on business activities

The COVID-19 pandemic has had adverse effects on business activities in 2020 in Cameroon, particularly as concerns their corporate social responsibilities. Indeed, a survey report by the *Groupeement inter-patronal du Cameroun* (GICAM)³², reveals that out of 250 business managers interviewed, 53%, most of whom were small and medium-sized enterprises (SMEs), indicated that their production units could not last beyond three months.

According to figures published by GICAM³³, 44 to 45% of the businesses' human resources were affected by the health crisis. This was due to the reduction from 36% to 50% of production, which led to a reduction of 5% to 20% of the businesses' capital.

Furthermore, almost all the enterprises that participated in this survey reported that they had taken measures to curb the spread of COVID-19, and 12% of them had recorded COVID-19 cases.

In response to these constraints, some enterprises have been able to develop resilience methods such as teleworking or shift systems to limit the spread of the virus. Others have acquired protective kits and equipment for employees and managers. Hand washing facilities were also placed at the entrance of most enterprises during this period, as well as *thermoflashes* and other devices for measuring body temperature or personal sanitization.

Businesses have also called on the Government to adopt a set of measures that could help them cope with the adverse effects of this health crisis. These include:

- the deferral of social and tax charges;
- financing their cash flow at reduced interest rates;

³² Read GICAM Report, *COVID-19: Impact on businesses in Cameroon*, April 2021 edition, 20 pp.

³³ See *COVID-19: Impact on businesses in Cameroon*, 22 April 2020 edition, www.legicam.cm (accessed on 22 February 2021).

- the provision of masks and COVID tests at reasonable prices;
- permanent communication on this pandemic;
- the extension of rent and invoice payment deadlines;
- guaranteeing SMEs' loans from banks.

As for GICAM, its members have asked it inter alia:

- to advocate to the State for fiscal and multifaceted support measures
- to promote the circular economy
- to obtain a reduction in B2B payment periods
- to organise a system to ease the employers' access to health care
- sensitise ENEO on uninterrupted electricity supply
- sensitise the State on the need to pay masks and other protection kits suppliers in cash and upon delivery
- to start renegotiating credit rates with financial institutions.

Some of these recommendations have been acted upon by the government as part of the response measures adopted by the government³⁴ in 2020. These include:

- granting moratoriums and deferred payments to companies directly affected by the crisis, suspending forced collection measures against them
- support to business cash flow through the allocation of a special envelope of 25 billion CFA francs to clear stocks of outstanding VAT credit
- full deductibility to determine corporate income tax of donations and gifts granted by companies for the fight against the COVID-19 pandemic
- the continuation, for three months (May - July 2020), of the payment of family allowances to employees of enterprises that are unable to pay social security contributions or that have laid off their staff due to the economic downturn, particularly in the restaurant, hotel and transport sectors.

³⁴ Special statement by the Prime Minister, Head of Government of 30 April 2020 as part of the Government's strategy to respond to the COVID-19 pandemic.

CHAPTER III: THE RIGHT TO HEALTH

The 1946 World Health Organisation (WHO) Constitution, states that “*health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity*”. This definition refers to the state of complete physical and moral well-being conducive to self-fulfilment.

In Cameroon, the preamble to the 1996 Constitution enshrines numerous rights, including the right to development, the right to physical and moral integrity, and the right to a healthy environment, the realisation of which contributes to the protection of the right to health of individuals. It also affirms Cameroon’s commitment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights and duly ratified international conventions.

At the regional level, Article 16 (1) of the African Charter on Human and Peoples’ Rights, ratified by Cameroon on 20 June 1989, states that: “*every individual shall have the right to enjoy the best attainable state of physical and mental health*”.

At the international level, Article 12 of the International Covenant on Economic, Social and Cultural Rights ratified by Cameroon on 27 June 1984 stipulates that “*States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*”.

With reference to the provisions of these national, regional and international instruments, the implementation activities of public policies on the right to health in Cameroon in the year 2020, as observed by the NCHRF, focused on improving the legal and institutional framework of the right to health in Cameroon in 2020 (Section 1) and on addressing the main challenges in this sector, particularly with regard to the working conditions of health personnel (Section 2).

SECTION I. THE LEGAL AND INSTITUTIONAL FRAMEWORK OF THE RIGHT TO HEALTH IN CAMEROON IN 2020

According to Article 2 of Law No. 96/03 of 4 January 1996 to lay down the framework law in the field of health, “*the objective of the national health policy is to improve the state of health of the population by increasing access to integrated quality care for the entire population [...]*”. Furthermore, Article 1 (2) of Decree No. 2013/093 of 3 April 2013 to organize the Ministry of Public Health (MINSANTE) assigns as its main mission, “*the development and implementation of the Government’s public health policy.*”

MINSANTE’s action is bolstered by some specialized institutions, notably the Hospital Center for Research and Application in Endoscopic Surgery and Human Reproduction (CHRACER) established by Presidential Decree No. 2011/336 of 13 February 2011, the Centre Pasteur of Cameroon established in 1959, the National Public Health Observatory (ONSP) established by Presidential Decree No. 2010/2952 of 1 November 2010, the National Laboratory for Quality Control of Drugs and Expertise (LANACOME), the National Supply Centre for Essential Drugs and Medical Consumables (CENAME), the Chantal Biya International Reference Centre (CIRCB), etc.

Thus, in 2020, the State of Cameroon has strengthened its normative framework governing the health sector (**Paragraph 1**) and promoted the improvement of infrastructure by upgrading the technical platforms of certain health facilities, as part of the response to Covid-19 (**Paragraph 2**). Similarly, the groundwork was laid for the implementation of the universal health coverage project in Cameroon (**Paragraph 3**).

Paragraph 1.- Strengthening the health sector's normative framework

The normative framework for health was enhanced during the reference year by several instruments, including Order No. 000196/MINTSS of 4 February 2020 to lay down the minimum course content for the training of Labour Inspectors on Health and safety at work, Order No. 000198/MINTSS of 4 of February 2020 to lay down terms and conditions for the establishment, organisation and functioning of Private Centers for the Prevention of Occupational Hazards, Order No. 0824/MINSANTE of 9 April 2020 to lay down measures for the prevention and control of coronavirus in Cameroon, Order No. 014/CAB/PM of 20 April 2020 relating to the establishment and functioning of specialized patient-care centre for COVID-19 in all regional chief towns, and Order No. 051/PM of 12 May 2020 to establish the Public Health Emergency Operations Coordination Center.

The strengthening of this normative framework continued with the signing of three important instruments, two of which are related to biosafety and fundraising to fight the COVID-19 pandemic. These include:

- Prime Ministerial Order No. 078/CAB/PM of 19 August 2020 to approve and give effect to the national public health management plan for emergencies of international concern in the civil aviation sector in Cameroon
- Presidential Decree No. 2020/504 of 24 August 2020 to Ratify a Loan Agreement for the Partial Financing of the COVID-19 Crisis Response Budget Support Programme; this 57.7 billion CFA francs loan was granted by the African Development Bank as a contribution to improving screening, early detection and rapid management of positive cases of the virus. It also aimed to provide support for social protection and economic resilience, particularly for vulnerable groups;
- Law No. 2020/014 of 17 December 2020 to authorize the President of the Republic to proceed with Cameroon's accession to the Nagoya-Kuala Lumpur supplementary protocol on biosafety, adopted at Nagoya, Japan, on October 2010, which provides for international rules and procedures relating to liability and redress for living modified organisms.

In addition to the above-mentioned instruments, other measures have been taken at various levels to manage the effects of the coronavirus pandemic and the security situation in certain Regions.

Paragraph 2 – Quantity, quality of health care services and COVID-19 response

The following sections discuss measures taken to upgrade the technical facilities of the various health facilities (A) and the COVID-19 response in the health sector (B).

A- Quantity and quality of health care services

In its 2018 Report on the *Situation of Human Rights in Cameroon*, the NCHRF noted that Cameroon had a total of 5,166 (five thousand one hundred and sixty-six) public and private hospitals for an estimated population of 22,179,892. Furthermore, the Ministry of Justice's report on human rights in Cameroon for the same year revealed the existence of a total of 5,817 (five thousand eight hundred and seventeen) health facilities, of which 49% were in the public sector, 37% in the for-profit private sector, and 14% in the faith-based private sector. Thus, at the national level, there was one (1) health facility for approximately 4,294 inhabitants. Conversely, there has been a slight improvement in quantitative supply in 2020, with 6,313³⁵ health facilities for a population of 24,910,305³⁶, that is, a ratio of one (1) health facility per 3,946 inhabitants.

³⁵ MINJUSTICE, Report of the Ministry of Justice on the Situation of Human Rights in Cameroon in 2020, 372 pp (spec. p. 136).

³⁶ According to BUCREP. Published on its web page <http://www.bucrep.cm/index.php/fr/home-fr/20-3eme-rgph/presentation/57-population-en-chiffre>, accessed on 19/10/22 at 8:30 pm

However, there remains the problem of the unfair distribution of these health facilities across Regions and between urban and rural areas. Thus, some populations in rural areas continue to travel many kilometers to reach a health facility. The table below shows the distribution of health facilities by Region.

Table 25: Number of health facilities by Region

Regions	AD	CE	FN	E	LT	N	NW	W	S	SW	TOTAL
No. of health facilities	184	1,753	598	266	1,317	302	415	829	314	335	6,313

Source: MINJUSTICE report on human rights in Cameroon in 2020

Thus, quantitative supply is only relevant to guaranteeing the right to health of the population if it is also qualitative, if it is close to the population and if it is affordable.

Concerning the Government's efforts to improve the quality of health care, in 2020 the State continued the work undertaken as part of the implementation of the three-year Emergency Plan (PLANUT), with a view to improving the technical facilities of health facilities. These include:

- the rehabilitation of the general hospitals of Yaounde and Douala, with completion rates of approximately 95%;
- the renovation of the Yaounde University Hospital with an estimated completion rate of 50%
- the strengthening of the technical platform of health centres and the construction of haemodialysis centres in all the capital cities of the Regions and eight (8) reference hospital centres in these same cities, except the towns of Bamenda and Buea where work was halted due to the security situation prevailing since 2017.

These projects were designed to facilitate access by the population to quality health care services. Furthermore, the construction of the Garoua referral hospital is underway, with the support of the Korean cooperation, as well as the upgrading of technical facilities and the strengthening of the operational capacities of several health facilities as part of the preparations for AFCON in the host cities.

Also, in an effort to address power and water supply issues in health centres, the Ministry of Health has allocated a budget for regional and local authorities (city councils, regions and municipalities) to strengthen the technical platforms of health centres and to purchase solar panels and generators to achieve optimal performance.

Despite these efforts by the State to improve the quantity and quality of health care in Cameroon, the following three findings summarize the challenges observed by the NCHRF, which still undermine the benefits of these improvements for the population:

- *disparities in the geographic distribution of health facilities* in Cameroon, with a predominance in urban areas and the virtual absence or remoteness of health districts and other health facilities in rural areas;
- *the high cost of some health services and drugs*, particularly in rural areas, which encourages the use of self-medication, street drugs and so-called traditional medicine, which suffers from a lack of details on composition and dosage and the lack of a reliable mechanism to certify its effectiveness;
- *failure in monitoring rehabilitation or construction works for certain health facilities*, which have delayed the execution of works and the availability of infrastructures, etc.

The foregoing challenges have been exacerbated by the COVID-19 outbreak in Wuhan province in the People's Republic of China in December 2019, which has gradually spread to the Asian, European,

American and African continents³⁷, prompting most countries to impose travel restrictions, confinements, etc., on their respective populations.

B - COVID-19 response measures in the health sector

In Cameroon, the effects of the COVID-19 pandemic have affected all fundamental rights, including the right to life, the right to health, the right to education, the freedom of movement, the freedom of association, etc.

After the first two cases of infection recorded on 6 March 2020, as of 13 April 2020, Cameroon recorded 820 cases of new coronavirus infection, including 98 treated cases and 12 deaths in five of the ten Regions. Faced with the increase in the number of cases, the Government's action to curb the spread of the virus involved the adoption, implementation and enforcement of restrictive measures by government officials and the population. Among these measures, 13 strong measures were adopted and conveyed to the population by the Prime Minister, Head of Government, on 17 March 2020. They were valid for an initial period of 15 days and were renewed for the same period on April 9, 2020.

Overall, at the level of health facilities, the Government has taken the following measures:

- the establishment of specialized patient-care centre for COVID-19 by Order No. 041/CAB/PM of 20 April 2020, in all regional chief towns, following the model of field hospitals, to accommodate patients in the event of a worst phase of the epidemic, and to enable hospitals to function normally
- the intensification of the screening campaign, with the collaboration of the Centre Pasteur and its branches, as well as other appropriate health institutions
- the creation by the President of the Republic of a Special National Solidarity Fund for the fight against the novel coronavirus, the establishment of which was announced by the Secretary General of the Prime Minister's Office on 31 March 2020, with an initial endowment of one billion CFA francs. This fund has been provided by various actors including public and parastatal enterprises, economic operators of various sectors of activity, ministries through fundraising, etc.
- the local production of drugs, COVID-19 screening tests, face masks and hydroalcoholic gels by the competent national institutions, under the joint stewardship of the Ministry of Scientific Research and Innovation and the Ministry of Public Health
- the acquisition of personal protective equipment, including surgical masks, FF2 masks and M95 standards, FFP3 masks used in laboratories, over-gowns, suits, surgical gloves, care gloves, boots and laboratory equipment, and vaporizers to enable disinfection of markets, quarantine premises or COVID-19 patient care sites
- the distribution of the special grant from the Head of State to the population and to health facilities throughout the country. This donation, worth two billion CFA francs, comprised 50,000 cartons of soap and detergent powder, 1.5 million protective masks for the population, 50,000 surgical masks for hospital staff, 40,000 hand-washing jerry cans, rapid screening kits and breathing apparatus for hospitals, among others.

Yet, the population's compliance with the restrictive measures prescribed by the government was limited. Thus, as of 22 June 2020, there were 12,041 confirmed cases, of which 7,740 were treated, 308 deaths and 3,993 active cases. The second half of the year ended with the following figures: 26,277 confirmed cases for 24,892 treated cases, 446 deaths and 939 active cases with only 46 in care units, thus confirming a recovery rate of 95% and a case fatality rate of 1.6%.

³⁷ On March 11, 2020, the World Health Organization (WHO) reclassified it from an epidemic to a pandemic, with more than 170,000 cases in 146 countries. As of April 13, 2020, global statistics on COVID-19 cases were 1,856,831 with 114,312 deaths and 428,277 recoveries, www.who.int.

Despite the measures enacted by the government, the implementation of the COVID-19 pandemic response strategy has faced several challenges, including:

- poor access to disease prevention resources and items such as running water, soap and masks in many communities, especially in the most remote areas, as well as the lack of financial means to purchase them
- inadequate information on the symptoms and manifestations of the disease, resulting in confusion among the population, especially when taking body temperature or in case of malaria, flu, cough or simple fever, and a resort to self-medication
- the lack of consideration for the situation of vulnerable groups (people living with disabilities, street children, displaced persons, prisoners, etc.)
- failure to comply with the obligation to wear a mask and to keep a safe distance in public places. For example, in large cities such as Yaounde, Douala, Maroua, Bafoussam and Garoua, the population did not respect these measures, especially in bars, restaurants and markets open to the public
- inconsistencies in the management of the bodies of Covid-19 victims, which led to tension between families and health facilities or those in charge of burial facilities, because the latter did not allow families to have access to the bodies and to bury them according to their burial customs and practices. To tackle this issue, the Ministry of Public Health issued a protocol on 20 May 2020, stating that the corpses of Covid-19 victims should be buried by health personnel accompanied by the municipal hygienist, within 12 hours of the patients' death. This period was extended to 48 hours by the Scientific Council on Public Health Emergencies. The World Health Organization has stated, after a study, that there is no evidence of the risk of infection of people exposed to the corpses of COVID-19 victims. As such, it recommended that the burial of these bodies be done in a safe and suitable environment, in compliance with restrictive measures.

In addition to the Government's strategy to respond to the COVID-19 pandemic and the health protocol for the medical management of the disease, several other care offers have been identified, most of which are based on medicinal plants or alternative medicine. Among the population, practices such as steam baths and the consumption of tree bark concoctions were observed. In addition to this informal system, there are also offers from local pharmacopoeia, including that proposed by the Metropolitan Archbishop of Douala, Samuel KLEDA.

Notwithstanding the Covid-19 context, the government has continued to reflect on the implementation of the universal health coverage project in order to facilitate population's access to quality services and care.

Paragraph 3.- Universal health coverage initiatives

According to the WHO, Universal Health Coverage (UHC) consists of ensuring that the population has access to preventive, curative, palliative, rehabilitative and health promotion care and services. These services must be of high quality, efficient and without financial hardship for the users. Thus, UHC includes, the availability or quality of services and care and, universal coverage against the financial risk related to the management of the disease (coverage of the entire population in health insurance). Since 2012, UHC has become a global issue, especially for developing countries.

As for Cameroon, the number of mutual health insurance organizations increased from 9 to 158 between 1998 and 2010, with the support of MINSANTE. After several hurdles encountered activities, this number dropped from 158 to 58 between 2015 and 2018.

Furthermore, according to the Demographic and Health Survey Multiple Indicator (DHS-MICS) conducted in 2011, the level of health insurance coverage of the Cameroonian population, estimated at 3%, remained very low. Consequently, the rate of out-of-pocket payments for health care in health facilities was estimated at 70.6 percent in the national health accounts in 2012.

Moreover, according to the 2016-2027 Health Sector Strategy, data from the 2017 Cameroon Health Map revealed that the private sector owned 54.3% of health facilities compared with 45.7 percent owned by the State.

In 2015, Cameroon embarked on a new reform of its health system with the aim of moving towards UHC by 2030. This Universal Health Coverage project was officially launched by the President of the Republic in his message to the nation on 31 December 2017 in which he affirmed his commitment in the following words: *“We will continue our efforts to provide quality and universal health care to our population. In this regard, I have instructed the Government to finalize discussions on ways to progressively establish a universal health coverage system”*.

Thus, to follow up on this orientation, the Prime Minister, Head of Government signed a release on June 16, 2020, recognizing the *New Tech Management Cameroon (NTMC S.A.)* group as the successful bidder for the partnership agreement relating to the project for the financing, design, construction, operation, equipment and maintenance of the UHC management system in Cameroon.

Estimated at 1.3 trillion CFA francs by the government, this agreement will benefit the Cameroonian population, *as up to now, 70% of public health expenditures come from households*.

Against this backdrop, a Public Private Partnership (PPP) agreement was signed on 27 August 2020 between the Ministry of Public Health and the Universal Health Cameroon S.A. (SUCAM) represented by its General Manager, Ms. Jacqueline MEKONGO NOAH. According to the terms of this agreement, SUCAM will have to ensure the collection of social contributions from the informal sector, pool funds, ensure the packaging of public and private health structures and control and monitor the payment of invoices of approved providers, under the Universal Health Coverage.

After the signing of this agreement, a UHC software was presented to the Minister of Public Health on 17 December 2020 during a meeting with SUCAM S.A. This software was validated and will be tabled before Parliament in the March 2021 session.

In addition to the above measures, the Minister of Public Health, in a letter³⁸ to the Commission, indicated that the draft bill establishing the UHC and a set of enabling instruments were underway.

SECTION II.-SOME CHALLENGES TO IMPLEMENTING THE RIGHT TO HEALTH IN CAMEROON

In 2020, apart from the management of Covid-19, the challenges observed in the health sector in Cameroon mainly concerned the improvement of working conditions for health personnel. This staff brought their grievances to the attention of the public authorities and went on strike (**Paragraph 1**). This led to proposed solutions from the government (**Paragraph 2**).

Paragraph 1.- The claims of health personnel concerning their working conditions and the health system

For several years, health care workers in Cameroon have constantly denounced their working conditions, including through strikes, and have requested an increase in the salaries of health care workers

³⁸ of 13 March 2021

in the public and private sectors, the strengthening of their technical capacities, and the payment of various bonuses considering the risks they are exposed to on a daily basis.

In 2016, the Association of Cameroonian Physicians (MEDCAMER) published a “*manifesto for the improvement of the health system*” which listed some specific claims of health personnel in Cameroon, including:

- the re-evaluation of bonuses and allowances for health workers in the public and private sectors based on the cost of living, skills, training needs, constraints and risks
- the re-evaluation of the physician’s payroll
- the harmonization and strict application of the above-mentioned re-evaluation by collective agreements in all private sector health care facilities
- the increase of housing allowances up to the current basic salary, on-call allowances and technical allowances
- the establishment of special bonuses and allowances, including the lump-sum risk allowance, the flat-rate transport allowance, the flat-rate allowance for work at night, on Sundays and on public holidays, and the flat-rate allowance for wearing working clothes.

In 2020, several calls for strike action were issued by certain trade unions representing the medical staff. These calls for action have led to strikes to request that their rights be respected.

For example, we can mention the cessation of work by the staff of the Yaounde University Teaching Hospital (CHU) from 3 to 7 February 2020, together with the staff of the Yaounde Gynaeco-Obstetric Hospital and that of the Laquintinie Hospital of Douala, following a call for strike issued by several trade unions. We can also mention the protests observed on 17 February 2020 in several public hospitals and in some mortuaries across the country.

These claims have often resulted in responses from the public authorities, allowing the continuity of service in the health facilities concerned.

Paragraph 2.- Government responses to the claims of health personnel

In order to address the issues raised by the health personnel, discussions were organized in August 2020 between the Minister of Public Health, Dr Malachie MANAOUA, officials of the MEDCAMER union and other professional associations such as the Cameroon Doctors’ Union (SYMEC), the National Union of Medical-Health Personnel (SYNPEMS) and the National Union of Personnel of Institutions/Enterprises in the Health Sector in Cameroon (CAP SANTÉ). Following these discussions, the Government made the commitment to:

- continue to advocate for improved salaries for nurses;
- advocate for the allocation of a “Covid allowance” to health workers;
- propose the establishment of a “solidarity fund” to provide financial support to health personnel.

In response to the recruitment of health workers, the Minister of Public Health, in a letter on 31 March 2021 to the Commission, indicated that the recruitment of health personnel is the purview of the Ministry of Public Service and Administrative Reform. However, during the reference year, an envelope of nearly 6 billion CFA francs was allocated to regional and local authorities to contract out health personnel. As a result, nearly 5,000 medical and health personnel were recruited to strengthen the workforce of integrated health centres, sub-divisional medical centres and district hospitals in Cameroon.

Concerning the claims on the harmonization of the retirement age, which was, according to the trade unionists, “*at several speeds: 50 years, 55 years, 60 years, 65 years, 68 years for some. Unlimited*

for others” - even though Article 124 of the General Statute of the Civil Service set the retirement age of civil servants of categories C and D to 50 years and 55 years for categories A and B, this was harmonized by Presidential Decree No. 2020/369 of 3 July 2020 to raise the retirement age of civil servants of the Public Health corps.

According to Article 1 of this decree, the retirement age of public health personnel is now 60 years for categories A and B personnel and 55 years for categories C and D personnel. Article 2 extended this measure to personnel who, on the date of entry into force of this decree, had a valid official extension of service period.

CHAPTER IV - THE RIGHT TO AN ADEQUATE STANDARD OF LIVING

The right to an adequate standard of living hinges on the fulfilment of certain economic and social conditions essential for human development. According to Article 11 of the ICESCR: *“the States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions”*.

The realisation and respect of this right in Cameroon in 2020 will be discussed in relation to the right to land and housing (**Section I**), the right to drinking water and electricity (**Section II**), the right to food (**Section II**) and consumer rights (**Section IV**).

SECTION I.- THE RIGHT TO LAND AND THE RIGHT TO HOUSING

Guaranteeing the right to land is key to ensuring people’s well-being and encouraging investment. In several countries, access to land is a real challenge in urban areas, with rapid urbanisation, and in rural areas, with the search for arable and grazing land. Similarly, housing is a main issue in major urban areas, due to the rural exodus and its negative effects such as increased unemployment and underemployment, increased crime and urban disorder, land pressure, etc., all of which put constant pressure on the cost and quality of housing in these areas, widening the gap between the wealthiest and the most deprived.

Considering both the efforts of public authorities to ensure that these rights are respected and fulfilled, and the difficulties encountered in their implementation, including through the consideration of cases brought before the NCHRF, the situation of the right to land (**Paragraph 1**) and the right to housing (**Paragraph 2**) in 2020 will be examined in turn.

Paragraph 1.- The right to land

According to the preamble of the Constitution of Cameroon, ownership in the broad sense is: *“the right guaranteed to every person by law to use, enjoy and dispose of property”*.

According to Article 14 of the African Charter on Human and Peoples’ Rights (ACHPR) *“the right to property shall be guaranteed. It may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws”*. Article 17 of the 1948 Universal Declaration of Human Rights (UDHR) states that *“Everyone has the right to own property alone as well as in association with others”* and *“No one shall be arbitrarily deprived of his property”*.

This report will examine the conditions of access to land and the Rights thereto, considering its significance for the realisation of the right to an adequate standard of living. In the Cameroonian context, the right to land is protected by a normative and institutional framework that has not undergone any particular evolution in 2020 (**A**). However, several obstacles and challenges to the realisation of this right were identified by the NCHRF during the year under review (**B**), which gave rise to specific recommendations (**C**).

A- The normative and institutional framework for the protection of the right to land

At the normative level, in addition to the preamble of the Constitution of Cameroon the relevant provisions of which have been recalled above, land ownership is governed by several instruments, including:

- Ordinance No. 74/1 of 6 July 1974 to establish rules governing land tenure followed by Ordinance No. 74-2 on the land tenure system, amended and supplemented by Ordinance No. 77-1 of 10 January 1977 and by Law No. 83-19 of 26 November 1983, which created a national land to replace the national collective heritage; these founding instruments of the land tenure system enshrine and maintain land registration as the exclusive mode of access to land in Cameroon and the land title (official certificate of ownership) as the exclusive evidence of land ownership; they also allow village communities, their members or any other Cameroonian citizen, to register the land they occupied before 5 August 1974; they finally define four major categories of land property, namely: the State property, State private property, private property and the national land;
- Law No. 80-22 of 14 July 1980 to repress infringements on landed property and State lands amended by Law No. 85-05 of 4 July 1985, which sets out the sanctions for infringements of land and property rights; for example, it declares null and void any land transaction relating to a joint property if there is not a joint agreement between the joint owners recorded in a notarial deed; it specifies the sanctions provided for against those who use or occupy land without the owner's prior authorisation, as well as against State employees guilty of complicity in land transactions likely to facilitate the unlawful occupation of a property, including plots of land in the private property of the State or a dependency of the public domain or the national domain;
- Forest Law No. 94-01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations, amended by Ordinance No. 99/001 of 31 August 1999 to supplement some of its provisions, as well as its enforcement Decree of 1995, which promotes the creation or allocation of community forests and the participation of populations in the management of forest resources; these instruments also foster fair participation in the management of forest resources;
- Decree No. 2005/481 of 16 December 2005 to amend and supplement certain provisions of Decree No. 76-165 to lay down conditions for obtaining a land title, which introduced the decentralisation of the procedure to issue a land title;
- Decree No. 2008/0738/PM of 23 April 2008 on the organisation and modalities of land development, which governs urban restructuring and renewal. The provisions of this Decree stipulate that when land development operations are initiated by the State, an order of the Minister in charge of Urban Planning defines, among other things, the terms of execution, recognition and compensation of landowners with or without land titles, as well as the terms to establish the resettlement area and plots allocation in the said area.

Concerning gender mainstreaming, the above-mentioned land instruments do not make direct reference to gender issues. Nevertheless, Government policy in this area, based on the constitutional principle of equality of all in rights and duties, allows all Cameroonians, at least from a legal point of view, to access land regardless of their ethnicity, religion or sex.

At the institutional level, the Ministries in charge of State Property, Surveys and Land Tenure (MINDCAF), Housing and Urban Development (MINHDU), and Forests and Wildlife (MINFOF) are each, in his own sphere, responsible for defining and implementing public policies on land ownership.

Under the NDS 30 the Government intends to “*pursue the modernization of state, cadastral and land management through the implementation of a vast programme to digitize surveys, strengthen the security of state property and land documents by digitizing them and setting up a computerized network between land registries at national level, with a view to securing land transactions and developing economic activities.*”³⁹.

³⁹ National Development Strategy 2030 (NDS 30).

With this in mind, MINDCAF had planned, in its 2020 sector-based strategy, a set of projects ⁴⁰ such as the design of digital cadastral plans for the cities of Yaounde and Douala, the dematerialisation and securing of 90,000 land certificates, the pursuit of the creation of State layout in some divisions and land development for the construction of several hotels. Thus, according to Prime Minister, Head of Government, Chief Dr Joseph Dion Ngute ⁴¹ during the presentation of the Economic, Financial, Social and Cultural Programme (PEFSC) of the Government for the year 2021 before the National Assembly in November 2020, about 946,000 hectares of land under the land reserves have been secured and the technical platform of the survey department was improved in 2020.

B - Obstacles and challenges to land acquisition and management

Several challenges and constraints have been identified by the NCHRF regarding property acquisition and management in Cameroon in 2020. These include:

- the settlement of the population on plots of land in the private State land or parcel of national land;
- the lack of cadastral plans in urban areas or on the outskirts of big cities, which encourages the uncontrolled settlement of populations;
- the ever-increasing cost of registered or unregistered plots of land, due to land speculation;
- the multiple sales of land;
- the multiple and successive registrations on the same plots of land;
- the illegal registrations of plots, especially joint plots;
- the persistent non-payment of compensation after expropriations in the public interest;
- the complexity and high cost of the registration procedure due to the wide array of stakeholders in the process and corrupt practices;
- the existence or establishment of false land titles to dispossess communities or individuals of their customary land;
- the lack of adequate knowledge of the procedures to register and occupy the national land by the population;
- the difficult access of certain sections of the population to land, particularly women and the youth, etc.⁴².

Moreover, *the right to property, particularly the right to land ownership*, has for several years held the record for the number of complaints of human rights violations received and processed at the NCHRF. In 2020, this trend continued with almost 248 complaints or allegations of violation of the right to land, which represents almost 25% of the total number of complaints received during the year, that is, 963 complaints. The table below confirms this trend, with a few exceptions, for the period from 2007 to 2020.

⁴⁰ The Government's Economic, Financial, Social and Cultural Programme for the year 2020 (PEFSC 2020) presented by the Prime Minister before the National Assembly in November 2019.

⁴¹ PEFSC 2021 presented by the Prime Minister before the National Assembly in November 2020.

⁴² Contributions of the regional branches of the NCHRF to the 2020 annual report.

Table 25: Evolution of the number of allegations of violation of property rights registered at the Commission between 2007 and 2020

Data	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Number of allegations of violations of property right received	132	98	157	117	162	349	183	240	197	343	179	166	244	248
Total number of complaints received	744	610	898	350	933	1009	862	943	826	1136	1112	763	992	963
Percentage of allegations of violation of property rights compared to the total number of complaints (%)	17.74	16.07	17.48	33.43	17.36	34.59	21.23	25.45	23.85	30.19	16.10	21.76	24.60	25.75

Source: - NCHRF annual reports

Chart 15: Evolution of the number of allegations of violation of property rights registered at the Commission between 2007 and 2020

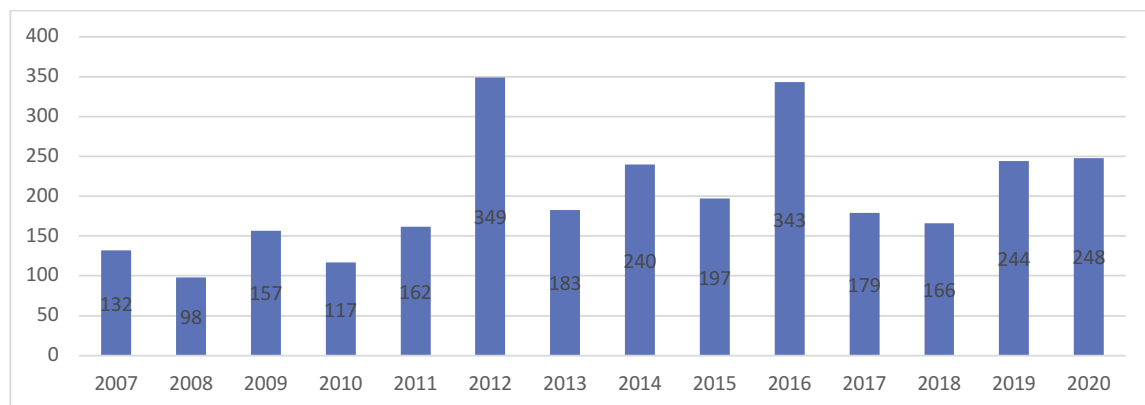
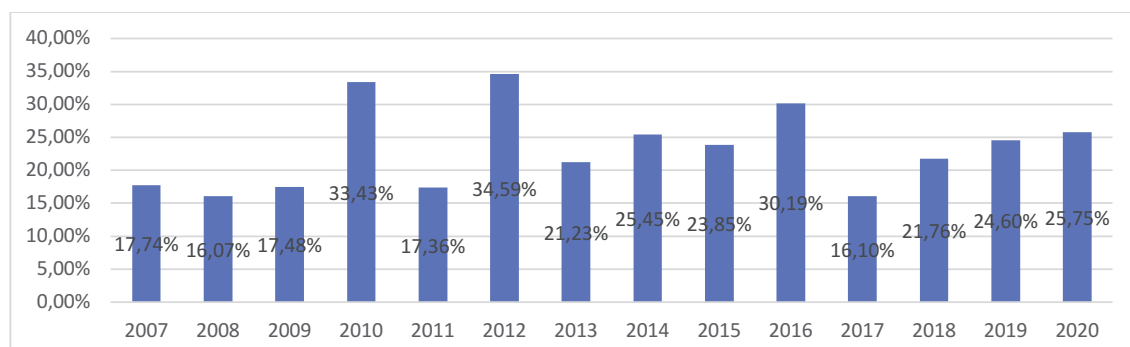


Chart 16: percentage of allegations of property rights violations registered at the Commission between 2007 and 2020



The following case illustrates an NCHRF intervention to protect property rights in 2020.

Case No. 2 - Case of the Association of Farmers and Breeders of Bakana Bantaï vs. ABDOULAYI Aboubacar

On 17 October 2019, the Mbororo Social and Cultural Development Association of Cameroon (MBOSCUDA), through its executive office for Adamaoua, lodged a complaint with the NCHRF Adamaoua Regional branch, against the forced eviction of a predominantly Mbororo community in the Tignere Sub-Division, Faro and Deo Division, Ngaoundere, Bakana-Bantaï junction, for the benefit of Mr Aboubacar Abdoulaye, represented by Oumarou CHEHOU.

Indeed, this community, made up of 17 families gathered within the association of farmers and breeders of Bakana-Bantaï, would have been settled for decades on this site which is part of the national land, following a customary donation by the late ABBO Adamou, then Lamido of Tignere. This community uses the site for farming and breeding. However, in 2018, the respondent settled a few herds of cattle and undertook to build a fence around this property, to the great displeasure of its peaceful occupants.

Faced with this situation, the complainants referred the matter to the Tignere Sub-Divisional Officer on 1 March 2018 for a settlement of the dispute. Following this referral, the Sub-Divisional Officer signed, on 8 March 2018, a decision to suspend the construction of the fence undertaken by CHEHOU OUMAROU, representative of the respondent. On 13 April 2018, an ad hoc commission in charge of examining the land dispute between Abdoulaye Aboubakar and the complainants (victims' association) was established. In 2019, the respondent requested a temporary grant from the Faro-et-Deo Divisional Officer for the exploitation of the said plot. The Senior Divisional Officer issued an Order on 11 March 2019 to establish an ad hoc consultative commission, responsible for the choice of the location, as well as the delimitation of the said temporary grant.

On 14 August 2019, the Sub-Divisional Officer of Tignere sent a letter to the representative of the victims' association, asking them to vacate the disputed plot within a week. Accordingly, the victims' association, referred the matter to the NCHRF Adamaoua regional branch on 17 October 2019 to request its intervention to safeguard their Rights.

In investigating this case, the NCHRF heard the representatives of the association, who presented the situation and provided supporting documents. Two (2) visits were then undertaken to the disputed land and to Tignere, to the administrative and traditional authorities. During these visits, the victims were interviewed.

The report of this investigation was forwarded on 26 June 2020 to the Senior Divisional Officer of Faro and Deo, as well as to the State Prosecutor at the local court and to the Lamido of Tignere for processing and jurisdiction.

In response, the Senior Divisional Officer of Faro and Deo sent a letter to the respondent, asking him to refer the matter to the Minister of State Property, Surveys and Land Tenure, in accordance with the legislation in force, if he wished to obtain a grant on the disputed plots of land.

Two months later, the Court of First Instance of Tignere issued a decision on 15 September 2020 in favour of the petitioners, ordering the respondent to pay them the sum of nine hundred and ten thousand and thirty-nine (910,039) CFA francs as damages. There was no appeal against this decision.

C - Some recommendations for improving the respect and realisation of the right to land ownership

In a bid to improve the exercise of the right to land ownership in Cameroon, the NCHRF makes the following recommendations, most of which are contained in its previous annual reports. These include:

- *awareness-raising of the population on the procedures of registration and occupation of the national land, as well as on their rights to land ownership;*
- *implementing policies to facilitate access to land ownership and the securitisation of customary land rights for low-income populations;*
- *transparency in the conduct of expropriation procedures for public utility, notably through the provision of information to the population and the effective payment of related fees;*
- *awareness-raising on the prohibition of occupying ecologically fragile areas and the prompt repression of cases of illegal occupation of State land;*
- *respecting registration procedures and the sanctioning of fraud in accordance with the law, in particular to prevent land grabbing by the wealthiest people.*

Paragraph 2.- The right to housing

The right to adequate housing is the right to a place to live in security, peace and dignity, with adequate lighting and ventilation, adequate basic infrastructure, all at an affordable price⁴³. In 2020 in Cameroon, measures were taken to promote and protect this right (A), including through the activities of the NCHRF (B). Faced with the challenges observed in this area, made recommendations to improve the realisation of this right in Cameroon (C).

A - Major developments relating to the right to housing in 2020

In 2020, the major developments relating to the right to housing included the implementation of the three-year Emergency Plan for the Acceleration of Economic Growth (PLANUT) launched by the Government in 2017. The housing component of this action plan was completed in 2020, with the construction and provision of low-cost housing by the Société Immobilière du Cameroun (SIC). Thus, 600 low-cost houses and related facilities, across the cities of Maroua, Garoua, Ngaoundere, Bertoua, Ebolowa and Bafoussam⁴⁴, in addition to 120 new houses built, including 80 in Douala on the Mbanga-Bakoko site and 40 in Yaounde on the Olembe site, were made available to the population.

In addition to this initiative, which is in line with the Government's strategic guidelines which seek to promote access to low-cost housing for Cameroonians; among the main areas of action of the Government, we can also mention the:

- development and provision of 10,000 hectares of building plots,
- intensification of the production and promotion of local materials,
- easing of access to land and housing loan, as well as
- incentives to establish private real estate companies⁴⁵, are among the Government's main areas of action.

⁴³ General Comment No. 7 on the right to adequate housing of the Committee on Economic, Social and Cultural Rights (CESCR).

⁴⁴ PEFSC 2021.

⁴⁵ NDS 30.

In spite of the ongoing finalisation of some of these projects which, in the long run, will ease access to decent housing for the population, several challenges remain with regard to the realisation of the right to adequate housing in Cameroon.⁴⁶ These challenges include:

- inadequate housing supply to meet the ever-increasing demand and the low capacity of local construction and public works operators⁴⁷ ;
- difficult access to housing loans;
- weak compliance with instruments on public utility expropriation;
- ever-increasing cost of construction materials;
- proliferation of shanty towns or spontaneous housing;
- uncontrolled occupation of urban and rural spaces, including non-buildable areas;
- poor housing and the non-respect of hygiene and sanitation measures⁴⁸;
- absence of or non-compliance with land use plans
- permanent clogging of roads, sewers and other drainage channels by household or industrial waste, etc.

B - The NCHRF's actions concerning the right to housing

The NCHRF regularly receives allegations of violations of the right to housing as part of its mission to protect human rights. In most cases, complaints made to the NCHRF concern clearing, evictions, disturbances of tenure, demolitions, including in the context of the fight against urban disorders undertaken by certain officials of regional and local authorities. These denunciations peaked in 2006 and 2007 with nearly 77 complaints recorded in 2007, due to the implementation of measures to combat urban disorder and infrastructure development, mainly in the cities of Douala and Yaounde. Since then, a downward trend has been observed in the number of complaints received by the Commission concerning the right to housing, with a slight rebound between 2012 and 2014, and then since 2018. In 2020, the NCHRF received 16 complaints concerning these types of allegations, compared to 27 in 2019 and 18 in 2018 as illustrated on the table and graph below.

Table 26: Evolution of the number of complaints of violations of the right to housing registered by the NCHRF between 2007 and 2020.

Data	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
Total number of alleged violations of the right to housing received	77	3	5	5	0	20	13	17	5	4	4	18	27	16
Total number of alleged human rights violations registered by the Commission	744	610	898	350	933	1009	862	943	826	1136	1112	763	992	963
Percentage of alleged violations of the right to housing compared to the total number of allegations of human rights violations registered by the Commission	10.34	0.49	0.55	1.43	0	1.98	1.51	1.80	0.61	0.35	0.36	2.36	2.72	1.66

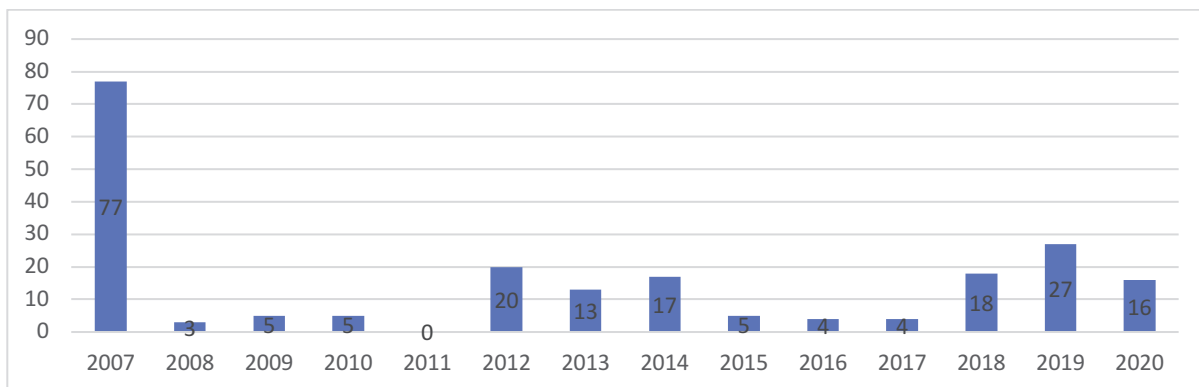
Source: - NCHRF 2020

⁴⁶ *Idem.*

⁴⁷ PNPPDH.

⁴⁸ *Idem.*

Chart 17: Evolution of the number of alleged violations of the right to housing registered by the NCHRF between 2007 and 2020



One of the most recurrent forms of violation of the right to adequate housing is forced eviction, defined as the “*permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection*”⁴⁹. The case presented below is an illustration of such a phenomenon, dealt with by the NCHRF in 2020.

Case No. 3 - Case of the *ESOBO couple vs. TSIMI EVOUNA Gilbert*

Mr ESOBO and Mrs ESOBO née ONGBASSIEK filed a complaint with the NCHRF on 10 December 2019, against Mr Gilbert TSIMI EVOUNA, former Government Delegate to the Yaounde Urban Council, alleging violation of their rights to land ownership and to a fair trial, as well as the right to physical integrity of their son, Mr Donald BASSOMBEN ESOBO.

The couple alleged that they had purchased a plot of land from Mr HAMADOU BOUBOUKARI, a plot of land which the latter had obtained from late Anastasie BELLA, who was also the elder sister of Mr Gilbert TSIMI EVOUNA, before Mr. Guillaume Denis MBOUDOU AHANDA, a notary at the Court of Appeal of the Centre, subject of land title No. 19512 / Mfoundi, 97, folio 136, with a surface area of 447 square metres.

The claimants undertook to develop it by building a dwelling house and a vegetable garden.

However, they were surprised that following the death of the first two owners, the respondent, without any right or title, undertook to recover the land sold by his sister, and of which they were now the legitimate owners. Thus, in 2017, he undertook, with the support of the law enforcement authorities and the municipal police, to demolish the house of the ESOBO couple with the use of heavy machinery of the Urban Council. During this demolition, Mr ESOBO was violently beaten by some security forces.

In reaction, the complainant states that he attempted to reach an amicable settlement with the respondent on three occasions, to no avail. He therefore filed several complaints before the Yaounde Administrative Centre Court of First Instance (TPI-CA), to no avail, on the grounds that the bailiffs could not summon the respondent to his person, as his residence and place of work had become inaccessible.

To handle this case, the NCHRF referred the matter to the President of the TPI-CA, and the case was enrolled in April 2020.⁵⁰

⁴⁹ General Comment No. 7, which further states that “*the prohibition on forced evictions does not, however, apply to evictions carried out by force in accordance with the law and in conformity with the provisions of the International Human Rights Covenants*” (p.4).

⁵⁰ At the time of finalising this report, a ruling had still not been given on this case, whose very slow progress (the last hearing took

C - Recommendations to improve the realisation of the right to housing

With a view to improving the realisation of the right to adequate housing in Cameroon and taking into account the challenges encountered in this area, the NCHRF makes the following *recommendations*.

1 - To the Government

- *Continue the construction of low-cost housing, and make it more accessible to people living with disabilities, and take measures to lower the cost of acquiring such housing to make it affordable for low-income people;*
- *place particular emphasis on the elaboration and dissemination of town planning plans, land-use plans and layout plans, especially in urban areas and on the outskirts of major cities, to combat urban disorder;*
- *encourage the use of local materials in the construction of public buildings, including through the definition of minimum proportions for the use of the said materials for project owners or under public contracts.*

2 - To local and regional authorities

- *emphasize the promotion of decent housing, the rehabilitation of urban roads, hygiene, sanitation and the improvement of populations' access to basic urban services;*
- *develop council plots and housing to promote access to decent housing for the most disadvantaged populations;*
- *develop and implement risk management plans.*

3 - To the population

- *avoid settling in risk areas;*
- *respect town planning and land use plans;*
- *obtain building permits and all necessary authorisations from the competent authorities before starting any construction;*
- *avoid cluttering up roads, drainage systems and other common areas with waste and other rubbish.*

SECTION II.-THE RIGHT TO WATER AND ENERGY

The right to water and energy are also part of the right to an adequate standard of living and consist respectively of an adequate, physically accessible and affordable supply of safe drinking water and sufficient electricity of acceptable quality for personal and domestic uses⁵¹. In 2020, new legislative and institutional measures were taken to facilitate the availability, accessibility and affordability of water and electricity, despite the adverse effects of the Covid-19 pandemic in these two sectors. Considering the challenges identified, the NCHRF made some recommendations for improving supply in these two sectors (**Paragraph 3**). But before we get there, we will take turns looking at the right to water (**Paragraph 1**) and the right to electricity (**Paragraph 2**).

Paragraph 1.- The right to water

The legal and institutional framework for the realisation of the right to water will be discussed (**A**) as well as initiatives to improve the availability, accessibility and quality of water (**B**), and the impact of Covid-19 on this sector in 2020 (**C**).

place in August 2021) prompted a new invitation from the Commission's office to the applicant for further information to provide more appropriate support.

⁵¹ National Plan of Action for the Promotion and Protection of Human Rights (PANPPDH) (2015-2019).

A - The legal and institutional framework relating to the right to water

At the legal level, compliance of instruments of bodies under the supervision of the Ministry of Water and Energy (MINEE)⁵², such as the Cameroon Water Utilities Corporation (Camwater), with the provisions of Law No. 2017/010 of 12 July 2017 to lay down the general rules and regulations governing public establishments and Law No. 2017/011 of 12 July 2017 to lay down the general rules and regulations governing public corporations, continued during the reference year.

At the institutional level, particularly in the area of water and water waste treatment, the government has promoted the following actions⁵³:

- the effective resumption of public water service management activities by the Camwater company and the Moroccan consortium ONEP-DELTA Holding-MEDZ and NOVEC in lieu of the Cameroon Water Company (CDE);
- the update of the National Action Plan for Integrated Water Resources Management (PANGIRE).

B - Initiatives for water availability, accessibility and quality

With regard to water availability, and with the aim to improving water supply, the Government has initiated a number of actions⁵⁴, namely the inventory of drinking water supply, hygiene and liquid sanitation infrastructures (AEPHA), the rehabilitation of Camwater stations, the setting up of drinking water supply systems (AEP) and the implementation of the social connections policy.

Several projects are underway and nearing completion or have been completed. Among which:

- the project to rehabilitate, strengthen and extend water supply systems in 52 centres in phases 1, 2, 3 and 4⁵⁵;
- the project to improve water supply to the city of Yaounde⁵⁶;
- the project to extend and rehabilitate production stations in 9 towns, which has been completed in the towns of Bafoussam, Bamenda, Kribi and Sangmelima⁵⁷;
- the project to supply drinking water to the Yaounde city from the Sanaga River (PAEPYS), and which seeks to reduce the drinking water deficit in the capital city by providing 300 000 m3 extendable to 400 000 m3 per day.

Other projects⁵⁸ have been launched in the water sector, such as the *Projects* for the mobilization and *valorization* of *rainwater* in the North and Far North Regions, the construction of 1,254 boreholes out of the 3,000 planned as part of the implementation of the three-year emergency plan for the populations of the three Northern Regions, the launch of work on the Rural Water Supply and Sanitation Project (PAEA-MRU) and the implementation of drinking water supply study projects in rural areas in three hundred and fifty (350) localities.

Overall, national daily production has increased by 93,376 m3 from 731,080 m3 in 2018 to 824,456 m3 in 2019, as illustrated by the graph below.

⁵² Camwater, SCDP, AER, Hydro Mekin, EDC, Sonatrel.

⁵³ Document with Minee's contribution to the CHRC's 2020 Annual Report.

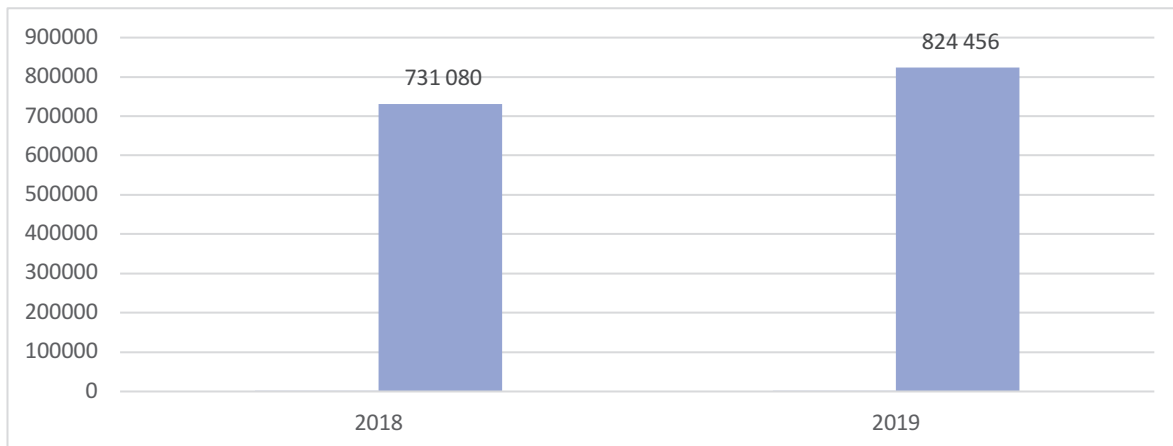
⁵⁴ *Idem*.

⁵⁵ Phase 5 is currently underway.

⁵⁶ Similar projects are underway in the cities of Bertoua, Edea and Ngaoundere.

⁵⁷ The project is underway in the cities of Garoua, Maroua, Dschang and Yabassi.

⁵⁸ *Idem*.

Chart No. 18 - National daily water production (between 2018 and 2019 in m3)

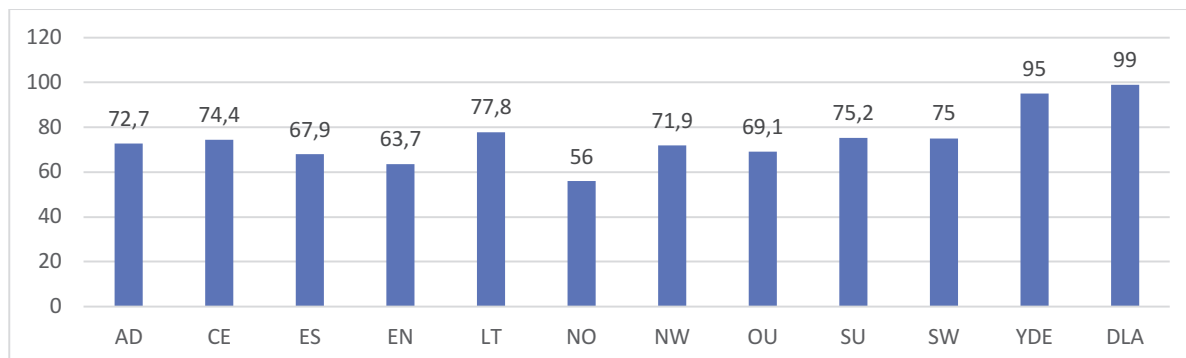
Source: MINEE

With regards to water accessibility, according to MINEE data, the number of Camwater facilities users in 2019 was 446,976 in urban areas and over 450,000 in rural areas. The average rate of access to water varies by Region and is shown in the table and on the graph below, with Yaounde and Douala taken separately.

Table No. 27: Average rate of access to water (%) by Region (plus Yaounde and Douala) ⁵⁹

Region or city	AD	CE	ES	FN	LT	N	NW	W	S	SW	YDE	DLA
Water access rate (%)	72.7	74.4	67.9	63.7	77.8	56	71.9	69.1	75.2	75	95	99

Source: MINEE

Chart No. 19: Average water access rate (%) by region (plus Yaounde and Douala)

Source: MINEE

Thus, according to these official statistics, the city of Douala has the highest average water access rate, with almost the entire population of Cameroon's economic capital *theoretically* having access to water produced through at least one of the government water supply initiatives. The city of Yaounde also appears to be well off, with 95%, while the North Region ranking last with barely half the population having access to running water, that is, 56%.

⁵⁹ Adamaoua (AD), Centre excluding Yaounde (CE), East (ES), Far North (FN), North (N), North West (NW), West (W), South (S), South West (SW), Yaounde (YDE), Douala (DLA)

However, it should be noted that the concept of accessibility here refers essentially to the connectivity of the households listed with the state-controlled water supply system, and does not take into account key factors for assessing the population's effective access to drinking water. These include, on the one hand, the frequent disruptions in water supply by the parastatal system on which the state relies, disruptions that sometimes span relatively long periods. On the other hand, particularly in urban areas, the rapid development of suburbs (with, for the more affluent, the increasingly widespread construction of wells and boreholes), the galloping growth of shanty towns and the multiplication of uncontrolled construction in cities, are all factors that deprive a large part of the population of Douala and Yaounde in particular, of access to drinking water.

Although lack of scientific research and work in the field to underpin these observations, drinking water distribution initiatives observed in the midst of the Covid-19 pandemic is appalling, drinking water distribution initiative launched in the city of Douala by the *Union Camerounaise de Brasseries* in May 2020 (see image below), captured and showed striking images of long lines of people and containers in front of the brewery company's tanker trucks, filling in turn, with its mineral water on sale, containers of various sizes taken out with relief by households that were used to drinking water scarcity in some neighbourhoods the economic capital.



C - The impact of Covid-19 on the water sector

In accordance with Ordinance No. 2020/001 to amend certain provisions of the Finance Law No. 2019/023 of 24 December 2019, several water-related projects had to be cancelled or rescheduled. A total of 16 projects were directly affected by the pandemic. These include projects relating to studies, the budget allocation of which fell by more than half, from almost 14 billion (13,999,000,000) to slightly less than 6 billion (5,954,000,000) CFA francs.

Paragraph 2.- The right to electricity

The legal and institutional framework relating to the realisation of the right to electricity (A) will be discussed, as well as the initiatives for electricity availability, accessibility and quality (B), and the impact of the COVID-19 in this sector in 2020 (C).

A - The legal and institutional framework relating to the right to electricity

In 2020, the following measures were taken to promote access to electricity:

- the completion of the process to establish the National Electricity Transmission Company (SONATREL) with the signing of decrees No. 2020/233 of 23 April 2020 relating to the reorganisation

and functioning of SONATREL, and Decree No. 2020/234 of the same day, to approve the statutes of SONATREL;

- the restructuring of the Electricity Development Corporation (EDC), which is now in charge of managing the Memve'élé hydroelectric dam, by Decrees No. 2020/244 of 4 May 2020 relating to the reorganisation and functioning of the company and Decree No. 2020/245 of the same day to approve its statutes⁶⁰;
- the publication of instruments on Contract Code and the Connection Code for Sonatrel, which is responsible for managing electricity transmission grid flows between electricity generators and distributors;
- the update of the electrification master plan;
- the development of the master plan for electricity generation, transmission and distribution;
- the establishment of the Electricity Sector Development Fund (FDSE), to fund this sector, by Presidential Decree No. 2020/497 of 18 August 2020 relating to the establishment, organisation and functioning of this fund⁶¹.

B - Initiatives for electricity availability, accessibility and quality

In a bid to increase the quantities of electricity available, a series of actions⁶² have been initiated and launched in the areas of electricity generation, transmission and distribution.

Concerning electricity generation, the construction of the Lom Pangar reservoir plant is underway, as well as the Mekin hydroelectric power plant and the completion of the Memve'élé hydroelectric development.

With regard to electricity transmission and distribution, the Lom Pangar-Bertoua high-voltage line construction project, which was launched in 2020, and scheduled for completion in 2021⁶³, is an example. We can also mention the projects to strengthen and upgrade the electricity transmission grids in several localities, such as the project to build the electricity transmission line between Nkongsamba and Bafoussam, the construction of a new substation in the latter town, and the construction of the electricity transmission line between Yaounde and Abong-Mbang; the same applies to the continuation of the reinforcement and stabilisation of the Yaounde electricity grid and the Project to Strengthen and Extend the Electricity Transmission and Distribution Grids (PRERETD). Other projects such as the development of the 420-megawatt Nachtigal hydroelectric over the Sanaga River, were scheduled.

In 2020, the access to electricity was facilitated by the decision to increase the non-taxable portion of household electricity consumption from 110 to 220 kilowatts, exempting several electricity consumers from value added tax (VAT). As a result, the number of subscribers to the sole electricity distribution operator, ENEO, increased by 100 000, from 1 200 000 to 1 300 000.

Other accessibility indicators⁶⁴, presented in the table below, give an overview of the efforts that still need to be made by the government to make electricity accessible to all.

⁶⁰ www.prc.cm.

⁶¹ *Idem*.

⁶² MINEE's contribution to the *NCHRF's 2020 Report*.

⁶³ The completion of this project has been announced by the winning company for no later than December 2021, according to the online news site www.ecomnewsafrique.com, accessed on 10 September 2021.

⁶⁴ MINEE's Contribution to the *NCHRF 2020 Annual Report*.

Table 28: Some electricity accessibility indicators

Electricity accessibility indicators	Relative value (%)
Rate of electricity coverage across the national territory	30
Rate of access to electricity by the general population	70
Rate of access to electricity by rural populations	25

Source: MINEE

C - The impact of COVID-19 on the electricity sector

In the electricity sector, seventeen (17) projects were affected by the pandemic. As a result of the budget cut measures, the budget for project execution has shrunk from 58,895,000,000 to 8,975,000,000, a drop of more than 50 billion CFA francs.⁶⁵

Paragraph 3.- Challenges identified and recommendations of the NCHRF concerning the right to water and electricity

Although the realisation of the rights to water and electricity has witnessed the launch and completion of several projects in 2020, there are still challenges to overcome to make them effective. These challenges include:

- shortages and untimely interruptions in running water and electricity supplies in some neighbourhoods and towns nationwide;
- very limited access to drinking water and electricity in rural areas;
- the state of disrepair of water supply infrastructures;
- acts of vandalism by the population on water and electricity distribution facilities, networks and equipment;
- the uncontrolled development of pirate and licit electricity distribution grids;
- the disappearance of community water points (standpipes);
- the persistent fraud on water and electricity meters;
- the over-billing of water and electricity consumption.

In order to remedy these difficulties, the NCHRF makes the following recommendations:

- *finalize ongoing projects to improve water and electricity supply;*
- *update data on water and electricity supply to households to reflect the realities in urban and rural areas, in order to adequately guide decision-makers in this sector;*
- *encourage regional and local authorities and private initiatives in the area of water and electricity supply;*
- *promote investment in the sector of renewable energy to reduce the deficit in electricity access and diversify energy sources;*
- *establish mechanisms to reduce fraud in the electricity and water sectors, etc.*

SECTION III.-THE RIGHT TO FOOD AND CONSUMER RIGHTS

The right to food is defined as “*the right of every man, woman and child, alone or in community with others, has physical and economic access at all times to adequate food or means for its procurement*”.⁶⁶ Within the meaning of Framework Law No. 2011/012 of 6 May 2011 on consumer protection in Cameroon, this term consumer refers to “*any person who uses products to satisfy his or*

⁶⁵ *Idem.*

⁶⁶ General Comment No. 12 on the right to adequate food. (CESCR)

her own needs and those of his or her dependents and not to resell, process or use them in the course of his or her profession, or any person who benefits from services". Consumer Rights are part of the right to an adequate standard of living, insofar as these Rights aim to meet the needs of consumers. The realization of the right to food (**Paragraph 1**) and of consumer rights (**Paragraph 2**) will be reported in turn in a context marked by many challenges.

Paragraph 1.- The right to food

The analysis of the right to food will highlight the initiatives to promote the availability, accessibility and quality of foodstuffs (**A**), on the one hand, and the challenges identified and the recommendations made by the NCHRF (**B**), on the other.

A- Initiatives for food availability, accessibility and quality

As part of its national development strategy published in 2020, Cameroon has set itself the objective of ensuring its food self-sufficiency, and conquering the markets of the Economic Community of Central African States (ECCAS) and the Economic and Monetary Community of Central African States (CEMAC). To this end, government's priority actions⁶⁷ in the area of agriculture pertains to:

- the operationalization of seed farms;
- the general census of agriculture and livestock, in conjunction with the general population and housing census;
- the establishment of an inter-professional association in the cotton sector and in the field of livestock, fisheries and animal industries;
- the promotion of national milk production, the commissioning of an animal seed processing unit for cattle at the Louguere station;
- the renewal of pig breeding stock at the Kounden station;
- the financing of 1,500 investment projects by meat producers' organisations and the construction of an ice cream factory in Kribi.

Projects for the acquisition of equipment, fertilisers and plant material for certain priority sectors in the five agro-ecological zones, as well as the development of agricultural infrastructure⁶⁸ are included.

The government has also continued to implement four support, accompaniment and extension projects in the agricultural sector. These are respectively:

- the project to support the production of quality plant material (PAPMAV-Q);
- the national project to support the development of cereal crops (PNADCC);
- the national project to structure and support producers and agricultural extension (PRO-SAPVA); and
- the fertiliser sub-sector reform programme (PRSSE)⁶⁹.

Similarly, three new operational projects were created, namely:

- the cocoa development support project (PAD-CACAO);
- the support project for the revival of the coffee sector (PARF-CAFÉ); and
- the support project for the development of the mahogany sector (PADF-CAJOU).

In the agricultural sector, these initiatives have resulted in the production of 250,000 (two hundred and fifty thousand) tonnes of seed cotton, 300,000 (three hundred thousand) tonnes of pineapples, 700,000

⁶⁷ PEFSC 2020.

⁶⁸ PEFSC 2020.

⁶⁹ Report on MINADER's contribution to the NCHRF's 2020 Annual Report.

(seven hundred thousand) tonnes of tomatoes, and an increase of more than 50% in the production of roots and tubers, including 6,000,000 (six million) tonnes of cassava, 350,000 (three hundred and fifty thousand) tonnes of potatoes, and 500,000 (five hundred thousand) tonnes of yams. In the area of livestock, production in 2020 was 113,164 (one hundred and thirteen thousand one hundred and sixty-four) tonnes of meat from controlled slaughter, 41,374 (forty-one thousand three hundred and seventy-four) tonnes of table eggs, 90,078 (ninety thousand seventy-eight) tonnes of milk, 1,296 (one thousand two hundred and ninety-six) tonnes of honey and 68,290 (sixty-eight thousand two hundred and ninety) tonnes of fish and other fishery products; In addition, 6,000,000 (six million) fingerlings were made available to fish farmers⁷⁰.

Moreover, technical and architectural studies relating to the construction of six supply markets in Obala, Ngong, Gazawa, Dibombari, Foubot, Mamfe, as well as those relating to the Batchenga maize seed storage and packaging complex⁷¹, were conducted.

B - Challenges identified and recommendations of the NCHRF regarding the right to food

Despite all the aforementioned laudable initiatives and results achieved, many challenges were identified by the NCHRF in 2020 concerning the right to food⁷², including:

- difficult access to land and agricultural inputs, especially for vulnerable groups;
- the inadequate use of skilled labour in agro-pastoral activities;
- the low level of mechanisation in agriculture, which results in low yields;
- the effects of climate change on agriculture;
- the fraudulent export of local livestock (cattle);
- the practice of transhumance for cattle breeding;
- the proliferation of agro-pastoral conflicts;
- the inadequate local production of many agro-pastoral and fish products, which does not meet local demand and leads to a high dependence on imported products, with adverse effects on the cost of basic foodstuffs;
- the resurgence of certain animal diseases such as swine fever, ovine rinderpest and Newcastle disease;
- the persistent use of harmful and prohibited phytosanitary products to promote the early ripening of plantains and bananas;
- the persistent high cost of certain agricultural and livestock inputs;
- the non-inclusion of rural areas in the setting up of test shops;
- difficult access to credit for small-scale farmers, fishermen and livestock breeders;
- the low level of conservation and processing of local production, which leads to great losses in periods of abundant production and serious shortages as well as high inflation when production decreases (as in the case of tomatoes);
- the lack of reliable statistics in the sector.

To address these challenges, the NCHRF makes the following recommendations;

- *promote access to agricultural land for vulnerable groups, including through the finalisation of land reform;*
- *strengthen the monitoring of the regulations in force on the use of fertilisers and pesticides in order to guarantee food quality and safety;*

⁷⁰ *Idem.*

⁷¹ PEFSC 2020.

⁷² PANPPDH *op. cit.*

- *ensure the effective application of the sanctions provided for by the regulations in force to any offender;*
- *further promote and put in place policies or incentives for the modernisation of agro-pastoral techniques, including the transition to second generation agriculture;*
- *promote access to credit for small-scale producers and herders, as well as their technical support to reduce losses;*
- *develop on a large scale and popularise techniques for the conservation and processing of agro-pastoral and fisheries products in order to reduce the risks of shortages and inflation which undermine the food security of the population;*
- *further encourage, including through strong incentives, entrepreneurship and self-employment in the agro-pastoral and fish farming sectors;*
- *strengthen health monitoring to prevent animal diseases;*
- *encourage statistical production in the agro-pastoral and fisheries sectors.*

Paragraph 2.- Consumer rights

Consumer protection is guaranteed by Framework Law No. 2011/012 of 6 May 2011 on consumer protection in Cameroon “*all transactions relating to the supply, distribution, sale, exchange of technologies, goods and services, [...] and concern in particular the sectors of health, pharmacy, food, water, housing, education, financial services, banking, transport, energy and communications*”.

The analysis of the situation of consumer rights will help present the initiatives for consumer protection (A), as well as the challenges identified and the recommendations made by the NCHRF (B).

A - Initiatives for the protection of consumer rights

At the institutional level, the monitoring of consumer rights protection is mainly the province of the National Consumer Council under the Ministry of Trade. In addition, several other ministries and institutional bodies, as well as consumer associations, participate in this monitoring.

It should be recalled that Consumer Rights are based on four principles defined by the above-mentioned framework law. These are:

- *the principle of protection according to which consumers have the right to protection of life, health, safety and the environment in the consumption of technologies, goods or services;*
- *the principle of satisfaction according to which consumers are entitled to the satisfaction of basic or essential needs in the areas of health, food, water, housing, education, energy, transport, communications and any other area of technology, goods and services;*
- *the principle of equity according to which consumers are entitled to full compensation for damages suffered and which, under the above-mentioned framework law or other regulations in force, are attributable to suppliers or providers;*
- *the principle of participation according to which consumers have the right and freedom to form voluntary, autonomous and independent consumer associations or organisations, in order to realise or participate in the promotion and defence of the Rights referred to in this framework law.*

Several initiatives were taken by the government in 2020 to protect consumer rights.

Thus, in March 2020, the Minister of Trade announced the establishment of a toll-free number, 1502, to denounce speculation against the background of restrictions to counter the novel Coronavirus⁷³.

⁷³ www.mincommerce.cm, accessed on 20 March 2020.

In April 2020, the Cameroon National Chamber of Consumers proposed 14 measures⁷⁴ to the Government to support the confinement of the population, including the abolition of taxes on imported or locally manufactured products, support for businesses through a tax freeze or deferral of penalties, lower fuel prices, and the easing of customs barriers.

In the same month, 210 (two hundred and ten) cartons of fake chloroquine were seized in the Adamaoua Region⁷⁵, at the Selou Semba customs post in the Vina division.

Also in April 2020, the Cotonnière industrielle du Cameroun (CICAM), the lone textile industry company in the Cemac zone, announced the launch of a range of “*standardised fabrics*”, specific fabrics that allow local manufacturers of protective masks to produce products that comply with current standards and are more effective against the Novel Coronavirus⁷⁶. In addition to the introduction of standardised fabrics, CICAM has also invested in the large-scale production of cloth masks, announcing that it intends to produce fifteen million cloth masks every month.

In June 2020, the publication of a study by the Bank of Central African States (BEAC) entitled: “*Publication of tariff conditions by banks in Cameroon: Issues, state of play and prospects*” revealed that many microfinance institutions were operating on the fringes of the law by not communicating their tariff conditions, to the detriment of their customers⁷⁷. No action has been taken on this matter by either the NCHRF or the OLPC which was not yet operational.

In October 2020, the decision to suspend the implementation of the 33% customs tax on mobile phones and digital tablets⁷⁸ was made. This followed widespread criticism of this new mechanism to collect customs duties and other taxes by several political and civil society actors, including consumer associations.

B - Challenges identified and recommendations of the NCHRF

Several violations of consumer rights were identified during the period under review, including:

- unfair, anti-competitive and restrictive commercial practices;
- abusive clauses in consumer contracts⁷⁹;
- non-compliance with standards relating to food and pharmaceutical products, including medicines;
- artificial shortages and speculation on the prices of major consumer products;
- the lack of information for consumers on the quality of products and their use;
- the use of untimely advertising messages by mobile phone operators, etc.

In light of the foregoing and for a better protection of consumer rights, the NCHRF makes the following recommendations:

- *building the capacity of state and non-state stakeholders engaged in the promotion and protection of these rights;*
- *strengthening the role of the National Consumer Council and the Standards and Quality Agency to enable them to better conduct monitoring activities;*

⁷⁴ *Idem*, accessed on 2 April 2020.

⁷⁵ *Idem*, accessed on 20 April 2020.

⁷⁶ *Idem*, accessed on 24 April 2020.

⁷⁷ June 2020 Invest in Cameroon magazine.

⁷⁸ *Cameroon Tribune* of 14 October 2020.

⁷⁹ Framework Law.

- *the application of sanctions in the event of non-compliance with the standards and trade obligations in force;*
- *strengthening the fight against counterfeiting and smuggling;*
- *the regular publication of the approved price scale for staple products;*
- *regular update and publication of the manufacturing and packaging standards catalogue for regular consumer products.*

PART III – CIVIL AND POLITICAL RIGHTS

Civil and political rights fall under the class of human rights, also known as “*Freedom Rights*”. History records that Civil and political rights have enabled the recognition of the value of each individual and his or her freedoms, especially through the protection of their life, physical integrity and safety. These rights protect individuals’ freedom from infringement by governments, corporations, social organizations and private individuals, ensuring one’s entitlement to participate in the civil and political life of society and the State without discrimination or repression. As such, these rights imply that States refrain from intervening in the freedom of each individual.

Civil Rights include the right to life, physical and moral integrity and safety (hence the prohibition of torture and slavery), freedom from discrimination based on race, gender, nationality, colour, sex, ethnicity, religion or disability, as well as the right of individuals to an identity, citizenship, but also to privacy, freedom of thought, conscience and religion, freedom of expression, religion, press, assembly and movement.

Political rights include, in terms of fair trial, rights of the accused, including: right to a fair trial, due process, right of victims to obtain redress, but also the right to participate in civil and political life or the right to participate in the management of public affairs, through freedom of association, freedom of demonstration and the right to vote. In both cases, the list is inexhaustible.

Just like economic, social and cultural rights, the Cameroonian Constitution of 18 January 1996 enshrines in its preamble, civil and political rights as recognised in relevant African and universal legal instruments. Thus, by ratifying the African Charter on Human and Peoples’ Rights, which was adopted on 27 June 1981 in Nairobi (Kenya), Cameroon undertook, on 20 June 1989, to “*recognise the rights, duties and freedoms enshrined in this Charter and [...] to adopt legislative or other measures to implement them*». The same commitment applies to Civil and Political Rights enshrined universally in the International Covenant on Civil and Political Rights (ICCPR), which was adopted by the UN General Assembly in resolution 2200A (XXI) of 16 December 1966 and entered into force on 23 March 1976. By ratifying the ICCPR on 27 June 1984, Cameroon undertook “*to respect and ensure to all individuals within its territory and subject to its jurisdiction the rights contained in the Covenant without distinction of any kind*”.

During the year 2020, the NCHRF noted that the civil and political rights situation in Cameroon was marked by persistent violations of the right to safety of goods and persons and the right to a fair trial. The precarious security situation in the Adamawa, Far North, East, North West and South West Regions was a major contributing factor, with the occurrence of kidnappings, security threats and the persistence of secessionist terrorism. The year 2020 also witnessed a remarkable progress in the right to participate in the management of public affairs, notably through the holding of the very first regional elections.

The situation of civil and political rights in Cameroon in 2020 will be examined in terms of:

- Right to safety of goods and persons (Chapter I)
- Right to a fair trial (Chapter II)
- Right to identity and citizenship (Chapter III)
- Fundamental freedoms (Chapter IV).

CHAPTER I.- RIGHT TO SAFETY OF GOODS AND PERSONS

The right to safety is considered an essential duty of States. In fact, “*security is a fundamental right, a condition for the implementation of individual and collective freedoms. The State has the responsibility to provide security by ensuring, throughout the national territory, the protection of institutions and national interests, respect for laws, the enforcement of peace and public order, and the protection of goods and persons*”⁸⁰.

The right to safety is enshrined in the preamble of Cameroon’s Constitution, which states that “*freedom and security shall be guaranteed to each individual, subject to respect for the rights of others and the higher interests of the State*”. At the international level, Article 9 of the ICCPR of 10 December 1966, to which Cameroon acceded on 27 June 1984, acknowledges “*the right of every individual to liberty and security of person*”. At the regional level, the African Charter on Human and Peoples’ Rights stipulates, in its Article 6, that “*every individual shall have the right to liberty and security of person*”. Article 23(1) of the same text specifies that “*peoples have the right to peace and security at both the national and international levels*”.

The right to security therefore implies an obligation on the part of the State to take necessary measures to protect the lives and physical and moral integrity of persons within its territory. This refers not only to the need to take measures to protect the individual whose life may be threatened by the actions of others, but also to put in place a legal and institutional framework to deter all forms of attacks on goods and persons, based on mechanisms designed to prevent, repress or sanction cases of violation⁸¹. It is therefore an obligation of means and not an obligation of result.

In this regard, the respect and protection of the right to security implies that appropriate measures are taken to ensure the safety of the rights to life and to physical and moral integrity, rights enshrined in Cameroon within the preamble of its Constitution of 18 January 1996, which states that “*every person has the right to life and to physical and moral integrity. They shall be treated with humanity in all circumstances*”. These provisions ensure the safety of individuals by prohibiting attacks on their life or physical and moral integrity.

This constitutional enshrinement of the inviolability of the human person, their life and physical integrity is, in line with Article 6(1) of the ICCPR, which provides that “*the right to life is inherent in the human person. This right shall be protected by law. No one shall be arbitrarily deprived of life*”. This protection, granted to all without distinction, implies as a subsequent obligation the prohibition to cause, even involuntarily, bodily harm or mental suffering to others.

A review of the aspects of the right to safety in 2020, reveals several cases of violation of the right to life and to physical and moral integrity (SECTION 1), violation of the right to personal safety, which included hostage-taking for ransom and road accidents (Section 2), as well as other forms of violation of the right to safety of goods, which included the resurgence of cattle rustling (Section 3).

⁸⁰ LECLERC (Henri), « *De la sûreté personnelle au droit à la sécurité* » [From personal safety to the right to security], *Journal du droit des jeunes*, 2006/5, No. 255, p. 8.

⁸¹ DUPRÉ de BOULOIS (Xavier), *Existe-t-il un droit fondamental à la sécurité ?* [Is there a fundamental right to security?] Chronique classée des Théories des droits fondamentaux, *RDFLF*, 2018, chron. No. 13, www.revuedlf.com/droit/fondamentaux/existe-t-il-un-droit-fondamental-a-la-securite/ consulted on 16 May 2021

SECTION I.- VIOLATION OF THE RIGHT TO LIFE AND TO PHYSICAL AND MORAL INTEGRITY

In Cameroon, violations of the right to life and to physical and moral integrity are recognised and sanctioned by Law No. 2016/007 of 12 July 2016 relating to the Penal Code, specifically in Section 275 et seq. which deal with the right to physical integrity.

During the year under review, several cases of alleged violations of the right to life (**Paragraph 1**), as well as physical and moral integrity (**Paragraph 2**) were recorded.

Paragraph 1.- Violation of the right to life

In 2020, the NCHRF received an average of 50 complaints concerning violations of the right to life, representing 4.87% of the total number of complaints received. These mainly included cases of murder, assassination, manslaughter, etc., resulting from assaults, fights, settling of scores or in cases of alleged death, as illustrated in the cases presented below.

Case 4 - Alleged Murder of NJOMI TCHAKOUNTE (Mathematics teacher at the Classical High School, Nkolbisson)

The Centre Regional Office of the National Commission on Human Rights and Freedoms (NCHRF) took up the case of NJOMI TCHAKOUNTE, a 26-year-old General Education High School Teacher (PLEG), undergoing integration and working as a part-time teacher at the Classical High School of Nkolbisson-Yaoundé, who was stabbed to death by his 17-year-old student of 4e Espagnol, Brice BISSE NGOSSO.

Following investigations conducted by the Regional Office, it appears that on 14 January 2020, the accused student announced to his classmates that he was planning to stab his Mathematics teacher. Thus, after handing over Mathematics assessment papers to students on that day, the teacher realised that the student, BISSE NGOSSO had not received his paper for failing to participate in the assessment. After questioning this student on the reasons for his absence and given his refusal to provide explanations on the subject, the teacher asked him to leave the classroom. His refusal to do so led to a quarrel between the two parties, during which the student stabbed the teacher in the chest. The latter was rushed to the university hospital, where he died before any medical intervention.

Noting that the accused had been placed under provisional detention by the public prosecutor at the Mfoundi High Court, even though he was a minor, and that in the absence of a major perpetrator, his case should have been prosecuted as a juvenile offence by the court of first instance, the NCHRF Centre Regional Office seized this authority through correspondence on the same day (14 January 2020), to inquire about the fate of the accused. In response, on 23 January 2020, the Public Prosecutor stated that the young BISSE NGOSSO was presented, on 21 January 2020, to the Public Prosecutor's Office of the Yaoundé Court of First Instance - Administrative Centre, which has territorial and material jurisdiction to hear the case.

On 15 January 2020, the NCHRF Centre Regional Office referred the case to the Public Prosecutor of the Yaoundé Court of First Instance - Administrative Centre, who informed the Commission that the family had referred the case to the competent court.

In monitoring the case, the Commission was informed on 11 January 2022 that by judgement No. 11871 of 25 February 2022, the accused was found guilty of murder and sentenced to 10 years imprisonment and fined with the sum of one million six hundred and four thousand four hundred and forty (1,604,440) CFA francs as compensation.

Case 5 - Alleged death of Divin Cabrel LEUKEFACK, student at the Nkol-Eton Bilingual High School in Yaoundé

On 24 January 2020, the NCHRF Centre Regional Office took up the case of Divin Cabrel LEUKEFACK, a student in 2de at the Nkol-Eton Bilingual High School in Yaounde, who died during a physical education and sports (PES) session, involving other students, who allegedly fainted, according to initial information circulating on social media.

In handling this case, the Commission visited the school concerned to obtain information surrounding the circumstances of the incident, which subsequently led to acts of vandalism by a number of students.

During an interview with the school Principal, Mrs. MOHAMADOU G. KUNGUI, it was disclosed that during a PES evaluation, the Student, Divin Cabrel LEUKEFACK indicated to his teacher that he felt unwell during a running test, expressing tiredness and shortness of breath. The teacher immediately took him to the school infirmary. Sometime later, the teacher and the nurse on duty reported to her office, stating that the situation required urgent attention at the nearest hospital. The student was then rushed to a nearby clinic, where he unfortunately died.

On hearing the news of their classmate's death, several students fainted in panic and were taken to different health facilities for medical attention. The Principal further indicated that most of these students were out of danger and had left the hospitals, except for three (3) who remained under observation, though their situation was under control.

At the same time, the school Principal made it clear that the school was not aware of the asthmatic condition of the deceased student. She further explained that this was not an isolated case, as some students usually shy away from the medical check-up that is compulsory for all enrolled students.

Administrative and judicial authorities, including the Senior Divisional Officer and the Minister of Secondary Education, also visited the school to look into the matter.

Case 6 - Alleged death of James ASSAM, a cattle breeder in Bous village near Ebolowa

On 3 February 2020, Mr. James Chazeaud ESSO ASSAM filed a complaint at the NCHRF South Regional Office, denouncing the violation of his father's right to life, James ASSAM, who lived in the Bous village near Ebolowa.

Mr. ASSAM left his house on 16 January 2020 in search of potato leaves to feed his pigs, but never returned home. Four (4) days after his disappearance, on Sunday 19 January 2020 at 7pm, his body was found in a well, not far from the spot, where his basket had been discovered two days earlier, on Friday 17 January 2020.

This situation was reported to the Ebolowa judicial authorities and an investigation was opened. In monitoring the case, the Public Prosecutor of the Mvila and Ebolowa courts said he had instructed some of his collaborators to carry out related research since 3 January 2022. However, the Regional Office has not had any feedback on the case until the finalisation of this report, despite its repeated reminders. Follow-up on the case still continues.

Case 7 - Alleged deaths of Audrey Suzanne MENGUE ZANG and Pierre ABESSOLO ABESSOLO in the town of Kye-Ossi

On 6 July 2020, the NCHRF South Regional Office received a complaint from Mr ZANG OYONO Thierry through correspondence No. 099 of 22 July 2020, in which he denounced the violation of the right to life of Audrey Suzanne MENGUE ZANG and Pierre ABESSOLO ABESSOLO.

According to the petitioner, on 4 August 2019 at around 11 a.m., the dead bodies of Audrey Suzanne MENGUE ZANG and Pierre ABESSOLO ABESSOLO were discovered in a snack bar located in the town of Kye-Ossi. Following the visit of administrative and judicial authorities to the tragic scene, the Prosecutor's Office of the Ambam and Ntem Valley Courts of First Instance referred the case to the Kye-Ossi Public Security Police Station for investigation. The main suspect prosecuted in this case, Emmanuel NGUAKI, of Cameroonian nationality, was acquitted for lack of witness, following a decision rendered on 23 December 2019 by the Ambam High Court. As a matter of fact, no witness appeared in court during the hearings of the case. Also, relatives of the deceased ABESSOLO ABESSOLO testified before the court that he had unsettled scores, not with Cameroonians, but rather with persons of Equatoguinean nationality, regarding a car deal. The judgment handed down by the above-mentioned court was not appealed.

This alarming recurrence of violations of the right to life prompted the Commission to recommend to competent authorities to ensure that investigations are conducted diligently and thoroughly, that judicial proceedings against the perpetrators of these crimes are expeditious and that the results of the investigations are communicated as widely as possible, in the shortest possible time, as well as the effective application of the corresponding sanctions, as a deterrent measure to prevent the future occurrence of such acts.

Paragraph 2.- Violation of the right to physical and moral integrity

In 2020, the NCHRF recorded 144 alleged violations of physical and moral integrity through complaints, representing 13.48% of the total number of complaints received, the most recurrent of which related to physical assaults, domestic violence and other forms of violations, including gender-based sexual violence, which will be discussed in the section on women's rights (Part 4, Chapter III).

Also, 33 cases of torture and other cruel, inhuman or degrading treatment were recorded, representing 3.9% of the violations recorded.

It is worth noting in this regard that under the terms of paragraph 5 of Section 277-3 of the Penal Code⁸² :

[...] the term torture shall mean any act by which acute pain or suffering, either physical, mental or psychological, is intentionally inflicted to a person acting in an official capacity or at his instigation or with his express or implied consent, in order to obtain information or confessions from that person or from another, to punish her for an act that she or any other person has committed or is presumed to have committed, to intimidate or overawe her or any other person, or for any other motive based on any discrimination.

These provisions indicate that torture takes several forms, such as the status of the perpetrator acting in an official capacity, the intention of the perpetrator to inflict pain and the intention of the perpetrator to extract a confession, intimidation, overawing or punishment. Torture defined in these terms can be physical or moral, and even psychological.

⁸² Loi No. 2016/007 of 12 July 2016.

As far as torture is concerned, in 2020, the Commission observed that this practice continued during detentions and other forms of deprivation of liberty or during hearings. According to NCHRF statistics, the North West and South West Regions recorded the highest number of allegations of physical and moral abuses, 11 (33.33%) and 7 (21.21%) respectively, followed by the Centre and North Regions, with 5 cases (15.15%) and 4 cases (12.12%) respectively.

The following are some alleged cases of torture recorded by the Commission during the year under review.

Case 8 - Case opposing Stéphane Ariel EBA OBAMA to Fulbert Flaurent AWONO AMIE

On 9 April 2020, Mr. EBA OBAMA filed a complaint at the NCHRF Centre Regional Office against Mr. Fulbert Flaurent AWONO AMIE, a gendarme on duty at the Ministry of Defence, denouncing alleged acts of torture and illegal retention of his property.

The details of this case are as follows. In the evening of 22 March 2020, at about 7 p.m., Mr. Fulbert Flaurent AWONO AMIE stopped Mr. EBA OBAMA in a street of his neighbourhood, around Melen in Yaounde, and compelled the later to follow him, at gunpoint. On reaching the accused's home, Mr. EBA OBAMA was severely beaten, after being stripped naked and doused with water, on the grounds that he was having an affair with Mr. AWONO AMIE's companion, who was also present at the scene.

Subsequently, the accused confiscated the victim's mobile phones and SIM cards. The latter was then removed *manu militari* from the accused's home by officers of the Melen gendarmerie, following an alert from the neighbourhood. Mr. EBA OBAMA was subsequently detained in a cell of the above-mentioned brigade, where he claimed to have been tortured for three days before being released. Enclosed to his complaint was a medical certificate and some photographs as evidence of his physical abuse.

In an effort to obtain redress, including the restitution of his phones and SIM cards, as well as compensation for the damage he suffered, Mr. EBA OBAMA filed a complaint against the accused at the Military Security Division (SEMIL) on 16 April 2020. His case was referred to the SEMIL Centre Regional Office, where he was interviewed repeatedly.

Summoned for a zillionth time by his investigator on 24 April 2020 after the hearing of Mr AWONO AMIE, the petitioner was informed of his custody on the grounds that he had engaged in an intimate relationship with "*the gendarmerie's wife*", considered to be the accused's companion. During this custody, he claims to have been molested with a machete, both by the captain of the SEMIL Centre Regional Office, as well as his investigator and other military personnel. According to Mr. EBA OBAMA, this treatment was inflicted on him following instructions from the accused's hierarchy.

Describing his treatment, he said that the captain, head of the unit, came to his cell and asked for a machete and a chair. The chair was allegedly positioned on his shins, while he was sitting on the floor with his back against the wall. Subsequently, he was repeatedly beaten with a machete on the soles of his feet, until he lost sensation, and also on the tips of his fingernails and on his knuckles. To prevent him from screaming, he was allegedly asked to remove his shirt, which was stuffed into his mouth. This treatment, which allegedly began early that evening, continued until late at night.

On Saturday, 25 April 2020 he was allegedly taken out of the cell and forced to lie face down. Machete strokes were once again inflicted on the soles of his feet and on his calves, causing severe tendon injury. After receiving this additional punishment, he claims to have been forced to clear grass around the premises of the SEMIL Office.

These facts, reported to the NCHRF on 27 April 2020, prompted an *investigative visit by the Commission to the SEMIL Centre Regional Office*. Talks with the investigator, the head of the SEMIL Regional Office, the head of the Criminal Affairs Department and the head of the Disciplinary Department of the SEMIL Regional Office provided the following information and allegations from the respondent:

- Mr. EBA OBAMA was indeed detained in the cell of the SEMIL Regional Office;
- the beatings he received were due to the “*resistance*” he allegedly put up, while being taken to the cell;
- the head of criminal affairs stated that Mr EBA OBAMA had forgotten to collect the certificate of loss of his national identity card (NIC) when he left the cell, thus rejecting the petitioner’s allegation that he had been required to pay cell fees to retrieve this document.

Furthermore, *the head of the SEMIL office stated that, in any case, the Military Security Division and its offices are not accountable to any civilian authority, since this service deals with situations involving military personnel.*

Following this visit, the Commission sent a correspondence to the SEMIL Head of Division on 6 July 2021, copying the Minister Delegate at the Presidency of the Republic in charge of Defence, reminding SEMIL agents of “*the obligation to respect human rights when carrying out procedures [...] obligation [which] was solemnly recalled by the President of the Republic [...] Head of the Armed Forces in his speech pronounced at the graduation ceremony of the 37th batch of the Combined Services Military Academy (EMIA) of Yaounde, on 24 January 2020 in the following terms: “In carrying out your missions, you have an obligation to respect human rights”.* Mr. EBA OBAMA was also advised to lodge a complaint to the Government Commissioner at the Yaounde Military Court reporting the treatment he received.

Case 9 - Case opposing CHEMUANGUH Family and dependants to Chief Warrant Officer NJOYA and other gendarmes of the Central Services of the National Gendarmerie

On 9 November 2020, the family and dependants of late NGWA Divine CHEMUANGUH, represented by Mr NJI Alphonsus CHEMUANGUH, filed a complaint at the Commission denouncing *acts of torture that led to the death of Mr. NGWA Divine CHEMUANGUH in the Central Judicial Research Department of the National Gendarmerie in Yaounde*. The petitioners implicated Chief Warrant Officer NJOYA and some gendarmes on duty in that unit.

Investigations carried out in this case revealed that Mr. NGWA Divine CHEMUANGUH was arrested in his home at “Montée Obili” in Yaounde, in the night of 28 to 29 October 2020, by a team of the National Gendarmerie led by Chief Warrant Officer NJOYA. Handcuffed with his hands behind his back, he was taken to the courtyard of the family compound in the presence of his wife, where he was beaten by the accused, using the butts of their rifles, causing bleeding from the victim’s nose and ears. At around midnight, the victim and his companion were taken to the National Gendarmerie. An hour later, Mr. NGWA Divine CHEMUANGUH was taken back home, and later carried to the back of the family compound in complete unconsciousness, supported by two (2) gendarmes, without any witnesses. Chief Warrant Officer NJOYA came out a few minutes later holding a firearm allegedly hidden in the family poultry house, which he claimed was belonging to NGWA Divine CHEMUANGUH. The latter denied being the owner, claiming that it was a set-up. The team of gendarmes then took him back to their brigade.

Despite numerous visits to the National Gendarmerie between 29 October and 1st November 2020, Mrs. Grace CHEMUANGUH was never allowed to see her brother, who was kept in custody, despite

her insistence. However, she states that Chief Warrant Officer NJOYA told her that *her brother was being prosecuted for acts of organised crime, even though he had no criminal record*. On 1st November 2020, she was informed of the death of Mr. NGWA Divine CHEMUANGUH through a phone call, and the correspondant invited her to come and discharge the body at the National Gendarmerie's infirmary at "Camp Yeyap". A Medical Certificate of Cause of Death was issued by Lieutenant-Colonel Jean Luc BENGONO OBE, certifying that Mr. NGWA Divine CHEMUANGUH died as a result of several traumatic injuries.

However, considering that the corpse of the deceased showed traces of physical violence, the family requested a second Medical Certificate of Cause of Death from the emergency unit of the Yaounde Central Hospital, mentioning "*bilateral mydriasis, cardiac auscultatory silence*"; hence the doctor's request for an autopsy. The autopsy concluded that the victim suffered a "*violent death*".

A thorough examination of the facts reported by Mrs. Grace CHEMUANGUH during her hearings on 10, 13 and 17 November 2020, at the NCHRF Centre Regional Office prompted a visit by the Commission to the central services of the National Gendarmerie, where they met with the Head of the Central Judicial Research Service. The latter, without providing details on the treatment handed to the deceased at the time of his arrest, affirmed that Mr. NGWA Divine CHEMUANGUH was being investigated for *acts of organised crime* and that *an internal enquiry was underway at the level of the Gendarmerie's General Inspectorate to shed light on the circumstances of his death*. He added that Mr. NGWA Divine CHEMUANGUH was not subjected to any form of torture, and that he received adequate care while in custody.

Subsequently, the petitioning family informed the Regional office of the actions suggested to them. Mrs Grace CHEMUANGUH was interviewed by the Military Security services and the case was referred to the Head of the Military Security Division. More so, she was summoned to the National Gendarmerie's General Inspectorate for the same purpose and her lawyer referred the matter to the Secretary of State for Defence in charge of the National Gendarmerie, as well as the Minister of Defence for jurisdiction. In addition, Mrs Grace CHEMUANGUH stated that *the body of the victim was sealed by the central services of the National Gendarmerie and kept for investigative purposes*.

Considering the severity of the facts and based on information obtained during the Commission's visit to the Central Judicial Research Department of the National Gendarmerie, the NCHRF Regional Office recommended that the petitioners file a complaint to the Government Commissioner at the Yaounde Military Court to report the situation and bring those responsible to justice. For its part, the Commission referred the matter to the Secretary of State for Defence in charge of the National Gendarmerie on 20 September 2021, copying the Minister of Defence.

Regarding cases of assault, the NCHRF paid particular attention to the phenomenon known as "*microbes*" in the city of Douala.

As a matter of fact, during the month of November 2020, citizens of Douala experienced frightening situations due to the recurrence of mass acts of assault in streets and neighbourhoods, carried out by groups of young people aged between 12 and 19 years, nicknamed "*microbes*" due to their modus operandi, which is similar to that observed in Côte d'Ivoire in recent years, involving groups of young people within the same age bracket, who engage in acts of looting, stabbing, rape and all forms of urban crime, obviously under the influence of drugs.

Thus, Akwa, Ndokoti, Deïdo and other neighbourhoods of Douala were the preferred target of these groups of delinquents, who attacked roadside businesses with machetes, clubs and daggers, destroying goods and sheds, and stripping victims of their possessions.

The NCHRF Littoral Regional Office took up the matter and on Monday, 9 November 2020, a team from the Regional Office carried out an investigative visit to the Deïdo neighbourhood to ascertain the situation.

The findings of the investigation revealed that young boys, aged 19 years or less, had attacked businesses and homes in the area, making death threats, robbing shops and snatching wallets, mobile phones and other items from passers-by. In response, the population organised themselves into vigilance committees armed with machetes and knives to secure the access points and streets of the neighbourhoods.

Administrative authorities, on their part, responded by deploying law enforcement forces in the city, organising lock-downs in the relevant neighbourhoods, and arresting people suspected of participating in these acts of vandalism, placing them under administrative custody, while conducting investigations. These measures, ordered by the Senior Divisional Officer of the Wouri, reassured the population and temporarily put an end to the recurrence of these acts of looting and gang assaults.

This phenomenon has led to numerous violations of people's rights, particularly the right to safety of goods and persons, including violations of physical and moral integrity, of property, of freedom of movement, etc.

In response to this situation and in order to prevent such insecurity, *the NCHRF recommends:*

- the reinforcement of mixed patrols to control and maintain order in the city's neighbourhoods;
- the supervision and capacity building of vigilance committees enabling them to act as effective relays of preventive information for administrative authorities and security forces;
- the promotion of civic education in the neighbourhoods by means of awareness-raising campaigns on the risks and dangers of juvenile delinquency, as well as on *the duties of the child in society*.

SECTION II.- OTHER VIOLATIONS OF THE SAFETY OF PERSONS

Apart from alleged violations of the right to life and physical and moral integrity mentioned above, other forms of violation of personal safety were recorded in 2020. These include the phenomenon of hostage-taking for ransom (**Paragraph 1**) and road insecurity (**Paragraph 2**).

Paragraph 1.- Hostage-taking and ransom demands

The phenomenon of hostage-taking followed by ransom demands, which began in some Northern Regions (Adamawa and the North) in 2013, continued to evolve until 2019, the year in which several security measures instructed by the President of the Republic were taken to curb the phenomenon. Among these measures, we can mention as a reminder:

- the deployment of 130 elements of the "Groupement polyvalent d'intervention de la Gendarmerie Nationale" [Nationale Gendarmerie Multi-dimensional Intervention Task Force] (GPIGN) in some localities of the Region, notably in the Ngan-Ha and Belel Sub-Divisions;
- support (motorbikes, funds, sleeping equipment, etc.) to local vigilance committees involved in securing access to villages;
- raising awareness among the public and other stakeholders to gain their support for the measures prescribed, as well as their collaboration in the fight against this phenomenon;
- distribution of various donations to affected populations, displaced to more secure localities or urban areas;

- construction of four (4) military posts of the Rapid Intervention Battalion (BIR) in the Mbéré Division, particularly in the Ngaoui, Batoua-Godélé, Dirr and Yamba localities. These posts, operational since 2021, are under the supervisory authority of the BIR base in Meiganga.

The implementation of these measures has significantly reduced the number of kidnappings in these regions, but also changed the *modus operandi* of the kidnappers.

Thus, during the year under review, very few cases were reported in localities that once suffered attacks by kidnappers. For example, in the second half of 2020, only one case of kidnapping was reported in the Mbéré Division of the Adamawa Region, with seven (7) hostages, including Hassimi, Ibrahima, Djounaidou and Housseini in the village of Wouro Dewa, and Martin and Zachée in the village of Yamba. All were rescued during the night of 7 to 8 September 2020 by elements of the BIR. During this operation, one hostage was unfortunately killed. Five (5) weapons were seized, as well as knives and several munitions.

In *contrast*, this phenomenon resurfaced in the North West and South West Regions, due to secessionist terrorist groups, who use it as a means to finance their criminal activities. Cases of kidnapping are regularly recorded by the NCHRF Regional Offices in these Regions. For instance, on 2 January 2020, the traditional chief of the Teze Ngie village in the Momo Division, Fon ATUGHAP Justin V, was abducted by secessionist terrorists for attending a political meeting of the Cameroon People's Democratic Movement (CPDM) in Mbengwi. Similarly, the chief of the Nso village, the queen mother of this village and the Cardinal Archbishop Emeritus of Douala, Mgr Christian TUMI, were kidnapped on 5 November 2020, around the place called "*Cane-chair*" in the Baba 1 village located in the Ngoketunjia Division of the North West Region, by a terrorist group established in this area. They were released the following day, on 6 November 2020, following a joint operation conducted by the Defence and Security Forces supported by the local population and elites.

Paragraph 2.- Road insecurity and highway accidents

According to road safety statistics, 633 deaths were recorded in 2020 (compared to 627 in 2019) as a result of road traffic accidents, despite the fact that road deaths fell by 41% in 8 years between 2011 and 2019⁸³. However, during the same period, nearly 24,736 cases of road accidents were recorded, with a decrease of 56.51%⁸⁴.

These accidents are mainly caused by speeding, poor road and vehicle conditions, driver fatigue, recklessness, overloading, drunk driving, poor parking, the risks taken by some agencies that conduct

⁸³ Data from the Ministry of Transport, Open Forum, No. 119 of 3 February 2021, p. 7. These data are presented as follows:

- in 2019, 1533 accidents and 627 deaths;
- in 2018, 1898 accidents and 782 deaths;
- in 2017, 2341 accidents and 929 deaths;
- in 2016, 2954 accidents and 1241 deaths;
- in 2015, 2896 accidents and 1091 deaths;
- in 2014, 3065 accidents and 1081 deaths;
- in 2013, 2997 accidents and 1160 deaths;
- in 2012, 3327 accidents and 1187 deaths;
- in 2011, 3525 accidents and 1588 deaths.

⁸⁴ *Road accidents dropped by 56.51% between 2011 and 2019 in Cameroon*, Cindy MBALA, Eco matin, www.ecomatin.net, consulted on 31 January 2022.

night journeys, the laxity of public and private agents in charge of various road safety controls, just to name a few.

Road accidents are more recurrent on the following roads: Yaounde-Douala, Yaounde-Bafoussam, Douala-Bafoussam and Yaounde-Bertoua.

To address this situation, the Ministry of Transport has taken road safety measures such as:

- the first aid training of 800 people living along the highways notorious for accidents;
- the development and study of plans to include road safety modules in school curricula;
- the training of 2,500 peer educators and 9,000 peer educators in first aid;
- the production and distribution of approximately 30,000 notebooks with road safety awareness messages printed on the cover.

In response to this phenomenon, the Commission urges the Government to take strict measures to reinforce road safety controls, implement the sanctions provided for by the regulations in force regarding road offences, and intensify awareness-raising among road users, about the Highway Code and responsible behaviour.

The Commission also urges road users to respect the Highway Code, including speed limits and other prohibitions.

SECTION III.-VIOLATION OF THE SAFETY OF GOODS: THE RESURGENCE OF CATTLE RUSTLING

In 2020, some regions of Cameroon experienced an upsurge in the phenomenon of cattle rustling, with the highest cases in the Adamawa and North Regions. It should be noted that this form of crime is perpetrated by hostage-takers, who were operating in these areas, non-state actors whose activities have been curbed by the deployment of defence and security forces within the fight against hostage-taking.

In fact, cattle rustling has taken on worrisome proportions, with a modus operandi almost similar to that of hostage-takers, namely sporadic attacks on grazing herds, followed by violent assaults on the vital parts of some cattle, or firing shots with the aim of dispersing the herd, and thus driving some of the cattle to unknown destinations.

This phenomenon occurred in all five (5) divisions of the Adamawa Region and the NCHRF recorded the theft of about five hundred (500) heads of cattle in the Vina Division alone, particularly in the Ngan-Ha Sub-Division (Tourninal Hosséré, Ngaouiré, Ngan-Ha, Wame-Grand, Nyassar, Gangassaou villages), the Belé Sub-Division (Tello, Baboua, Lipaou, Goundjel pastoral villages), the Martap Sub-Division (Massampou, Libong villages and others) and the Mbé Sub-Division (Karna Manga villages and others). Once stolen, these animals are often slaughtered in the bush and their meat sold in some clandestine meat markets in Ngaoundere and other localities like Wame-Grand, Gangassaou, Mbang Foulbé and Baka in the Mayo-Rey Division. Meanwhile, other animals are smuggled to cities like Douala or Yaoundé, or to neighbouring countries like Gabon, Central African Republic, Congo and Nigeria to be sold there.

Among the victims identified, ALADJI HAMOA and ALHADJI NANA, both cattle breeders in the Belé Sub-Division, lost thirty-five (35) cattle in their pastures in Idool, on 29 October 2020. Among them, five cattle were found a few days later, two (2) in Wame-Grand and three (3) in Baoussi-Ngaoundéré. These cattle were taken to the Ngaoundéré Gendarmerie Brigade on 16 November 2020 and handed over to their owners. Similarly, the ranch of Alhadji HAMADOU Dorofi, a wealthy breeder, located in the Wame-Grand village, was subject to multiple incidents of cattle rustling. The loot was

transported to remote markets areas. The latest case was the theft of eight (8) bulls from this ranch on 14 October 2020. In addition, a clandestine slaughterhouse was discovered in the cliff of the Gangassaou village at a place called *Variante*, which had four (4) cattle pens capable of holding more than two hundred (200) cattle.

CHAPTER II.- THE RIGHT TO A FAIR TRIAL

Access to justice is a fundamental principle of the rule of law. Such a principle enables citizens to be heard or to exercise their rights before any court. Cameroon lawmakers have asserted their commitment to the rule of law and safeguarding the right to a fair trial by virtue of the Preamble to the Constitution, which provides that: “*The law shall ensure the right of every person to a fair hearing before the courts.*”

After referring a matter to the courts, everyone is entitled to a fair and public hearing before a competent, independent and impartial judicial body established by law, which shall decide either on any criminal charge brought against them or any dispute concerning their rights and duties. This implies

- respect for equality of arms of litigants,
- equal access to courts without any discrimination,
- equality of all before the courts,
- the right to prepare one’s defence, submitting one’s arguments and evidence, responding to arguments and evidence of the opposing party, appointing a lawyer of one’s choice, being aided by an interpreter if necessary, being informed at all stages of proceedings, exercising the right to appeal,
- the right to a reasoned judgement,
- the right to be tried within a reasonable time,
- the right to effective enforcement of decisions, etc.

The right to a fair trial includes the right to be judged by an independent and impartial court, with respect for the principle of adversarial proceedings and the rights of the defendant.

Cases of violations of the right to a fair trial that the NCHRF recorded in 2020 mainly concerned arrests, police custody and arbitrary detentions (Section 1), violations of the *right to speedy judicial proceedings* and the enforcement of court decisions (Section 2).

SECTION I.- ARRESTS, POLICE CUSTODY AND UNJUST OR ARBITRARY DETENTION

As per the Preamble of the 18 January 1996 Constitution of Cameroon, amended and supplemented by Law No. 2004/018 of 14 April 2004, “*no person may be prosecuted, arrested or detained except in the cases and according to the manner determined by law.*” Law No. 2005/007 of 27 July 2005 on the Criminal Procedure Code specifies the modalities and conditions of criminal proceedings and detention. The law provides that arbitrary arrests, police custody and abusive detentions are cases of imprisonment without a warrant or legal status, either by exceeding the periods allowed for deprivation of liberty, or *detention in places not prescribed by law*, whether these discrepancies occur as part of judicial proceedings or not.

Examining the situation of arbitrary arrests and abusive police custody in 2020 will enable us to highlight the shortcomings of the legal and institutional frameworks for the protection against arbitrary arrests and abusive police custody (**Paragraph 1**) and outline some related cases that the NCHRF recorded during the reference year (**Paragraph 2**).

Paragraph 1. Shortcomings of the Legal and Institutional Frameworks for the Protection against Arbitrary Arrests and Abusive Police Custody

Cameroon lawmakers have outlined several instances that may lead to arrest or detention. When a citizen breaks the law, they may be placed under detention, based on the nature of the offence, its severity, or the circumstances under which it was committed. The Criminal Procedure Code provides for measures of arrest and/or detention in the following cases:

- In cases of flagrante delicto, after the offence is committed, the suspect is pursued by public clamour, or when soon after the offence is committed, the suspect is caught with an item or shows signs or traces suggesting that he took part in the felony or misdemeanour. In such cases, the State Counsel may issue a remand warrant if he or she considers that there are sufficient charges and that the facts are likely to justify the measure⁸⁵.
- In cases of imprisonment in default of payment, a criminal court decides a measure aimed at obliging a convict to pay fines or make compensations. The Chief Judge that pronounces the judgement shall issue a warrant of detention for imprisonment in default of payment which aims at compelling a convict to execute a pecuniary sentence pronounced against him or make restitution due to the State as ordered by the court⁸⁶.
- In cases of police custody (police measure under which a person is held in a judicial police station for a limited period of 48 hours renewable twice, at the discretion of the prosecutor, as part of a preliminary investigation to ascertain the truth)⁸⁷.
- During administrative custody as per Law No. 90/054 of 19 December 1990 relating to the maintenance of law and order, which allows the administrative authorities to “*take measures to detain persons for a renewable period of fifteen (15) days to fight banditry*”.
- In cases of remand in custody, the Examining Magistrate shall specify the period of remand in custody in the remand warrant. It shall not exceed six months. However, such period may, by a reasoned ruling of the Examining Magistrate be extended for at most 12 months in the case of a felony and six months in the case of a misdemeanour⁸⁸.
- In cases where the person has been sentenced to custody enforceable as per law, etc.

Despite the provisions regulating arrests and detentions, there are several discrepancies and inconsistencies in the law and judicial practice, which are likely to result in violations of the right to freedom of defendants in criminal proceedings. These include the provisions of Section 11 of Law No. 2014/028 of 23 December 2014 of the suppression of Acts of terrorism, under which: “*For this law, the duration for remand in custody shall be fifteen (15) days, renewable upon the authorization of the State prosecutor.*” An in-depth examination of this provision suggests that *there is a certain lack of clarity concerning the scope under which the government commissioner can renew police custody which exposes suspects to unlimited detention.*

SECTION 142(1 and 2) of the Criminal Procedure Code provides that: “Preliminary inquiries shall be obligatory in cases of felonies unless otherwise provided by law [and] They shall be discretionary in case of misdemeanours and simple offences.” However, concerning juvenile delinquency, Section 700(1) of the Code states that “a preliminary inquiry shall be compulsory for a felony or a misdemeanour committed by minors aged less than eighteen (18) years.” Hence, many minors prosecuted for misdemeanours are automatically subject to a preliminary inquiry and are most often held in remand in custody for periods of up to 12 months, yet in the same circumstances, adults prosecuted for offences could be exempted from remand in custody owing to the optional nature of preliminary inquiry for this kind of misdemeanour.

Both police custody and pre-trial detention are open to abuse when the provisions governing them are not applied. In such a case, Sections 236 and 237 of the Criminal Procedure Code provide for the

⁸⁵Section 103 of the Criminal Procedure Code.

⁸⁶Section 557 of the Criminal Procedure Code.

⁸⁷Sections 119 120 of the Criminal Procedure Code.

⁸⁸Section 221(1) of the Criminal Procedure Code.

possibility of obtaining compensation in the event of illegal detention or arbitrary remand in custody, when the procedure ends in a no-case ruling or acquittal. Victims, in principle, may then refer to the Commission for the Compensation of Victims of Illegal Detention or Police Custody to seek compensation. However, the Commission remains almost ineffective since its establishment in 2018. It is neither competent to hear cases of illegal detention that have resulted in a stay of proceedings for lack of evidence nor unestablished facts.

Recommendations

The NCHRF makes the following recommendations subsequent to the above observations:

- The amendment of the provisions of the Criminal Procedure Code and the laws relating to the maintenance of law and order to harmonise the time frame for police custody in legal proceedings before the public prosecutor and the government commissioner, and in administrative custody
- The harmonisation of the provisions of the Criminal Procedure Code relating to a preliminary inquiry and the suppression of mandatory preliminary inquiry for minors in case of misdemeanour
- The operationalisation of the Commission for the Compensation of Victims of Illegal Detention or Police Custody and the extension of its jurisdiction to include cases of illegal police custody that have resulted in a stay of proceedings for lack of evidence or unestablished facts.

Paragraph 2.- The NCHRF Actions in Addressing Alleged Cases of Illegal Arrest and Detention

In 2020, the NCHRF received 62 complaints for illegal arrests and detentions, representing 6.04 per cent of all complaints. The cases hereafter give an account of the NCHRF interventions following alleged arbitrary arrests, illegal detentions or police custody during the reference year.

Case No. 10 - Seidou HAMADICKO on behalf of Billal MOHAMAN DICKO vs. Police Inspector BOUGANG

On 16 September 2020, Mr Seidou HAMADICKO went to the NCHRF Centre Branch Office to report the arrest followed by abusive police custody and acts of torture inflicted on his son, Billal MOHAMAN DICKO, aged 19. The complainant accused Police Inspector BOUGANG, on duty at the Central Police Station No. 2 of Yaoundé in Tsinga quarter.

The complainant alleged that his son Billal MOHAMAN DICKO was arrested by the respondent, without a warrant nor a title, on 15 September 2020 at TRADEX Tsinga Elobi for collusion in the robbery of a motorbike, although he did not possess the allegedly stolen motorbike upon his arrest. His son was brought to the cells of Central Police Station No. 8, close to Central Police Station No. 2, where the defendant tortured him. The complainant asserted that when he went to the police station on 15 and 16 September 2020 to find out what his son was accused of, the defendant refused him access on the grounds that *his son was not entitled to any visits*, and he (the Inspector) was alone to decide whether or not the accused could be visited while awaiting his transfer to the prosecutor's office within the next few days. He stated that despite this refusal, his wife was able to meet with the detainee on the night of 15 September 2020 at 9 pm, because a police officer on duty at the station intervened.

According to the complainant, this case appears to be a settling of scores (misuse of power) in a matter pitting his family against the respondent. The matter was brought before the military discipline unit of the General Delegation for National Security. Police Inspector BOUGANG apologised to the family for the harm and both parties agreed on an out-of-court settlement. Since then, the respondent has threatened and intimidated his family.

To follow up on this complaint, an NCHRF team conducted a visit to Central Police Station No. 2 on 16 September 2020, where they met with Divisional Commissioner YOSSA Jean-Paul, head of this unit, and the detainee. The Inspector refused to discuss the case. The victim confirmed his father's allegations concerning the conditions of his arrest during discussions. Mr Billal MOHAMAN DICKO refuted the accusations against him and *stated that no complaint had been served against him, but he had received machete blows on the soles of his feet*, resulting in injuries that prevented him from putting his feet on the ground.

After this visit, the following observations were made: only Mr Billal MOHAMAN DICKO's name was mentioned in the police record, with no mention of the complainant, and the *defendant refused to produce the complaint that had led to the victim's arrest*. Billal MOHAMAN DICKO had sores on the soles of his feet, probably from the machete blows he claims to have received.

As per the information gathered during the visit, the regional branch helped the victim refer the matter to the State prosecutor at the Court of First Instance of Yaounde - Administrative Centre, reporting the procedural flaws in the proceedings in this case and requesting his intervention to release him. The complainant filed this motion the same day.

On 23 September 2020, the complainant notified the Central Regional Branch that his son had been released, as the respondent had been unsuccessful in responding to the prosecutor's request for further investigation following his deferral on 21 September 2020.

Case No. 11 - *TIAVE MEMBOU Herbert vs. Prosecutor at the Court of First Instance of MFOU and Captain METOU'OU*

On 28 December 2020, Mrs TIAVE filed a complaint with the NCHRF Centre Branch Office for the illegal detention of her husband, Mr TIAVE MEMBOU Herbert. The complainant and accused the Public Prosecutor's Office of Mfou and Captain METOU'OU, a military officer on duty at the Department for the Presidential Security.

According to the complainant, Mr TIAVE MEMBOU Herbert was held in custody on 15 December 2020 in the cells of the Nsimalen Gendarmerie after having been summoned following a complaint from Captain METOU'OU.

The situation stemmed from a piece of land that the couple TIAVE MEMBOU had acquired in the Mfou area through a notary public and which was fragmented. Mr METOU'OU initially requested the victim to stop the topographic surveys, alleging that it was his property. He then had barbed wire installed on the property. All these actions and Captain METOU'OU's threats did not prevent Mr TIAVE from carrying on work on the disputed land, which led to his summons, and his detention.

Mr TIAVE was brought before the Prosecutor at the Court of First Instance of Mfou on 21 and 28 December 2020 and was not allowed to meet with the Prosecutor, nor was any action taken concerning his case. All efforts made by his lawyer to have him released were futile, since the prosecutor had ordered the search for and arrest of the customary owners of the disputed land, in the absence of whom Mr TIAVE could not be released.

This custody, which started in the cells of the gendarmerie of Nsimalen, continued in Mfou in the cells of the gendarmerie and the public security police station of the town.

Mrs TIAVE reported that her husband was still in police custody upon her visit to the NCHRF Centre Branch Office on 30 December 2020. To follow up on the case, the staff Regional Branch Office

drafted, on behalf of the victim a request for intervention to the Prosecutor at the Mfou Court of First Instance and copied the State Prosecutor at the Centre Court of Appeal and the Minister of Justice Keeper of the Seals for information. The Commissioner of Mfou released the victim following a request from the Prosecutor of the Mfou Court of First Instance.

On 14 January 2021, Mrs TIAVE notified the NCHRF that she and her husband kept receiving threats from the Commander of the Nsimalen gendarmerie, who regularly trespassed on their land, seized construction equipment, and arrested and illegally detained workmen on the site. In most cases, the restitution of the equipment and the release of the workers were conditioned by payment of money.

This information prompted the NCHRF to conduct investigative visits to the Nsimalen gendarmerie and the Mfou gendarmerie company. The Heads of these gendarmerie units referred the NCHRF team to Nsimalen because the detainee did not fall within their competence and they were only guardians during the investigation, considering difficulties related to judicial transportation from Mfou to Nsimalen. The Commissioner of Mfou, in turn, indicated that Mr TIAVE spent two days in the cells of his unit, from 28 to 30 December 2020, following instructions from the Public Prosecutor, who then ordered his release on bail and for the matter to be referred to the Nsimalen Gendarmerie.

Despite the difficulties encountered when this complaint was handled, *the diligence of the Commission's regional office made it possible to put an end to the harassment that the complainants were undergoing*. In addition, at the time this report was finalised, the two litigants had arrived at an agreement whereby Captain Metou'ou, having regained his composure, offered the complainants another piece of land to keep the disputed one. The complainants found this compensation satisfactory and accepted it.

SECTION II.-VIOLATIONS OF THE RIGHT TO SPEEDY LEGAL PROCEEDINGS AND THE RIGHT TO ENFORCEMENT OF COURT DECISIONS

The right to speedy legal proceedings and the right to enforcement of court decisions follow the right to a fair trial. This section will examine the legal framework concerning these rights (**Paragraph 1**), and the difficulties observed in achieving them in 2020 (**Paragraph 2**).

Paragraph 1.- The Legal Framework for the Right to Speedy Legal Proceedings and Enforcement of Court Decisions

The right to speedy legal proceedings is enshrined in several laws that lay down the time frame for the various stages of legal proceedings. For instance, during the preliminary investigation, Section 119(2) of the Criminal Procedure Code establishes that the time allowed for remand in custody shall not exceed 48 hours, renewable once and a second time at the discretion of the State Prosecutor when he or she deems it necessary. *After this time frame, police custody is considered illegal*. Similarly, concerning the preliminary inquiry, the period of investigation shall not exceed six months, and may be extended upon a reasoned order from the Examining Magistrate for at most twelve months for felonies and six months for misdemeanours as per the provisions of Section 221(1) of the same Code.

The law has provided for emergency procedures, streamlined to prevent the risk from occurring, if necessary, by adopting precautionary measures in some cases or when there is an imminent danger. These include summary proceedings.

Concerning court decisions, especially those that are enforceable, they are only valid when applied by the defeated party. The enforcement of these court decisions contributes to legal certainty. Yet, it

remains a permanent challenge within the States – especially when the decisions are accompanied by remedial measures or any other benefit granted to the winning party at the end of a trial, which explains its legal framework to ensure their effective enforcement.

At the national level, the right to enforcement of court decisions is based on the provisions of the Preamble to the 18 January 1996 Constitution, which states that “*the law shall ensure the right of every person to a fair hearing before the courts*” and the OHADA Uniform Acts, the Criminal Procedure Code, the Civil and Commercial Procedure Law, Law No. 97/18 of 7 August 1997 amending and supplementing the provisions of Law No. 92/008 of 14 August 1992 relating to the enforcement of court judgments, Law No. 2007/001 of 19 April 2007 to institute a Judge in charge of Litigation related to the execution of judgements and laid down conditions for the enforcement in Cameroon of foreign court decisions, public acts and arbitral awards, Decree No. 79/448 of 5 November 1979 to regulate the duties and lay down the rules and regulations of the bailiff.

Paragraph 2.- Difficulties Observed in Achieving the Rights to Speedy Legal Proceedings and Enforcement of Judgments in 2020

A fair trial means that the proceedings must be completed within a reasonable period, enabling the parties to decide on their fate and, if necessary, to exercise their right to appeal. However, many cases of judicial bottlenecks are observed during the preliminary investigation, preliminary inquiry and trial. At the preliminary investigation stage, these delays stem from the multiple challenging procedures between prosecutors’ offices and judicial police officers because of further investigations, the distance of police custody units from prosecutors’ offices.

Concerning preliminary investigations, the delays are attributed to insufficient human resources, lack of specialised magistrates for each case, or the failure of some defendants to appear, especially those deprived of their liberty, etc. Concerning the trial phase, procedures are slow because of the multiple postponements of hearings on spurious grounds, the practice of dilatory tactics by the parties, and the inadequacy of courtrooms in the courts, to mention a few, which in general, derive from the inadequacy of the financial resources allocated to the judicial system, as a result of the result of the country’s underdevelopment.

In 2020, the issue of non-enforcement of court decisions remained the soft underbelly of the judiciary, so much so that *Mr Daniel MEKOBE SONE, the First President of the Supreme Court, while reviewing the year 2020* in his speech to mark the opening of the new judicial year on 25 February 2021 in Yaounde, *decried the difficulty of enforcing court decisions in Cameroon* and urged all stakeholders in the judiciary to abide by the decisions of the court once they have become final. He pointed an accusing finger at *some lawyers who do not spontaneously respect court decisions*. He equally condemned the *multiplication of requests to obstruct the enforcement of decisions and other tampering marked by corruption*, and *unlawful acts of some administrative authorities that subject the enforcement of court decisions to their prior agreement*. He mentioned the circular letters signed respectively on 10 August 2004 and 2 March 2020 by the Minister of Housing and Urban Development, and the Minister of State Property, Surveys Land Tenure, which subject the enforcement of court decisions concerning their respective areas of competence to their prior approval⁸⁹. The following case illustrates the difficulties that litigants face when it comes to enforcing court decisions.

⁸⁹ See circular letter No. 00219/L10/MINUH/A000 of 10 August 2004 relating to the enforcement of court judgments and circular letter No. 007/LC/MINDCAF/CAB of 2 March 2020 relating to the enforcement of court judgments in land and property matters.

Case No. 12 - *Jacob SAAKINVO vs. the Mfoundi High Court*

On 11 June 2020, Mr Jacob SAAKINVO filed a complaint with the NCHRF Centre Branch Office, reporting the violation of his right to the enforcement of court decisions, implicating the Mfoundi High Court.

The complainant, a victim of an occupational accident in 2010 at the *Société de distribution des Produits alimentaires du Cameroun* (SODIACAM), referred the matter to the National Social Insurance Fund (NSIF), to claim remedy in compensation for an occupational accident. Given NSIF's refusal to pay such compensation, because his medical certificate showed inconsistencies, Mr Jacob SAAKINVO referred the matter to the Mfoundi High Court, which handed down judgment No. 36/RG-CRCPSC of 11 May 2018 granting him a remedy.

To enforce this court decision, the complainant asserted that he unsuccessfully requested the Registrar of the Mfoundi High Court to issue a certificate of non-appeal to attest to the enforceability of the decision and issue a copy. Once notified, the NCHRF conducted a visit to the office of the President of the Mfoundi High Court. The Registrar on duty said that she could only issue a certificate of non-appeal if the NSIF would confirm, in a written letter addressed to the President of the Mfoundi High Court, that no appeal had been lodged against the above-mentioned decision. Such statements, which seemed to reveal shortcomings in the public service of justice, prompted the NCHRF Centre Branch Office to send a letter to the President of the Mfoundi Court of Appeal, copying the Minister of Justice, Keeper of the Seals, on 28 December 2020, to call their attention to the situation and obtain further information on the case.

As part of following up on this case, a team from the National Human Rights Institution of Cameroon conducted a visit to the Registrar's Office of the Court of Appeal of the Centre in November 2021. It emerged that the NSIF had effectively lodged an appeal against the judgement of the Mfoundi High Court and that the case was on hold for registration. The complainant was then notified.

CHAPTER III - RIGHT TO IDENTITY AND CITIZENSHIP

Every human being has the right to an identity from birth, and this allows them to have a name, a line of descent and a nationality. Citizenship has to do with the enjoyment of the civic rights attached to nationality. Therefore, the citizen has rights, as well as duties and should demonstrate respect for the law for the benefit of the public.

The legal framework regulating the Cameroonian nationality, and therefore citizenship, is defined by Law No. 1968-LF-3 of 11 June 1968, to set up the Cameroon Nationality Code, supplemented by Decree No. 1968-DF-478 of 16 December 1968 to establish Rules of Procedure under the Nationality Code. These documents show that Cameroonian nationality is recognized by right to:

- *A legitimate child born of Cameroonian parents or of a Cameroonian father or a Cameroonian mother.*
- *An illegitimate child whose natural parents or (one) to whom filiation has been established are Cameroonian.*

It can be noted therefore that the establishment of the child's identity and line of descent are prerequisites for the acquisition of Cameroonian nationality. Acquiring Cameroonian nationality also enables the citizen to enjoy civic rights, including the right to participate in the management of public affairs.

A review of the respect for the right to identity and citizenship in Cameroon in 2020 will enable to examine the nagging question of issuance of birth certificates (Section 1), and the right to participate in the management of public affairs (Section 2).

SECTION I.- THE ISSUE OF ESTABLISHING BIRTH CERTIFICATES

Article 6 of the African Charter on the Rights and Welfare of the Child (ACRWC), ratified by Cameroon on 5 September 1997, states that:

- *Every child shall have the right from his birth to a name.*
- *Every child shall be registered immediately after birth.*
- *Every child has the right to acquire a nationality.*

At the national level, the legal recording of births is governed by Ordinance No. 81/02 of 29 June 1981 to organize civil status registration and various provisions relating to the status of natural persons and Law No. 2011/011 of 6 May 2011 to amend and supplement certain provisions of the above-mentioned Ordinance. These documents provide that issuance of birth certificates in Cameroon is subject to specific procedures (**Paragraph 1**). However, in practice, many challenges make it difficult to access this record, thus depriving many people of enjoying the rights attached to it (**Paragraph 2**).

Paragraph 1.- The procedure for issuing birth certificates in Cameroon

According to the provisions of Sections 30 and 31, in the initial paragraphs, of Law No. 2011/011 of 6 May 2011 amending and supplementing certain provisions of the Ordinance of 29 June 1981 on the organisation of civil status and various provisions relating to the status of natural persons,

the birth must be declared to the registrar within 60 (sixty) days of the birth [and] when the child is born in a hospital, the head of the hospital or, failing that, the doctor or any person who assisted the mother, is required to declare the birth of the child within 30 days of the birth

Paragraph 2 of Section 31 specifies that [“if the birth has not been declared within the time limit by the persons referred to in paragraph 1 above, the parents of the child have an additional period of 60 days to make the declaration to the registrar of the place of birth”].

It follows from these provisions that parents have an overall period of 120 or 90 days, depending on whether or not the child was born in a health facility, to declare the birth of the child to the civil registrar. Such declaration is an obligation, the non-compliance of which exposes offenders to the penalties provided in Section 370 paragraph 11 of the Penal Code, which states that:

the following persons shall be punished with a fine of from 4,000 to 25,000 francs, or with imprisonment for from five to 10 days, or with both such imprisonment and fine: those who, having been present at a delivery, do not make within the period of time prescribed by the law, any declaration of birth which the law may require; those who; having found a new-born child, do not turn the latter over to the Civil Status Registrar or, if they wish to take charge of the said child, do not make a declaration to that effect to the Civil Status Registrar of their local council.

However, birth declarations after the expiry of the above-mentioned time limits may be registered by the civil registrar at the request of the public prosecutor, who is referred to within six months of the birth, or by virtue of a judgement handed down by the competent court, under the conditions provided by law, when the birth has not been declared within six months⁹⁰. These special arrangements, the lawmaker provides for, aim to ensure that the child does not permanently lose the benefit of his or her rights to identity and nationality because of third parties (parents, doctors, nurses, midwives etc.). Once the child becomes an adult, they can obtain a birth declaration to register their birth and reconstitute their identity.

At the institutional level, the main actors involved in issuing birth certificates in Cameroon are:

- The healthcare facilities through their main managers or the doctors or any other person who assisted the mother during the delivery
- Main civil registrars (these are government delegates and assistants to urban councils, mayors and assistants, heads of diplomatic missions or consular posts and diplomats acting on their behalf, presidents and vice-presidents of special delegations set up in applicable communities etc.)⁹¹
- Secondary civil registrars (these are citizens appointed by the Minister in charge of regional and local authorities to the secondary civil status centres, in line with the opinion of the Senior Divisional Officer of the jurisdiction concerned)⁹² and those instituted by decree of the President of the Republic in the event of war or serious crisis ⁹³
- The National Civil Status Registration Office, which is mainly responsible for monitoring and verifying that civil status registers are properly kept, and for creating and managing the national civil status file⁹⁴
- The competent courts for personal status matters, when they are involved in cases of issuance or reconstitution of birth certificates under the law.

⁹⁰ See Law No. 2011/011 of 6 May 2011 amending and supplementing certain provisions of the Ordinance of 29 June 1981 on the organisation of civil status and various provisions relating to the status of natural persons, Sections 32 et 33.

⁹¹ *Idem*, paragraphs 1 and 4 of Section 7.

⁹² *Idem*, paragraph 5 of Section 10.

⁹³ *Idem*, paragraph 3 of Section 7.

⁹⁴ *Idem*, paragraph 1 of Section 10.

The NCHRF has observed that despite this legal and institutional framework, there are still many challenges concerning the issuance of birth certificates.

Paragraph 2.- Challenges to issuing birth certificates in Cameroon

The *birth registration rate of U-5 at the national level was estimated at 66 per cent*, according to statistics from the National Institute of Statistics for the year 2020. The Far North Region recorded the lowest rate, 42 per cent, followed by the South-West and East Regions, with 56 per cent and 58 per cent respectively⁹⁵. This low birth registration rate can be explained by various cultural, structural and material factors.

At the cultural level, this has to do with the customs of certain communities that are accustomed to practices such as home births, failure to send children to school, especially young girls, and nomadism, etc. Such communities *distrust administrative authorities and this contributes greatly to their failure to register births*. At the structural level, the distance from the registration centres and lack of training of staff responsible for birth registration, the high cost of legal procedures for issuing or reconstituting birth certificates, corruption practices, coupled with the accumulation of salary arrears for staff of regional and local authorities and the lack of *remuneration for secondary civil registrars*, are some of the reasons why people are not interested in issuing birth certificates, especially in the rural areas.

Concerning material factors, these include the inadequacy or absence of civil registers in the main or secondary centres.

The failure of birth registration has serious effects on the exercise and fulfilment of many other rights such as the right to education, the right to freedom of movement, the right to participate in the management of public affairs, the right to work, the right to own property, the right to inheritance, etc. Concerning the right to education especially, *out of 4,942,000 children enrolled in nursery and primary schools for the 2019-2020 school year, 1,785,668 did not have birth certificates*, including 808,609 in the Northern Regions.⁹⁶ This alarming situation means that hundreds of thousands of children in primary school may not be able to sit for the end-of-primary school exams, namely the Government Common Entrance Examination (*Concours entrée en 6è*) and Certificat d'études primaires.

In 2020, the NCHRF observed that a major challenge was the security situation in the Far North, North-West and South-West Regions, which had a particularly negative effect on issuing or reconstituting birth certificates for IDPs. According to statistics from the UN Office for the Coordination of Humanitarian Affairs in Cameroon, in 2020 there were almost 1,032,942 conflict-related IDPs, 711,056 because of the situation in the North-West and South-West, and 321,886 because of *Boko Haram* attacks.⁹⁷

Most of these IDPs were left without identification documents, which had been either destroyed or abandoned while fleeing. Reconstituting these documents has remained an ongoing challenge in several IDP localities, increasing their vulnerability by depriving them of certain rights, including the right to participate in the management of public affairs.

⁹⁵ Yvan BOUNOUNG, "Établissement des actes de naissance : l'Assemblée nationale préoccupée", www.cameroon-tribune.cm, online 16 November 2020, accessed on 18 February 2022 at 15 :05.

⁹⁶ Speech by the Minister of Basic Education during the launch of the 2019-2020 school year.

⁹⁷ Situation Report, UN Office for the Coordination of Humanitarian Affairs, 31 December 2020.

SECTION II.-RIGHT TO PARTICIPATE IN THE MANAGEMENT OF PUBLIC AFFAIRS AS AN ASPECT OF GOOD CITIZENSHIP

The right to participate in the management of public affairs is enshrined in Article 13 of the African Charter on Human and Peoples' Rights (ACHPR) which states that:

- *Every citizen shall have the right to participate freely in the government of his country, either directly or through freely chosen representatives in accordance with the provisions of the law.*
- *Every citizen shall have the right of equal access to the public service of the country.*
- *Every individual shall have the right of access to public property and services in strict equality of all persons before the law.*

Citizen participation in the management of public affairs can take place either directly through access to public administration (**Paragraph 1**) or indirectly through freely chosen representatives (**Paragraph 2**).

Paragraph 1.- Citizen Participation through access to public administration

The public service is made up of all the staff or public agents occupying jobs in public administrative services, including in regional and local services. Within this group, a distinction can be made between civil servants and public agents under the Labour Code. Access to the public service in Cameroon is governed by Presidential Decree No. 94/199 of 7 October 1994 to lay down the general status of the public service of the State, amended and supplemented by Presidential Decree No. 2000/297 of 12 October 2000. Paragraph 1 of Article 12 of the above-mentioned Decree of 7 October 1994 stipulates that: ["access to the public service shall be open, without any discrimination, to any person of Cameroonian nationality..., subject to the specific requirements of each body"]. Article 15 provides that: ["recruitment into the public service shall be by competitive examination or on the basis of qualifications, in accordance with the procedures laid down by special or particular statutes"]. There are therefore many specific documents which lay down the conditions for access, career management, remuneration, social benefits and termination of employment according to the categories of civil servants.

Furthermore, there are a number of rights and obligations associated with access to the public service, as stated in the Presidential Decree of 7 October 1994 on the General Rules and Regulations of the Public Service and its amendments.

These rights include the right to protection, the right to remuneration, the right to a pension, the right to health care, the right to refresher courses, the right to leave, the right to participation, the right to join a political or cultural association and the right to join a legally recognised professional trade union to represent and defend their career interests⁹⁸.

Concerning obligations, the civil servant is bound by the duty to serve and devote himself to the service, be unselfish, be obedient, be reserved and exercise professional secrecy⁹⁹. Violation of these obligations may amount to disciplinary or even criminal sanctions.

At the beginning of 2018, the Government engaged in an operation to conduct a physical census of its employees to clean up the payroll, considering the significant increase in the number of civil servants over the 2010-2020 decade, from 197,471 registered in 2010 to 340,957 in June 2020, and to control the

⁹⁸ See Sections 21 and 24.

⁹⁹ See Section 35.

State's salary budget due to the excesses observed up to then.¹⁰⁰ This operation, known as the Physical Counting Operation of State Personnel (COPPE), provided the following results:

- 493 civil servants were revoked or dismissed
- 239 respondents have been tried before the Permanent Disciplinary Council of the Civil Service since 25 June 2020
- 246 cases of civil servants were examined by the operational units created for this purpose under the Labour Code
- 315 civil servants were not registered for death, while their families continued to receive their pay
- 116 respondents produced medical records to justify their absences, although some were rejected as fake.

The President of the Republic also signed Decree No. 2020/802 of 30 December 2020 to harmonize the retirement age of civil servants, aiming to promote equity and non-discrimination in the management of careers and retirements. This act, which takes effect from 1 January 2021, specifies that the retirement age for civil servants in categories "A" and "B" is harmonised at 60 years, while that of civil servants in categories "C" and "D" is harmonised at 55 years. In addition, the Prime Minister, Head of Government, signed Decree No. 2020/3191/PM of 3 July 2020 to raise the retirement age of State medical and paramedical personnel governed by the Labour Code. This measure was extended to all State employees under the Labour Code through Decree No. 2020/7951/PM of 30 December 2020 to harmonize the retirement age of such employees (see above, p. 82).

In 2020, corporatist demands were also made by some unions, associations and groups of civil servants concerning their working conditions, payment of bonuses and other benefits, their security, and the management of their careers, etc.

This was the case with the group, the "Indignant Teachers of Cameroon" which, for several years, has been putting pressure on the public authorities through strike calls and other demonstrations concerning the fulfilment of teachers' rights. For instance, the strike called *ghost chalk* on 29 January 2020 by teachers' Association following the multiple acts of aggression and violence against teachers, such as:

The caning of a disciplinary master at *Lycée de Mayo-Oulo*, by brigade commander, in the North-Region in 2018

- The beating of a female teacher, by a parent, in a classroom at the *École publique du garage militaire* in Bafoussam, West Region, in September 2019
- The detention of a teacher of *Lycée d'Avebe Assé* in the South Region following an order from the Divisional Officer of that locality in September 2019
- The beating of a Vice-Principal and a disciplinary master, by a gendarme, at the Government Bilingual High School Bonassama in the Littoral Region in November 2019
- The arbitrary arrest and detention of a teacher at the Government Bilingual High School Ayos in the Centre Region after the Divisional Officer of that locality issued an order, on 22 January 2020.
- The killing of killed Boris Kévin NJOMI TCHAKOUNTE, a Mathematics teacher, by his form 3 student, at the *Lycée Classique de Nkolbisson*, in the Centre Region, on 14 January 2020 (See Case No. 4 above).

¹⁰⁰ " Cameroun : croissance du nombre de fonctionnaires d'État sur la décennie", www.agenceecofin.com, online on 2 April 2021 and assessed on 19 February 2022.

Members of this Association continued mobilising on 30 January 2020 at the mortuary of the University Teaching Hospital of Yaounde (CHU) during Boris Kévin NJOMI TCHAKOUNTE's removal of corpse.

Paragraph 2.- Participation in the management of public affairs through freely selected representatives

The right to vote and stand for election is guaranteed and protected by the Constitution of 18 January 1996, Law No. 2006/004 of 14 July 2006 to lay down the conditions governing the Election of Regional Councillors, Law No. 2012/001 of 19 April 2012 relating to the Electoral Code, as amended by Law No. 2012/017 of 21 December 2012, Bill No. 2019/024 of 24 December 2019 to institute the general code of regional and local authorities, and various regulations. All these laws specify the conditions for participating in the election of the President of the Republic, members of parliament, senators, municipal councillors, regional councillors and the referendum.

The holding of legislative and municipal elections on 9 February 2020, and the election of regional councillors on 6 December 2020 characterised the year 2020.

Concerning the legislative elections, out of 6,900,928 persons registered to vote, 3,021,947 persons voted, making a turnout of 43.79 per cent. The Cameroon People's Democratic Movement (CPDM) political party won an absolute majority of 152 seats out of the 180 seats in the National Assembly, followed by the National Union for Democracy and Progress (UNDP) with 7 seats and the Social Democratic Front (SDF) with 5 seats. The Constitutional Council rejected the results of 11 constituencies, representing a total of 13 MPs, in the South-West and North-West Regions. The re-run of this by-election took place on 22 March 2020. Results were announced on 7 April of the same year, giving the CPDM the 13 seats that had been put at stake, bringing the total number of elected MPs from this party to 152. Concerning the municipal elections, it was about electing 10,000 municipal councillors in 360 municipal councils through a list election won by the CPDM with 316 mayors elected out of 360.

Concerning the election of regional councillors which took place on 6 December 2020 and which was the first of its kind, 14 political parties took part in the ballot to elect 900 regional councillors at the rate of 90 councillors for each of the 10 Regions of Cameroon. The main difference was that it was an indirect election whose electorate was composed of municipal councillors and traditional chiefs. They were invited to elect representatives to the regional councils, namely 70 municipal councillors representing the Divisions and 20 other representatives of the traditional leaders per Region.

Amongst the political parties running for the position Municipal Councillors representing the Divisions, the CPDM came first with 540 delegates, followed by the UNDP with 141 delegates, the Union Démocratique du Cameroun (UDC) with 17 delegates and the *Front pour le Salut National* du Cameroun (FSNC) with two delegates out of the 600 seats to be filled.

The Constitutional Council rejected several candidates in application of the provisions of the Electoral Code relating to the criteria for participation in the above-mentioned elections¹⁰¹, including nationality, and sociological and gender components.

Concerning the nationality criterion, a candidate was declared ineligible for the legislative and municipal elections of 9 February 2020 because of their dual nationality. Such was the case of Mr Hervé Emmanuel NKOM, a CPDM candidate for the 9 February 2020 legislative election in the constituency

¹⁰¹ See Sections 117, 156, 175, 220, 252 and 257 of Law No. 2012/001 of 19 April 2012 relating to the electoral code, amended by Law No. 2012/017 of 21 December 2012.

of Wouri-East, Littoral Region. His file was rejected by the Constitutional Council after Hon. Jean Michel NINTCHEU of the SDF lodged an appeal.

Concerning the consideration of sociological and gender components of the constituency, several political party lists were rejected during the legislative and municipal elections of 9 February 2020. For instance, the Constitutional Council rejected the list of the SDF in Ngoketunjia-South for “non-respect for the sociological component”, while the list of the CPDM in the electoral constituency of Boyo, North-West Region, was rejected for “gender insensitivity”¹⁰².

¹⁰² AZIZE MBOHOU, “Contentieux pré-électoral des législatives: le verdict”, www.cameroon-tribune.cm, online 20 December 2019, accessed 21 February 2022 at 12:57.

CHAPTER IV - FREEDOMS

Freedom refers to a person's autonomy. According to the French dictionary *Robert*, “freedom is the state, the condition of a person who is not under the absolute dependence of someone else, as opposed to slavery or bondage “. Freedom equally means “freedom is the condition of the unbound, i.e. the possibility, the power to act independently in complete liberty “. In addition, from a political and social point of view, it is [«the power to act, within an organised society, oneself in an unrestricted manner, within the confines of the rules established»]. Thus, the combination of freedom and law is inseparable in that, if freedom is a sphere of action for the individual, the law is a tool for regulating and organising the exercise of freedom or freedoms¹⁰³.

Freedoms refer, in their functional conception, to freedoms enshrined in fundamental enactments, such as the Constitution, or in legal instruments of regional or international scope, to which the State is a party. Thus, the Preamble of the Constitution of 18 January 1996 affirms the attachment of the Cameroonian people to “*the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations and The African Charter on Human and Peoples' Rights, and all duly ratified international conventions relating thereto*”. It further states that: “*freedom and security shall be guaranteed to each individual, subject to respect for the rights of others and the higher interests of the State*”. However, since the Universal Declaration of Human Rights and all human rights treaties that Cameroon has ratified or otherwise acceded to form part of the Constitution, according to Article 65, all the rights enshrined in these instruments are fundamental.

This report, in the context of the Covid 19 pandemic, will focus on the situation of freedom of public association and demonstration (Section 1) and freedom of expression (Section 2).

SECTION I.- THE STATUS OF FREEDOM OF ASSOCIATION AND PUBLIC DEMONSTRATION

Freedom of association and public demonstration are governed in Cameroon by Law No. 90/055 of 19 December 1990 to regulate public meetings and demonstrations. Law No. 90/054 of 19 December 1990 relating to the Maintenance of Law and Order also regulates the conduct of law and order operations, including the prohibition of firearms during such operations.

There are specific provisions in the Penal Code, such as Sections 231 et seq., which punish offences against public peace, particularly the holding of an undeclared public meeting, making statements that mislead the authorities about the conditions or purpose of the meeting, distributing invitations for participation in an undeclared or prohibited meeting, making incomplete or incorrect statements that mislead about the conditions of the planned demonstration, holding undeclared public demonstrations, gathering, raising seditious cries and looting in a group. Similarly, Law No. 2014/028 of 23 December 2014, on the suppression of acts of terrorism, provides for sanctions against acts likely to create a general insurrection in the country.

Freedoms of association and public demonstration were restricted in 2020 following the Covid-19 pandemic (**Paragraph 1**). The NCHRF nevertheless ensured special monitoring of freedoms of association and public demonstration, with a focus on the illegal public demonstrations organised by the Cameroon Renaissance Movement (CRM) on 22 September 2020 (**Paragraph 2**).

¹⁰³ Henri OBERDORFF, *Droits de l'homme et libertés fondamentales*, LGDJ, 2008, pp. 25-26.

Paragraph 1.- Restrictions on freedom of association and public demonstration in the wake of the Covid-19 pandemic

The Prime Minister, Head of Government, as part of the Government's strategy to respond to the Covid-19 pandemic adopted under the impetus of the President of the Republic, released, in his statement of 17 March 2020, measures aimed at strengthening the response mechanism to this pandemic. These measures were outlined:

- the Minister Secretary General of the Prime Minister's Office's radio announcement, broadcast on 18 March 2020
- the Prime Minister, Head of Government's special statement of 24 March 2020
- the final statement of the Cabinet Meeting of 26 March 2020
- the statement by the Prime Minister, Head of Government of 31 March 2020
- the statement by the Prime Minister, Head of Government of 1 April 2020
- the special statement by the Prime Minister, Head of Government, on 9 April 2020
- the statement by the Prime Minister, Head of Government, on 23 April 2020
- the special statement by the Prime Minister, Head of Government of 30 April 2020
- the Inter-ministerial Committee's statement for the evaluation and implementation of the national strategy to combat Covid-19 of 1 July 2020, etc.

Such measures had an impact on certain fundamental freedoms, including the freedoms of association and public demonstration. The following can be mentioned:

- the ban on gatherings of more than 50 persons throughout the country, limiting the organisation of several social, political or religious events
- Urban and inter-urban travel is restricted to cases of dire necessity, with the consequent restriction of the movement of members of associations, trade unions, political or religious movements
- intensified checks and patrols to ensure compliance with government measures, which deterred some association and trade union leaders etc.

In response to the Government's guidelines, several leaders of associations and political parties, and administrative authorities took measures to suspend or ban public meetings and demonstrations throughout the country. The following measures were taken:

- the suspension of activities marking the celebration of the 35 years of the Cameroon People's Democratic Movement (CPDM) in March 2020 by the central committee of the political party
- the DO of the Ebolowa I Sub-Division, who banned the awareness caravan on Covid-19, which the Cameroon Party for National Reconciliation (PCRN) was planning, on 5 August 2020
- Divisional Officer 3 banned the public meeting on 7 August 2020 that the Movement for the Renaissance of Cameroon (CRM) planned to hold at the Hirgoyo Hotel in Maroua on
- the banning of the meeting planned at the CRM headquarters by the Divisional Officer of Nkong-samba I on 13 August 2020
- the Minister of Territorial Administration instructed the Governors of the Regions in September 2020 to ban all public demonstrations in their respective regions, considering the unfavourable health situation and as a prelude to the marches planned by the CRM throughout the national territory. The Minister of Public Health had earlier warned against a such public demonstration in a press release issued on 18 September 2020
- the suspension of demonstrations on 6 November 2020, marking President Paul Biya's 38th anniversary of accession to power, etc.

Paragraph 2.- The NCHRF's action in monitoring the exercise of freedom of association and public demonstration: the case of the illegal public demonstration the CRM organised on 22 September 2020

The NCHRF, as a national human rights institution, has paid keen attention to the current situation concerning the exercise of freedom of association and public demonstration in Cameroon in 2020, in a context marked by the Covid-19 pandemic and the holding of regional council elections. The special case of the illegal public demonstrations that the CRM organised on 22 September 2020 is worth noting.

Mr Maurice KAMTO, the Chairman of the CRM, called on militants of his political party, on 8 August 2020, to participate in a “peaceful” march on 22 September 2020 throughout the national territory to prevent the holding of the election of regional councillors, whose electoral body the President of the Republic had convened the day before, on 7 August 2020, by through Decree No.2020/547 of 07 September 2020 to convene the electoral colleges for the election of Regional Councillors on 6 December 2020. Some six other political parties and member organisations of political platforms, including the Cameroon People's Party (CPP), the People's Action Party (PAP), the Orange Offer for the Salvation of Cameroon (OOSC), the Stand Up for Cameroon political platform, the *mouvement Agir-Act* and the *Mouvement pour la démocratie et l'interdépendance (MDI)*, supported the call for a demonstration with the following objectives:

- demand that the President of the Republic declare a ceasefire in the North-West and South-West Regions and engage in an inclusive dialogue on the security crisis
- demand the consensual reform of the Electoral Code before the election of regional councillors
- demand the “*outright departure of the President of the Republic from power*” if the above demands are not met
- defend human rights (which led to the intervention of the NCHRF).

The Minister of Territorial Administration in a press briefing held on 7 September 2020, warned the population against participating in “*any demonstration prohibited by the relevant authorities*”. He, therefore, instructed the Governors to take measures to prohibit all public demonstrations in their respective jurisdictions. Similarly, in a communiqué of 15 September 2020, the Minister of Communication (Mincom) declared that “*no demonstration can be considered as peaceful when the aim is to launch an insurrectionary movement and overthrow democratically elected republican institutions*”. He equally indicated that all unauthorised public demonstrations could be considered “*insurrectionary*” and would be punished under Law No. 2014/028 of 23 December 2014 for the suppression of Acts of Terrorism.

On 16 September 2020, the NCHRF issued a press release stating that it strongly condemned any call for insurrection, emphasizing that “*there is no doubt that any insurrectionary project is fundamentally anti-democratic and contrary to the best interests of the State and the honour of the country*”. Supporting this position, the Commission recalled:

- the terms of Article 2(1) of the Constitution, whereby “*No section of the people or any individual shall arrogate to itself or himself the exercise thereof*” of national sovereignty
- that the Government is bound by its sub-regional, regional and universal commitments to uphold the rule of law throughout the country
- that under Articles 19 (3) and 21 of the International Covenant on Civil and Political Rights, access to freedoms “*carries with it special duties and responsibilities [and] may therefore be subject to certain restrictions ... necessary in a democratic society in the interests of national security*”

or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.”

- that, in a state governed by the rule of law such as our political power is derived according to the Constitution and the laws and regulations in force.

In addition, the NCHRF called on all stakeholders to scrupulously respect the constitutional and legal framework in force in conducting their political activities.

The NCHRF pointed out that the demand of the CRM leader for a “*consensual reform of the electoral system*” is “*based on the fiction of a consensus of political forces on electoral rules*”. The Commission argued that,

history amply belies this fantasy, as does the burning reality of the great democratic nations which are characterised by the absence of agreement on electoral rules by political parties. The variety of electoral systems found in the history of these countries confirms that there is no ideal model of electoral code.

However, it is worth noting *the isolated dissenting voice of Christophe BOBIOKONO*, the NCHRF Commissioner who, at the monthly coordination meeting of the chairpersons and rapporteurs of the Working Groups of 28 October 2020, argued that the Chairperson had to sign Commission statements and releases in his or her name if some members did not agree with them. The majority of the Commissioners did not agree with that motion. Thus, the principle according to which it is the Chairperson who represents the Commission in all acts of civil life and court, without the need for any official mandate of representation, was reiterated and re-explained to all. This principle is based on Section 16 (1) of Law No. 2004/016 of 22 July 2004 relating to the establishment, organisation and functioning of the NCHRF.

Furthermore, Mr BOBIOKONO’s argument that the Commission did not have to issue the Press Release of 16 September condemning the CRM’s call to topple the President of the Republic, who had been democratically elected by the Cameroonian people by direct universal suffrage, was disqualified after the Acting Chairperson demonstrated the mandate of the National Human Rights Institutions to ensure respect for the rule of law.

The warnings the authorities issued and the presence of security forces in the streets and junctions of Yaounde, Douala and Bafoussam notwithstanding, some militants of the CRM defied the ban by the administrative authorities and rallied in the demonstrations of 22 September 2020, which led to the arrest of several militants and leaders of the movement. Police forces were deployed around Mr Maurice KAMTO’s residence during the night of 21-22 September 2020 and he was placed under de facto house arrest, while Mr BIBOU NISSACK and Mr Alain FOGUE TEDOM, respectively in charge of communication and treasurer of his political party, were held in custody in the cells of the Central Judicial Research Department located at the Secretariat of State for Defence in charge of the National Gendarmerie (SED).

As for the others, the group of lawyers known as the “Collectif Sylvain SOUOP”, set up to defend CRM militants arrested in the course of those demonstrations, published a report on 23 September 2020, showing the number of people arrested in Yaoundé, Mfou, Douala, Bertoua, Bandjoun, Baham, Bafang and Kribi. The table below presents the data per region.

Table No.29: Summary of persons arrested during the CRM illegal demonstrations on 22 September 2020

	Regions	Number of persons arrested
1.	Centre	143
2.	Littoral	385
3.	West	67
4.	South	01
5.	East	01
TOTAL		597

Source. - Rapport du Collectif Sylvain SOUOP

As per data obtained from the SED, the National Gendarmerie arrested 294 persons in three regions, namely in the Centre, Littoral and West, as part of the demonstrations of 22 September 2020, «without excessive use of force». The following table shows the number of arrests.

Table No.30: Summary of persons arrested by the National Gendarmerie on 31 December 2020

No.	Regions	Number of persons arrested	Venue of arrest	Competent courts	Number of persons released
1.	Centre	37	Yaoundé	Military Court (09), CFI Yaoundé AC (07), CFI Yaoundé -Ekounou (01) and Mfou CFHI (08)	20 persons were found not to be CRM activists
		08	Nkoabang		
2.	Littoral	186	Wouri and Mounjo	Douala Military Court (40)	146 persons released
3.	West	63	Bafoussam, Bafang, Baham, Bandjoun, Dschang and Mbouda	Bafoussam Military Court (53)	10 persons released
TOTAL		294	/	118	176

Source. - NCHRF 2020

In response to these incidents, the NCHRF carried out several actions through the Head Office and Branches in the regions concerned. The NCHRF's actions included the following:

- a dozen fact-finding missions to the relevant authorities and the leaders of the “Collectif Sylvain SOUOP”, to gather additional information on the circumstances of the arrest and detention of the demonstrators
- working sessions with stakeholders (CRM boards, heads of police custody units) and using the information obtained from them, to verify the conditions of detention of demonstrators in police custody
- referring the matter to the competent authorities via mail, to obtain additional information, as in the case of the NCHRF acting Chairperson's letter to the Secretary of State for Defence in charge of the National Gendarmerie and to the Delegate General for National Security on 12 November 2020, copied in letters addressed to the Commanders of the West and Littoral Gendarmerie Legions, the Commanders of the Gendarmerie Companies of Bafang, Wouri and Mifi, and the West

and Littoral Regional Delegates of National Security, concerning the “conditions of custody or detention of persons arrested before, during and after the demonstrations of 22 September 2020.

According to the NCHRF investigations and actions following those events:

- the persons arrested in Yaoundé were held in custody in the cells of the Central Police Station No. 1, the public security police stations of the 2nd Sub-Division in the Mokolo market and the 13th Sub-Division in Nkolondongo, and the Regional Division of the Judicial Police (DRPJ) of the Centre
- In the Littoral Region, the persons arrested in Douala and Nkongsamba were kept in custody at the Regional Division of the Judicial Police in Bonanjo, at the Mboppi Gendarmerie Brigade and the Littoral Gendarmerie Legion; in these units, the NCHRF team noted that most of these persons were held in administrative custody, at especially the Littoral Gendarmerie Legion. Their detention conditions were difficult, as several of them were bare-chested and unshod, while others were lying on the floor in the corridors, for lack of space in the cells, which were also insufficiently ventilated
- some of those in custody stated that they had been arrested without a warrant at their homes or in front of their market stalls, even though they had not participated in the demonstration the CRM organised

Almost all persons arrested and kept in police custody stated that their family and lawyers had been allowed to visit them, and they received medical care at their own expense while in custody.

According to the SED :

- the judicial proceedings against the suspects were conducted smoothly and the persons concerned benefited from the assistance of their respective counsels, members of the group of lawyers led by Me Hyppolite MELI TIAKOUANG
- the suspects were constantly provided with appropriate medical check-ups and care by the Gendarmerie Nationale’s health services
- The accused are prosecuted before the military and civil courts of Yaoundé, Douala and Bafoussam for contempt of the President of the Republic and seditious gathering and shouting as part of a collective offence.

SECTION II.- THE SITUATION OF FREEDOM OF EXPRESSION

Freedom of expression enables everyone to freely express ideas or opinions by any means deemed appropriate. According to Article 19 of the International Covenant on Civil and Political Rights (ICCPR),

(1) Everyone shall have the right to hold opinions without interference.

(2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or print, in the form of art, or through any other media of his choice.

(3) The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Freedom of expression thus entails freedom of opinion, freedom of communication and freedom of the press, including through the media, social media and digital platforms.

The Preamble of the Cameroon Constitution provides that: “*the freedom of communication, of expression, of the press [...] shall be guaranteed under the conditions fixed by law*”. Accordingly, several laws have been adopted to regulate the exercise of the various forms of freedom of expression. They include the following :

- Law No. 090/52 of 19 December 1990 relating to freedom of mass communication, which was amended by Law No. 2010/013 of 21 December 2010, amended and supplemented by Law No. 2015/006 of 20 April 2015 to regulate electronic communications in Cameroon
- Law No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon
- Law No. 2016/007 of 12 July 2016 relating to the Penal Code.

The report on the situation of freedom of expression in Cameroon in 2020 will focus, respectively, on the freedom of communication and of the press (**Paragraph 1**). It equally attempts to cover the right to receive and disseminate information, including via the media and social media (**Paragraph 2**).

Paragraph 1.- The situation of freedom of communication and freedom of the press

In 2020, Cameroon operated over 600 print media companies, nearly 200 radio stations and about 30 television channels. Due to the economic situation and Covid 19, The support of the Cameroonian government to the private sector dropped by half, from 240 million in 2019 to 120 million in 2020¹⁰⁴. The support formerly known as Public aid for private communication in Cameroon has become institutional support of the State to the privately-owned press through Order No 31/Mincom of 13 April 2020 to reorganise the modalities of access to public support for private communication or public aid to the press. Accordingly, a national commission for examining applications for institutional support from the State to the private press was set up, chaired by the Minister of Communication.

This restructuring of public aid now enables private press enterprises to benefit from State subsidies through direct financial support via bank transfers, and other forms of support such as the granting of technical operating equipment, the allocation of work facilities, the provision of intellectual services, etc. In addition, State assistance is now extended to print and online media enterprises.

Concerning the regulation of the social communication sector, the National Communication Council (NCC) examined five cases of regulation, during the 27th ordinary session on 30 July 2020, which led to the following conclusions¹⁰⁵:

- In the case of Sylvestre Ngouchingue and the company CONGELAM S.A. vs. the print media company *La Météo*, the Publication Director and Michel Tafou, a journalist working for the said company, for “*lack of a proper balance and consistency in the information published against the complainant*”. The CNC issued a warning to the publication director of *La Météo* and suspended the journalist Michel TAFU for three months.
- The case of Gilles Serge EFFOUDOU MPANDE, State Inspector and Chairperson of the Control Commission of Collective Management Bodies of Authors and Royalties Rights vs. *Le Soir* newspaper and the editorial director, following the publication of remarks deemed offensive, accusing

¹⁰⁴ According to the Minister of Communication, this drop is justified by the security situation which is at the root of the financial difficulties faced by the public authorities and which have made it difficult to mobilise the financial resources necessary for implementing the activity (Excerpt from MINCOM’s communication at the end of the 2nd session of the National Commission for the examination of requests for institutional support from the State to the private press held on 24 March 2021).

¹⁰⁵ Excerpt from Communiqué No. 000002/CNC/2020/PR/SG/CCJ of 4 August 2020, issued at the end of the 27th ordinary session of the National Communication Council held on 30 July 2020.

- the complainant of malpractices in the management of the aforementioned commission and likely to damage his image. The CNC issued a warning to the editorial director of that newspaper.
- In the case of NCC vs. Vision 4, a private television channel, the editorial director and Parfait AYISSI ETOA and Jean-Jacques ZE, journalists working for the channel, for damaging the good name of persons and dignity of a community during the “*Tour d’Horizon*” programme of 25 June 2020, the “*Club d’élites*” programme of 5 July 2020 and during the noon news programme of 2 July 2020 on the Vision 4 television channel. After the accused were served three notices to appear that went unanswered, the CNC, after determining those responsible, decided to suspend Mr Jean-Pierre AMOUGOU BELINGA, the editorial director of Vision 4, and Mr Parfait AYISSI ETOA and Mr Jean-Jacques ZE, journalists of Vision 4, from their respective posts for a period of one month.
 - The case of NNANG Larissa, a medical doctor vs. *Royal FM* radio station and Jean Marie ANABA, a journalist of the said radio station, for broadcasting unfounded and offensive accusations during the programme entitled “Comedy News” of 20 July 2020, putting the complainant’s reputation in jeopardy, portraying her as an accessory to an abortion act. The CNC, upon determining the responsibility of the journalist in question, decided to suspend him from practising journalism in Cameroon for a period of one month.
 - The case of Madeleine TCHUINTE, the Minister of Scientific Research and Innovation vs. *Mutations* newspaper and the editorial director following the publication in its issue 5088 of an “almost imaginary” interview, attributing to the complainant unfounded and offensive statements against the President of the Republic of Cameroon and the French Ambassador to Cameroon. After determining the responsibility of the Mutations newspaper, the CNC issued the newspaper a warning.

The Ministry of Defence accused some journalists of being accessories to secessionist terrorists in the context of the security situation in the North-West and South-West Regions and prosecuted them before the Military Court. For example, Kingsley FUMUNYUY NJOKA was charged on 12 June 2020 with several counts, *including secession and accessory to an armed gang*.

Paragraph 2.- The right to receive and transmit information, including through the media and social media

The right to gain and transmit information through the media and social media is enshrined in Section 4 of Law No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, which provides that: “*Everyone has the right to benefit from electronic communication services, regardless of their geographical location on the national territory*”.

This means the possibility not only to access electronic platforms or social media through the Internet but also related services by receiving or transmitting the information.

This right is not absolute, however, as Sections 263, 264 and 265 of the Penal Code provide for custodial sentences for those guilty of obscene publications, public indecency and public morality. For example, Section 265 of the Penal Code, “Obscene publications”, provides that:

shall be punished with imprisonment for from one month to two years and with a fine of from 10,000 CFA to half a million CFA, whether or not for gain, or whether or not publicly, exhibits or distributes any writing, picture or object liable to corrupt moral

In addition, Sections 241 and 241-1 of Law No. 2019/020 of 24 December 2019, to amend and supplement some provisions of law No.2016/7 of 12 July 2016 relating to the penal code, provide limits to the exercise of this right by punishing contempt of race, religion, tribe and ethnic group.

Concerning race and religion, Section 241(1) of the Act states:

shall be punished with imprisonment for from 6 (six) months and with a fine of from 5 000 (five thousand) francs to 500 000 (five hundred thousand) Francs, whoever commits a contempt [...] of the race or religion of one or many citizens or residents.

Moreover, paragraph 2 of this Section states that:

Where the offence is committed through the press or wireless, radio, television or social media or any other means likely to reach the public, the maximum fine provided for in subsection 1 above may extend to 20 000 000 (twenty million) Francs.

Concerning contempt of tribe or ethnic group, Section 241-1 of the same law states:

Whoever, by any means, makes hate speech against people or incites them to violence due to their tribal or ethnic origin shall be punished with imprisonment of from 1 (one) to 2 (two) years and with a fine of 300 000 (three hundred thousand) francs to 3 000 000 (three million) francs.

The adoption of the aforementioned law No. 2019/020 of 24 December 2019 came following the upsurge in hate speech in the media and social media in the aftermath of the presidential election of 7 October 2018. The situation led many actors to invest in awareness-raising actions against such a phenomenon, which undermines human and peoples' rights, especially the principles of equality and non-discrimination based on ethnic group, and the right to moral integrity.

Accordingly, as part of implementing the Project to Improve the Conditions for Exercising Freedoms in Cameroon (PICEF), the NCHRF organised a workshop to raise awareness among journalists and media managers against hate speech in Yaoundé, on 4 September 2020, especially within the role they play in informing and mobilising the public. The objective was to call on them to be more responsible and professional in conducting their activities and avoid being vectors of such remarks with sometimes disastrous consequences.

PART IV – THE SITUATION OF THE RIGHTS OF SPECIFIC CATEGORIES

The term “*specific categories*” refers to persons or groups who need specific protection owing to their vulnerability. This may stem from gender (women and girls), age (children and the elderly), failure of a sense or organ (persons with disabilities), unrest following a crisis (refugees and IDPs), belonging to a group (minorities and indigenous people), or being deprived of freedoms. These vulnerable people or people in vulnerable situations are very often exposed to the risk of abuse of power, stigmatisation, exclusion, discrimination, exploitation or marginalisation.

In any case, vulnerability becomes an issue when the system fails to provide effective legal protection or respond to the specific needs of a group. Although the factors of vulnerability are not the matter of the individuals concerned, States are obliged to make every effort, as and when necessary, with the support of relevant non-state stakeholders, to ensure that all citizens enjoy all Fundamental Rights and freedoms, based on the principles of equality and non-discrimination.

These principles are enshrined in the Preamble of the Constitution of the Republic of Cameroon which states that: “*all persons shall have equal Rights and obligations. The State shall provide all its citizens with the conditions necessary for their development.*”

The situation of the rights of specific categories during the reference year will be observed from the rights of persons in detention (Chapter I), the rights of women and children (Chapter II), the rights of persons with disabilities and indigenous peoples (Chapter III), the rights of refugees and IDPs (Chapter IV) and the rights of persons living with HIV/AIDS (Chapter V)

CHAPTER I. - RIGHTS OF PERSONS IN DETENTION

Article 9(1) of the ICCPR provides that: “... *No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.*” In Cameroon, detention measures may be taken either as part of a preliminary investigation (judicial custody), or fighting against organised crime (administrative custody), or following an indictment or the opening of a judicial investigation (pre-trial detention), or under a detention sentence pronounced by a judge. In any event, persons in detention still enjoy the fundamental rights granted to them by law, except for personal safety (freedom of movement).

As concerns police custody, and based on Sections 118 et seq. of the Criminal Procedure Code, accused persons have the right to consult a doctor at any time. They also have the right to food, the right to daily visits from their families or friends, the right to physical and moral integrity, and the right to protection against all forms of torture, cruel, inhumane and degrading treatment.

Concerning pre-trial or final detention, detainees still enjoy the rights recognised not only by Decree No. 92-052 of 27 March 1992 regulating the prison system in Cameroon, but also by the revised United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) adopted by the UN General Assembly in December 2015. These also include:

- the right to be treated with respect, dignity and without discrimination
- the prohibition of torture, cruel, inhumane and degrading treatment or punishment
- the right to security
- the right to water
- the right to safe and adequate food
- the right to separation of categories of detainees (male, female, child, accused, convicted)
- the right to good hygiene and sanitation, the right to family visits, the right to access to healthcare
- the right to income from work
- the right to information
- the right to education
- the right to leisure
- the right to physical and moral integrity
- the right of access to justice, etc.

In 2020, various stakeholders have taken several initiatives to improve detention conditions, especially as part of responding to COVID-19 (Section 1). However, some of the challenges identified and most of the recommendations the NCHRF made in 2019 remain valid in 2020 (Section 2).

SECTION I.- INITIATIVES TO IMPROVE CONDITIONS OF DETENTION DURING COVID-19

The COVID-19 pandemic had a significant impact on the management of detention facilities, especially given the structural and organisational impediments that hindered the implementation of some preventive measures such as social distancing, hand washing, lockdown, quarantine, etc. However, in this context, several actions have been carried out as part of responding to COVID-19 in prisons (**Paragraph 1**) and initiatives have been taken to improve general conditions of detention (**Paragraph 2**).

Paragraph 1.- Actions taken in response to COVID-19 in prisons

Among the measures taken in response to the COVID-19 pandemic in prisons, we can name Circular Letter No. 01/LC/MINJUSTICE/CAB/SEAP of 18 March 2020 from the Minister of Justice,

Keeper of the Seals, concerning the reinforcement of health and security measures in prisons, through which the Minister of Justice prescribed prison registrars to *suspend contacts between prisoners and visitors (excluding their lawyers), as well as chores and outings for prisoners outside the prison*, set up hand washing devices, systematic use of face masks, put newly detected cases in quarantine and disinfect prisons. In addition, some workshops were organised, in collaboration with the Ministry of Public Health, on preventive measures, screening, and management of suspected cases in the central prisons of Yaounde, Maroua, Ngaoundéré, Douala, Bafoussam, Bertoua, Garoua and Ebolowa for healthcare providers and staff.

In turn, the NCHRF distributed kits and protective equipment against COVID-19 in some prisons from May to June 2020. This was carried out with the material support and assistance of both the UN Development Programme and the National Youth Council. Beneficiaries were detainees and staff of the Bamenda, Buea, Douala, Maroua and Yaounde central prisons, and of the Kaelé, Mora, Mbalmayo and Yagoua main prisons, and were selected based on prison overcrowding. Donations consisted of:

- hand washing devices (40-60 litre drums with taps)
- cartons of soap
- sachets of detergents
- hand sanitizers
- bottles of bleach
- face masks
- latex gloves
- backpack sprayers
- chlorine bags
- protective suits.

Still under the response to COVID-19 in prisons, the President of the Republic signed Decree No. 2020/193 of 15 April 2020 to commute and remit sentences. This decree, which concerned persons with a final sentence on the date of its signature, made the following possible:

- commuting death sentences (or capital punishments) to life imprisonment
- commuting life imprisonments to twenty-five years
- remitting sentences ranging from one to five years for the other categories of convicts sentenced to various terms of imprisonment.

To apply this decree, commissions were set up throughout the country on 17 April 2020. From their deliberations, it emerged that out of 27,500 persons detained in Cameroon, 10,182 benefited from these measures, amongst which 6,942 were released immediately, amounting to 25.24 per cent of the people incarcerated¹⁰⁶.

To follow-up this Presidential measure, the NCHRF carried out visits through its Branches, especially in the Littoral and South. Hence, the Littoral Branch carried out follow-up missions to the New-Bell (New-Bell) central prison, and to the Yabassi, Nkongsamba, Édéa and Mbanga main prisons on 28 and 29 April 2020. The South Branch, in turn, conducted a follow-up mission to the Ebolowa and Ambam main prisons on 24 and 25 September 2020. The summary tables below show the beneficiaries of commutation and remission of sentences in the prisons visited.

¹⁰⁶ Contribution of the Ministry of Justice to the 2020 NCHRF Report.

Table 31. Summary of beneficiaries of commutation and remission of sentences in the Littoral Region

Labels	Douala New-Bell Central Prison	Yabassi main prison	Nkongsamba main prison	Édéa main prison	Mbanga main prison	Total
People incarcerated	3,473	126	509	420	239	4,767
Beneficiaries of remission measures released	608	51	174	85	75	993
Beneficiaries of commutation measures	162	15	89	86	21	373
Total of beneficiaries	770	66	263	171	96	1,366

Table 32. Summary of beneficiaries of commutation and remission of sentences in the South Region

Labels	Ebolowa Central Prison	Ambam Main Prison	Total
People incarcerated	321	190	511
Beneficiaries of remission measures released	98	44	142
Beneficiaries of commutation measures	18	20	38
Total of beneficiaries	116	64	180

Paragraph 2.- Progress in improving conditions of detention

In addition to the measures taken to respond to the COVID-19 pandemic, progress has been made regarding prison conditions, especially regarding accommodation, food, water and electricity supplies, sanitation, security and fight against corruption.

Concerning accommodation, the prison map shows that 79 prisons are operational and *12 construction projects are underway*. Although 2020 was a particularly challenging year with outbreak of the coronavirus pandemic, which greatly impacted Government efforts to implement its policy to rehabilitate prisons. The first phase of construction of the Douala-Ngoma Prison Complex was completed and handed over, as well as the re-roofing of the women's section of the Monatélé Main Prison, the construction of an infirmary at the Bangangté Main Prison and a human-powered borehole and latrine block at the Ambam Main Prison. The Djoum Prison has been refurbished.

The budget for the feeding of prisoners has increased steadily from 2,570,000,000 FCFA in 2016 to 3,070,000,000 FCFA in 2017, then to 4,470,000,000 FCFA in 2018 and 2019, and to 5,015,891,000 FCFA in 2020, giving a *45.65 per cent increase over a period of five years, thus enabling an increase in the daily food ration, from 290 FCFA to 408 FCFA, and then to 421 FCFA per prisoner per day*. In addition, the Government authorizes family support to detainees to sustain these efforts.

Most prisons were supplied with electricity and drinking water from 2017 to 2020. In 2020, water taps were installed in the Bamenda, Douala and Yaounde central prisons, while boreholes remained operational in Bertoua, Bafoussam and Maroua, thus making it possible to meet the water needs of these penitentiary centres in case of shortages or cuts in the supply of running water. Electricity supply remained

constant during the reference year and *all the central prisons were equipped with some 175 kVA-capacity generators to tackle power cuts.*

Concerning healthcare, each prison has an infirmary, a pharmacy and a laboratory to provide prisoners with better care. In 2020, the budget allocated to healthcare has not changed. The total of prison medical and health staff amounted to 272 as at 31 December 2020, with a doctor/inmate ratio of one in 9,852, a nurse/inmate ratio of one in 50, a nurse's aide/inmate ratio of one in 80, a laboratory assistant/inmate ratio of one in 60 and a social worker/inmate ratio of one in 70.

Concerning access to healthcare, a total of 180 outpatient admission and 1,617 outpatient consultations were recorded within the prisons during the year. Regarding deaths from disease, *there were 86 deaths in prison in 2018, 170 in 2019 and 98 in 2020, with mortality rates of 0.42 per cent, 0.67 per cent and 0.46 per cent respectively.* These deaths were due to HIV/AIDS, malaria, and skin and respiratory diseases.

Concerning security issues, a few cases of inter-prisoner violence were recorded in 2020. Thus, at the Ngaoundéré Central Prison, 19 cases of violence were recorded, some of which resulted in injured prisoners. Measures were also taken during the year to halt drug trafficking in prisons. These measures led, for example, to the seizure of a large quantity of cannabis *sativa* at the Bafang Main Prison, and to a three-month suspension of three prison staff on duty at the Bafoussam Central Prison for drug trafficking.

Some measures were equally taken to combat corruption in prisons. Therefore, a module on governance and the fight against corruption was introduced into the training programme for prison staff at the National School of Prison Administration (ENAP) in Buea. Administrative and disciplinary sanctions were also taken against some staff for acts of corruption. This is the case concerning the Registrar of the Edea Main Prison who was disciplined through Service Note No. 012/N/CAB/MINJUSTICE/IGAPEN/INSP2/20 of 27 November 2020.

SECTION II.-IDENTIFIED CHALLENGES AND NCHRF RECOMMENDATIONS

Furthermore, following the Covid-19 restrictions, the Commission conducted only six (6) visits to places of detention in 2020, to monitor the enforcement of the Presidential Decree of 15 April 2020 on the commutation and remission of sentences. These visits were conducted in the South and Littoral Regions. In the Littoral Region, four prisons were visited on 28 and 29 May 2020, namely the Douala Central Prison as well as the main prisons of Yabassi, Edéa and Mbanga. As for the South Region, the Ebolowa and Ambam main prisons were visited on 24 and 25 September 2020. However, it identified several challenges regarding the general conditions of detention in Cameroon (**Paragraph 1**) and proposed measures by way of recommendations to improve these conditions (**Paragraph 2**).

Paragraph 1.- Identified Challenges regarding General Conditions of Detention

The main challenges concerning the situation of persons in detention include: overcrowding, separation of categories of detainees, hygiene and sanitation, food, education of minors and access to healthcare.

Concerning prison overcrowding, the following table shows the situation in prisons per Region.

Table 33: Prison population statistics per Region as at 31 December 2020

Category	Temporary detainees										Convicts						Total																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
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Source: 2020 MINJUSTICE Report on the Human Rights Situation in Cameroon

According to the 2020 MINJUSTICE Report on Human Rights Situation in Cameroon, conditions of detention improved somewhat during the reference year, with a decrease from 30,606 inmates in 2019 to 26,397 as at 31 December 2020. The capacity of the prison is slightly increasing, from 19,155 places in 2019 to 19,455 in 2020. Such increase is a result of the continued extension and rehabilitation work in some prisons. However, most prisons are still overcrowded, as shown by the average occupancy rate, which has fallen from 159 per cent in 2019 to 138 per cent in 2020.

This overcrowding is mainly due to the slow pace of the courts. The police and the gendarmerie carry out many arrests, but the judiciary handles the cases at a relatively slow pace. This boils down to many abusively long pre-trial detentions. The proportion of untried prisoners in relation to the number of detainees shows this reality since at 2020 ending, there were 16,204 untried prisoners (as against 16,718 in 2019) 514 less defendants than the previous year and 10,193 convicted prisoners (as against 13,888 in 2019) 3695 less defendants than the previous year.

However, it appears that the observed slight decrease in persons incarcerated is mainly due to the release of prisoners following the application of Presidential Decree No. 2020/193 of 15 April 2020 to commute and remit sentences, which has led to a decline in the number of convicts. The significant drop in the number of untried prisoners as compared to the previous year is an effort worth encouraging, as an accelerated and sustained trend to this end would allow the country's prisons to be significantly decongested.

In this light, as in previous reports, *the NCHRF recommends, the frequent use of release with or without bail or bond, and the use of alternative sentences.*

As concerns the separation of categories of prisoners, based on Rule 11 of the Standard Minimum Rules for the Treatment of Prisoners,

[1]The different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment; thus:

(a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate;

(b) Untried prisoners shall be kept separate from convicted prisoners [...]

(d) Young prisoners shall be kept separate from adults.

In Cameroon, in almost all prisons, there are separate quarters for men and women, *but the situation of minors remains worrying insofar as they usually share the same spaces with adults*, although specific cells are sometimes dedicated to them. Similarly, despite the provisions of Section 553(1) of Law No. 2005/007 of 27 July 2005 of the Criminal Procedure Code, which state that “*Accused persons on remand shall be confined in special quarters separated from those of persons already convicted and shall, as far as possible, be kept in individual cells. They shall if they so desire be engaged in maintenance work at the prison*”, very few of the prisons visited by the NCHRF in previous years complied with this requirement.

Concerning hygiene and sanitation, Rule 13 of Nelson Mandela's states that “*all accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum*

floor space, lighting, heating and ventilation.” The Commission reiterates the observations made in previous years during visits to places of detention, namely:

- a high degree of overcrowding: in many cases, detainees lie close together and bare-chested, which fosters the spread of skin and respiratory diseases
- the low level of ventilation in cells, which causes stifling heat at night
- the lack and poor condition of the sleeping equipment, sometimes consisting of mats laid out on the floor or makeshift devices made by the detainees themselves
- the absence of and unsanitary nature of toilets, which are not flushed regularly, resulting in the presence of waste water and the persistence of foul odours in many prisons.

Concerning food, Rule 22(1) of the Standard Minimum Rules for the Treatment of Prisoners provides that *“every prisoner shall be provided by the prison administration at the usual hours with food of nutritional value adequate for health and strength, of wholesome quality and well prepared and served.”* Paragraph 2 of the same rule supplements: *“drinking water shall be available to every prisoner whenever he or she needs it.”* Despite Government efforts to increase the budget for prisoner food and daily food ration, challenges remain on the *quality of food served and frequency of meals*. Indeed, reports from NCHRF visits in previous years indicate that *prisoners are entitled to only a meal per day in almost all prisons and that these meals consist of identical or very little variety*, the most common being corn fufu, groundnut sauce, corn and beans porridge (*corn chaff*), rice, etc. cooked in makeshift pots and served in the open air. It equally emerged that there was an almost *systematic lack of food rations for persons in police and gendarmerie custody* in the units visited, a situation that leaves the nutrition of suspects to their families or, sometimes, to the officers in whose custody they are placed.

Concerning access to healthcare, Rule 24 of the same instrument states that:

- (1) *The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status.*
- (2) *Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care, including for HIV, tuberculosis and other infectious diseases, as well as for drug dependence.*

Despite the many advances in this area, the Commission still deplores the lack of both specialised medical staff in prisons and essential medicines, especially for patients whose health situation requires follow-up.

Paragraph 2.- Recommendations towards a continuous improvement of detention conditions

The NCHRF reiterates the recommendations made in its 2019 Report reproduced below.

To the Minister of Justice, Keeper of the Seals

- *Continue to fit out cells or set up safety rooms in prosecutors’ offices to facilitate legal proceedings and avoid systematic application of a pre-trial detention order*
- *Take strict measures to prevent and punish cases of corruption during family visits to prisoners*
- *Generalise the use of prison labour to produce food for prisoners*
- *Take new measures to improve the quantity and quality of the daily food ration for prisoners*
- *Construct or fit out infirmaries where the need exists, and ensure that they are equipped with essential materials and medicines*

- *Take all preventive measures to limit the spread of common communicable diseases such as scabies, by providing prisoners with antiseptic soaps and respecting the above-mentioned hygiene and sanitation rules mentioned above*
- *Improve detention conditions through the construction of new prisons and increasing the capacity of existing ones, if possible, to enable the effective separation of different categories of prisoners*
- *Take new measures to speed up legal proceedings to reduce the number of remand prisoners and relieve prison congestion*
- *Take initiative to ensure the effectiveness of the alternative sentences provided for by law*
- *Ensure that the provisions of the Criminal Procedure Code for minors, which make their detention the exception, are effectively respected*
- *Provide the public prosecutor's offices with vehicles to facilitate visits to places of detention*
- *Provide prisons with vehicles for detainees' transportation (or replace existing old equipment), as well as suitable sleeping equipment*
- *Build or modernise and equip the administrative blocks of prisons.*

To the Minister Delegate at the Presidency in charge of Defence and the Delegate General for National Security

- *Ensure strict compliance with the provisions of the Criminal Procedure Code and other relevant regional and international instruments concerning the treatment of suspects during their arrest and police custody, through the training and regular retraining of police and gendarmerie officials*
- *Continuously build the capacity of judicial police officers and agents in human rights*
- *Ensure effective and adequate food care for persons in police custody by granting a specific allocation to police custody units*
- *Build and equip new units that abide by standards and above all take into account the separation of detainees per category*
- *Provide the units with appropriate rolling stock, equipment and reinforce their staff.*

To prison officials

The Commission draws the attention of prison officials to the fact *that the process of transmitting court decisions to prisons is often tainted by corruption*. Bribery is frequently required from prisoners as a condition for the transmission of such decisions. The Commission has equally observed that *prison guards are paid for various services as a frequent practice in prisons*, such as hearings with the prison authority demanded by prisoners.

The Commission therefore recommends the following actions:

- *Extend the computerisation of records relating to the judicial situation of prisoners to all prisons*
- *Set up a system to report and sanction corruption and extortion within prisons*
- *Expand vaccination programmes against the most common diseases in prisons*
- *Promote collaboration between the Ministry of Social Affairs (MINAS), child protection organisations and the prison administration to provide health and nutritional care for newborn babies belonging to detained mothers*
- *Promote the social reintegration of prisoners by extending apprenticeship programmes in trades such as agriculture, animal husbandry, carpentry, masonry, sewing, etc., in collaboration with the relevant administrations, associations and NGOs.*

For regional and local authorities

Participate further in improving the general conditions of detention by implementing various projects within prisons, such as food aid and support for sanitation, hygiene and health (disinfection of prisons, emptying of septic tanks, etc.), as well as water supply programmes, and grant generators to supply emergency electricity.

CHAPTER II – THE SITUATION OF REFUGEES AND IDPS

Circumstances beyond control can force people to flee their country or place of residence, to escape imminent or real danger. People undergoing forced migration become vulnerable owing to the loss of their reference point and a sudden change in their living environment. Consequently, they may, in certain cases, become asylum seekers, refugees, stateless persons, IDPs, etc., exposing them, inter alia, to risks of exploitation, insecurity, including food insecurity, discrimination and/or harm to life, physical and moral integrity. Similarly, these migrants are at risk of not enjoying several economic, social and cultural rights in a foreign land such as the right to work, the right to education, the right to health, the right to shelter or decent housing, the right to land title, and the right to food.

To address these risks, States have signed, ratified and adopted several instruments enshrining specific rights for these migrants and ensuring their protection against various forms of abuse by implementing national mechanisms for the management of these vulnerable persons.

Over the last decades in Cameroon, there has been an influx of *asylum seekers, refugees and IDPs* owing to conflicts in several neighbouring countries, terrorism, transnational crime in the Lake Chad Basin and the unrest in the North-West and South-West Regions. Assessing the situation of these vulnerable groups in 2020 involves reviewing the existing legal and institutional frameworks, as well as presenting the current management of these people, including difficulties encountered, challenges and recommendations concerning refugees (Part 1) and IDPs (Part 2).

SECTION I.- THE SITUATION OF REFUGEES

For a better account of the situation of refugees in Cameroon in 2020, it is important to present the legal and institutional frameworks for refugee protection (**Paragraph 1**), as well as the state of refugee management during this period, challenges faced and NCHRF recommendations concerning this issue (**Paragraph 2**).

Paragraph 1.- Legal and Institutional Frameworks for Refugee Protection

Article 1(2) of the 1969 Organisation of African Unity (OAU) Convention of 10 September 1969 Governing the Specific Aspects of Refugee Problems in Africa, entered into force on 20 January 1974 and ratified by Cameroon on 7 September 1985, defines a refugee as:

«every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence to seek refuge in another place outside his country of origin or nationality.»

SECTION 2 of Law No. 2005/006 of 27 July 2005 relating to the status of refugees in Cameroon provides that:

“[every person shall be considered a refugee within the meaning of this Law and based on the Geneva Convention of 28 July 1951 relating to the Status of Refugees as amended by its New York Protocol of 31 January 1967 and the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, signed in Addis Ababa on 10 September 1969:

- *any person who, owing to a well-founded fear of being persecuted as a result of race, religion, nationality, membership to a particular social group or political opinion, is outside the country of his or her nationality and is unable or, owing to such fear, is unwilling to avail*

himself or herself of the protection of that country; or who, if he or she does not have a nationality and is outside the country where he or she used to have his or her habitual residence, as a result of such events is unable or, owing to such fear, is unwilling to return to it

- *every person who, owing to external aggression, occupation, foreign domination or events seriously disturbing public order in either part or the whole of his country of origin or nationality, is compelled to leave his place of habitual residence to seek refuge in another place outside his country of origin or nationality.]*

The refugee situation entails rights for its beneficiaries and obligations they must follow otherwise the consequences provided for by law will be incurred. Thus, under the terms of Section 9 of the above-mentioned Law, refugees who legally settle in Cameroon, and *based on the Rights granted to nationals*, can benefit from the right to non-discrimination, the right to religious freedom, the right to property, the right to freedom of association, the right to litigation, the right to work, the right to education, the right to shelter, the right to social and public assistance, the right to freedom of movement, the right to identification and travel documents, the right to transfer assets and the right to naturalize.

Concerning the obligations of refugees, Sections 11 and 12 state that “*every refugee shall be required to comply with the laws and regulations in force in the same manner as nationals*” and that “*any person who acquires refugee status undertakes not to carry out any disruptive activity from the national territory against the State of Cameroon, against his country of origin or any other State*».

At the institutional level, and based on the provisions of Section 16 of the Law relating to the status of refugees in Cameroon, the refugee management bodies: Refugee Status Determination Committee and the Refugee Appeal Board. These bodies are governed by Decree No. 2011/389 of 28 November 2011 on the Organization and Functioning of the Management Body of the Status of Refugees in Cameroon. According to this Law, the *Refugee Status Determination Committee* is made up of eight members, that is, a Chairperson representing the Ministry of External Relations (MINREX), a Vice-chairperson representing the Ministry of Territorial Administration, a representative of MINREX, a representative of MINAT, a representative of the General Delegation for National Security, a representative of the National Gendarmerie, a representative of the General Directorate for External Research, a representative of NCHRF and a representative of the UN High Commissioner for Refugees, who attends sessions as an observer with an advisory capacity¹⁰⁷.

The Refugee Appeal Board comprises five members, that is, a Chairperson representing the Presidency of the Republic, a Vice-chairperson representing the Prime Minister’s office, a representative of the Ministry of Justice, a representative of the Ministry of Territorial Administration and a representative of the UN High Commissioner for Refugees, who attends the sessions as an observer with an advisory capacity¹⁰⁸.

This mechanism is supplemented by many UN agencies, NGOs and humanitarian institutions, collaborating with UNHCR, the State’s technical partner in refugee management. Some of them include the International Organisation for Migration (IOM), the International Committee of the Red Cross (ICRC), the Cameroon Red Cross, the Danish Refugee Council, the Norwegian Refugee Council, Plan International Cameroon, *Première urgence internationale Cameroun*, *Solidarités internationales Cameroun*, Care International Cameroon, etc.

¹⁰⁷ Cf. Decree No. 2011/389 of 28 November 2011 on the Organization and Functioning of the Management Body of the Status of Refugees in Cameroon, Section 2, (1) and (2).

¹⁰⁸ Idem. Section 3 (1) and (2)

In addition, Ministries including the Ministry of Territorial Administration (MINAT), the Ministry of State Properties, Surveys and Land Tenure (MINDCAF), the Ministry of the Economy, Planning and Regional Development (MINEPAT), the Ministry of Basic Education (MINEDUB), the Ministry of Secondary Education (MINESEC), the Ministry of Higher Education (MINESUP), the Ministry of Public Health (MINSANTE), the Ministry of Women's Empowerment and the Family (MINPROFF) and others are equally involved in addressing the specific needs of refugees.

Paragraph 2.- Refugee Management in Cameroon in 2020: Situation, Challenges and Recommendations

UNHCR statistics revealed that Cameroon was home to 443,216 refugees in 2020 mostly from the Central African Republic and Nigeria. There are refugees from other countries such as Chad, Niger, the Democratic Republic of Congo, Rwanda and Guinea Conakry in urban areas. The table below shows the number of refugees by nationality and age group.

Table 34,-Number of Refugees, their Nationality and Category

Country of origin	Number of refugees	Children aged 0-17	Adults aged 18-59	Elderly persons (+60)
CAR	316,128	172,022	132,879	11,227
Nigeria	117,442	71,055	40,922	5,445
Others¹⁰⁹	2,847	1,127	1,606	114
Total	436,417	244,204	175,407	16,786

Source: UNHCR - December 2020

Besides refugees living in Cameroon because of conflicts, several Cameroonians have become asylum seekers or refugees in neighbouring countries such as Nigeria, due to the security context in the North-West and South-West Regions. Many of them have however decided to return to Cameroon. The table below shows the number of Cameroonian refugees returning from Nigeria in 2020.

Table 35 - Number of Cameroonian Refugees Returning from Nigeria.

Regions	Cameroonian refugees returning from Nigeria
North-West	6,881
South-West	11,398
TOTAL	18,279

Thus, of the 69,000 Cameroonian refugees from the North-West and South-West Regions who fled to Nigeria, 18,979 returned to Cameroon in 2020.

In addition, several institutional, financial, security, health and social challenges hinder refugee management.

At the institutional level, despite the creation of *Refugee Management Bodies* by Law No. 2005/006 of 27 July 2005 and by Decree No. 2011/389 of 28 November 2011, the determination of their respective membership by MINREX Order No. 0521/DIPL/CAB of 7 August 2019 and the swearing-in of their members before the Mfoundi High Court for a three-year term in 2019, *these bodies did not hold any*

¹⁰⁹ Apart from Central African and Nigerian refugees, Cameroon also hosts other refugees including those from Chad, Niger, DRC, Rwanda and Guinea Conakry.

eligibility or appeal sessions in 2020 due to lack of funding. Consequently, UNHCR continued to undertake refugee management, including determining refugee status and issuing refugee cards and other identification documents.

Financially, humanitarian aid in Cameroon continues with the help of funding bodies and international donors. However, out of needs estimated at 391 million dollars in 2020, only 50 per cent could be covered by UN agencies, that is, nearly 195 million dollars.

Concerning security issues, refugee management has sometimes led to tensions in host communities, owing to pressure on natural resources such as water and firewood, which are essential for daily activities, as well as access to arable and grazing land. In addition, floods in the Far North Region have made it difficult for humanitarian actors to reach vulnerable communities, and also made it difficult for communities to access basic social services, although access was already limited due to insecurity caused by persistent *Boko Haram* attacks.

Regarding health, the Covid-19 pandemic exacerbated the vulnerability of people living in refugee camps due to difficulties in implementing barrier measures. The NCHRF also noted the inadequacy of health facilities in refugee camps such as Minawao, with only two hospital facilities since 2017 for about 60,000 refugees, which is below the UNHCR's recommended standard of a health centre for 20,000 refugees.

Concerning the education of refugee children, this issue remained relevant during the year, given that many refugee children and those from host communities did not have access to education for various administrative, infrastructural, financial or cultural reasons.

In response to these challenges, the NCHRF released a statement to mark World Refugee Day on 20 June 2020, drawing the attention of the Government and partners to the risks encountered by these vulnerable persons concerning their fundamental rights, while formulating the following recommendations to improve their management.

- **To the Government**
 - provide the necessary funding for the functioning of the Refugee Status Determination Committee and the Appeal Board to make them operational
 - facilitate refugee children's access to schools by simplifying admission procedures for this category of learners
 - strengthen and provide basic social services in refugee camp areas and host communities, thereby meeting the needs of these people.
- **To financial and technical Partners**
 - significantly increase humanitarian aid amounts for refugee management in Cameroon
 - adopt an inclusive approach to humanitarian assistance to refugees by taking greater account of the needs of host communities.

SECTION II.- THE SITUATION OF IDPS

The security context prevailing in the North-West, South-West, and Far-North Regions has forced some people to flee their usual places of residence to settle in safe localities. In recent years, Cameroon has recorded a large number of IDPs across the country. According to UNHCR, Cameroon has 712,000 IDPs from these regions, with 235,000 from the North-West and 175,000 from the South-West. *Most of these IDPs are women and unaccompanied children.* In the Far-North Region, statistics from the UN Office for the Coordination of Humanitarian Affairs (OCHA) and IOM reveal a total of 357,631 IDPs

and 135,257 returnees. *For the year 2020 alone, these statistics show 679,393 IDPs and 237,349 IDP returnees.*

IDPs encounter many challenges, be it in the Northern Regions or North West and South West Regions. In addition, protection, access to water and sanitation, health and nutrition services, education, shelter and non-food items are essential needs for the management of IDPs.

Presenting the situation of IDPs in Cameroon in 2020 will make it possible to discuss the legal and institutional framework concerning the protection of IDPs (**Paragraph 1**), the difficulties identified and NCHRF recommendations concerning these vulnerable persons (**Paragraph 2**).

Paragraph 1.- Legal and institutional framework for the Protection of IDPs

The legal framework concerning the management of IDPs is based on the Preamble of the 18 January 1996 Constitution which states that *“every person shall have the right to settle in any place and to move about freely, subject to the statutory provisions concerning public law and order, security and tranquillity”* and that *“freedom and security shall be guaranteed to each individual, subject to respect for the rights of others and the higher interests of the State.”* Thus, certain circumstances beyond their control may force people to leave their habitual residence and move to other locations within the country. These may include natural disasters, conflicts, etc. In such situations, displaced persons become vulnerable and the State should ensure their protection.

In this regard, according to Article 1(1) of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) of 22 October 2009, which Cameroon ratified on 31 December 2014, *Internal Displacement “means the involuntary or forced movement, evacuation or relocation of persons or groups of persons within internationally recognised State borders.”*

However, there are no specific national laws governing the status of IDPs, but they benefit from all rights given to Cameroonian citizens or people living in Cameroon.

Concerning the institutional framework, it should be noted that the United Nations has mandated UNHCR to include IDPs in its operations, to protect and provide them with humanitarian assistance according to their specific needs. Thus, *UNHCR has been supporting the State’s action by strengthening basic social services for IDPs since 2018.*

At the national level, MINAT is in charge of providing relief and assistance to victims of conflicts and disasters, through its civil protection missions. Thus, administrative authorities are increasingly called upon when people displaced by conflicts or disasters arrive in large numbers in their area of competence. They are increasingly supported by regional, local and traditional authorities.

Conversely, although MINAS is in charge of implementing the State’s social policy. However, its budget does not explicitly include IDPs. The same holds for the inter-ministerial technical committee for the follow-up of the *National Social Protection Policy* steered by MINEPAT, which was adopted in December 2019, mandating it to monitor the care of vulnerable people. There is no specific profile for IDPs in the said policy as is the case for other vulnerable categories, children, youths, women, older persons, etc. Therefore, this Committee does not deal with these groups of people.

Paragraph 2.- Management of IDPs in Cameroon in 2020: Situation, Challenges and Recommendations

The forced displacement of persons creates an environment conducive to human rights violations, given that people on the run are often exposed to attacks by terrorist groups and arrests by armed forces, who sometimes equate them to terrorists. They have also been deprived of their identification documents and resources, preventing them from enjoying other rights such as the right to education, the right to work, the right to identity and the right to nationality, the right to participate in public affairs, etc.

Despite *the absence of specific internal legal and institutional frameworks for IDPs*, the State of Cameroon has taken a series of measures to respond to the needs and protect the rights of IDPs.

The Government has launched two programmes to address the concerns of IDPs since 2016. They include the *Humanitarian Emergency Plan* and the *National Contingency Plan on Prevention and Protection Measures for Internal Displacement*. There are also programmes initiated by UN agencies to stabilise Regions of origin of IDPs and encourage their return. These include “ [the Far North Region Stabilisation Project]”, implemented with the support of the African Union and UNDP, and the *Youth, Peace and Security Project in the Far North Region*, supported by UN agencies.

A plan for the reconstruction and development of the North-West, South-West and Far North Regions was adopted in April 2022. The implementation of the first phase of this plan led to the construction of 105 schools, 45 health centres, and 150 solar-powered water points and facilitated the issuance of identification documents to nearly 3,000 IDPs in the North-West and South-West Regions. In addition, *many French-speaking schools were made bilingual to enhance the integration of students from the English-speaking sub-system*. Many internally displaced students have benefited from school fees discounts and in some cases, have been exempted from paying certain fees.

In spite of the existing Humanitarian Emergency Plan and the National Contingency Plan on the prevention and protection of internal displacement, it should be noted that the situation of IDPs in Cameroon suffers from a lack of coordinated actions between the actors involved in managing them and the absence of a national strategy thereof. For this reason, the Commission recommends implementing the resolutions of the Kampala Convention on domestication workshop organised by UNHCR at MINREX on 10 and 11 October 2017. One of the objectives was to *initiate discussions on a national law or policy on internal displacement*. *Beyond this, some groups experience double vulnerability when in situations of forced displacement. They include older persons, single women, unaccompanied children and indigenous populations*, whose specific needs must be taken on board.

CHAPTER III- WOMEN'S RIGHTS AND RIGHTS OF THE CHILD

The Preamble of the Cameroon Constitution of 18 January 1996 provides that: “the Nation shall protect and promote the family which is the natural foundation of human society. It shall protect women, the young, [...] shall guarantee the child’s right to education “. Reviewing the status of women’s rights, rights of the girl child and rights of the child in Cameroon in 2020 will make it possible to examine the development of the normative and institutional framework that apply to these specific groups, on the challenges they reckoned with, such as the Covid-19 pandemic and security issues in some regions of our country, as well as the various actors and prospects.

Consistent with the foregoing, Section I will report on the Rights of the Child and Section II on Women’s Rights.

SECTION I.- RIGHTS OF THE CHILD

To review the situation of the Rights of the Child in 2020, the focus will be on the presentation of the legal and institutional framework concerning this category of vulnerable persons (**Paragraph 1**), the challenges they encountered in 2020 (**Paragraph 2**) and finally the recommendations aimed at improving the protection of the Rights of the Child in Cameroon (**Paragraph 3**).

Paragraph 1.- The legal and institutional framework concerning the rights of the Child

The national legal and institutional framework for the protection of Child Rights include the following:

- The Preamble of the Constitution of 18 January 1996 states that “*the State shall guarantee the child’s right to education. Primary education shall be compulsory. The organization and supervision of education at all levels shall be the bounden duty of the State*”
- The Law No. 2016-07 of 12 July 2016 relating to the Penal Code (which penalises harmful cultural practices such as female genital mutilation in Section 277, forced marriage in Section 356, and child trafficking and abuse of minors in Sections 242, 349, 350 and 352)
- The Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery
- The Law No. 2005/007 of 27 July 2005 on the Criminal Procedure Code (which regulates the treatment of minors in conflict with the law in Sections 71 and following)
- The Law No. 98/004 of 14 April 1998 to lay down Guidelines for Education in Cameroon, Section 36 states that: “*the physical and moral integrity of pupils is guaranteed in the education system. Physical abuse and all other forms of violence, discrimination of any kind, the sale, distribution and consumption of alcoholic beverages, tobacco and drugs are therefore prohibited*”
- The Law No. 97-019 of 7 August 1997 relating to the control of narcotic drugs, psychotropic substances and precursors and to extradition and mutual legal assistance in the area of trafficking in narcotic drugs, psychotropic substances and precursors
- The Law No. 92-007 of 14 August 1992, on the Labour Code (of which Sections 89, 90, 93 and 94 regulate child labour
- The Decree No. 90/524 of 23 March 1990 established a National Commission for the Protection of Children in Moral Danger, Delinquent or Abandoned
- The Ordinance No. 81-02 of 29 June 1981 to organize Civil Status Registration and various provisions relating to the status of natural persons
- The Order No. 062/CAB/PM of 23 June 2020 establishing the National Committee to fight against Child Labour

- The Decree No. 2018/6233 / PM of 26 July 2018, setting the terms of application of Law No. 2010/002 of 13 April 2010, on the Protection and Promotion of Persons with Disabilities
- The Order No.068/MINTSS of 28 November 2005 established a national committee for the implementation of the international program for the abolition of child labour
- The Decree No. 2001/109/PM of 20 March 2001, establishing the organization of public institutions for the supervision of early childhood
- The Decree No. 2001/110/PM of 20 March 2001 establishing the organisation and functioning of public institutions for the supervision of young children and the rehabilitation of socially maladjusted minors
- And all the enactments establishing and organising administrative bodies that have one or more aspects of Child Rights in their respective terms of reference, such as the MINPROFF, MINAS, MINEDUB, MINESEC, MINEFOP, MINJEC, MINSEP, MINTSS, etc.
- At regional and international level, these include:
- The Optional Protocol to the CRC on the Involvement of Children in Armed Conflict, adopted on 25 May 2000 and ratified by Cameroon on 4 February 2013. This is an additional text to the CRC which was drawn up to address the lack of detail in Article 38 on the recruitment of children in armed conflict. Through this text, States Parties have the obligation and public responsibility to prohibit the recruitment of a person under the age of 18 into armed conflict
- ILO Convention No. 182 on the Worst Forms of Child Labour adopted on 17 June 1999 and ratified by Cameroon on 5 June 2002. It defines the five worst forms of labour to be eliminated to intensify the fight against child labour. These are:
 - *all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom*
 - *compulsory labour, including forced or compulsory recruitment of children for use in armed conflict*
 - *the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances*
 - *the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties*
 - *work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.*
- the African Charter on the Rights and Welfare of the Child (ACRWC) adopted in July 1990, entered into force on 29 November 1999, after receiving the ratification of 15 States including Cameroon on 5 September 1997, the Charter sets up the African Committee of Experts on the Rights and Welfare of the Child
- the UN Convention on the Rights of the Child (CRC) adopted on 20 November 1989 and ratified by Cameroon on 11 January 1993, which defines a child as “*anyone under the age of 18, unless a country’s law sets a younger age limit*” and establishes the Committee on the Rights of the Child
- ILO Convention No. 138 on the Minimum Age for Admission to Employment adopted on 26 June 1973, entered into force on 19 June 1976 and which Cameroon ratified on 13 August 2001. It was drawn up to regulate child labour by setting a minimum working age which the States Parties are obliged to respect. In this regard, it sets the minimum age for admission to work at 15 years (13 years for light work)

The legal and institutional framework for the promotion and protection the Right of the Child is very rich and varied. The NCHPR calls on all public and private to work actors tirelessly to protect the child

Paragraph 2.- Challenges and actions regarding Children's Rights in 2020

The status of the rights of the Child was influenced by the prevailing security context in some parts of the country and by the health crisis caused by Covid-19 in 2020.

Regarding the impact of the security situation, nearly 4.4 million people, including 2.2 million children, were in need of humanitarian assistance in Cameroon in 2020, according to the UN Office for the Coordination of Humanitarian Affairs (OCHA, 2020). *The status of girls as regards the right to education remained worrying as almost three million girls were under-educated*, mainly in the Northern Regions¹¹⁰. In addition, according to UNICEF, over 855,000 children have been deprived of school because of the instability in the North-West and South-West Regions¹¹¹. Some 2,739 schools have been closed for the 2019/2020 school year (68 per cent in the Far-North and nearly 80 per cent in the North-West and South-West Regions)¹¹².

To fight against Covid-19, Cameroon has suspended face-to-face classes and rescheduled classes in such a way as to reduce the spread of the virus (see above, Section 2, paragraph 1 of the chapter on the right to education). It is true that measures such as e-learning and radio and television courses have been taken to continue the teaching process, but because of the lack of access to the internet and electricity, these measures have only benefited a small proportion of learners. *In fact, the use of new information and communication technologies has exacerbated inequalities between rural and urban populations, rich and poor*, to the disadvantage of the poorest who do not have the resources to access these services or who live in very remote locations without access to electricity or mobile phone networks.

Regarding the right to identity, nearly two million children in Cameroon did not have a birth certificate in 2020¹¹³. This alarming situation was discussed by MPs and institutional stakeholders during a special plenary session at the National Assembly on 16 November 2020, to identify the causes and propose legislative and regulatory solutions to be undertaken¹¹⁴.

Regarding sexual and physical violence and other abuses, the 2015-2019 UNICEF Country Report, produced under the Cameroon-UNICEF Cooperation Programme (2018-2021) and released in January 2021, shows that 22 per cent of girls aged between 15 and 19 have been sexually-abused at least once in their lives, and more than 50 per cent have experienced physical violence. In addition, 65 per cent of children are victims of physical violence perpetrated within the family and 80 per cent have experienced psychological violence as a method of discipline.

Regarding the right to health, the UN Inter-Agency Group for Child Mortality Estimation (UNICEF, WHO, World Bank and the Population Division of the UN Department of Economic and Social Affairs)

¹¹⁰ <https://www.humanium.org/fr/la-sous-scolarisation-des-jeunes-filles-au-cameroun/>, consulted on 12/03/2021 at 11:am.

¹¹¹ <https://www.unicef.org/fr/comunique%C3%A9s-de-presse/les-attaques-et-les-enlèvements-visant-des-enfants-dans-certaines-zones-de-l'Afrique-de-l'Ouest-et-du-Centre-suscitent-des-inquiétudes>, consulted on 12/03/2021 at 11:am.

¹¹² Education under threat in West and Central Africa, SOS Children -UNICEF, Report - August 2019.

¹¹³ Speech by the Minister of Basic Education during the launch of the 2019-2020 school year.

¹¹⁴ Press release of the National Assembly of 13 November 2020 published on www.assnat.cm, accessed on 23 March 2021.

estimates that under-five mortality has declined slightly from 75 deaths per 1,000 children in this age group in 2019 to 72 per 1,000 by 2020¹¹⁵.

Other challenges included:

- exploitation of children on the streets, in mines and on plantations
- child trafficking and smuggling
- early and forced marriages
- legal assistance for children in conflict with the law
- the proliferation of drugs and narcotics in schools and universities, etc.

To tackle these challenges, the public authorities have initiated several actions, including:

- adopting and implementing a humanitarian response plan of about five billion FCFA, ordered by the Head of State for the construction of classrooms, toilets, manufacturing of tables and benches and for the purchase of school supplies for the North and Far North Regions which have to cope with the terrorist threat of Boko Haram, to fight against illiteracy
- adopting the National Action Plan for the Elimination of the Worst Forms of Child Labour in Cameroon (PANETEC) 2018-2025, which is a tool for coordinating and streamlining the implementation of public policies to combat poverty and specially protect the Rights of the Child; the general objective is to eliminate the worst forms of child labour by 2025
- the Ministry of Higher Education creating anti-drug clubs and training university staff in the fight against drug use
- launching by the Ministry of Public Health and the NGO CAMNAFAW, of an awareness campaign against the evils of drug use in the Government Bilingual High Schools of Nkol Eton and Ekounou in Yaounde, on 14 February 2020
- launching the special operation for the mass production of birth certificates in 2020, with delivery rates of 76 per cent in Adamawa, 83 per cent in the East, 34 per cent in the Far-North, 32 per cent in the North, 37 per cent in the North-West, 69 per cent in the West, 42 per cent in the South, 31 per cent in the South-West, 23 per cent in the Centre (excluding Yaoundé with 79 per cent), 31 per cent in the Littoral (excluding Douala with 93 per cent)¹¹⁶.

Paragraph 3.- Some recommendations concerning the Rights of the Child

The Commission, in response to many identified challenges concerning the Rights of the Child, makes the following recommendations to the various actors, including:

- *To the Government:* Endorse the Oslo Declaration on Safe Schools (2015), which provides an opportunity to express a strong policy support in terms of strengthening the protection of education and ensure its continuity during armed conflict and therefore better guarantees the right to education of children in Regions of insecurity
- *Specifically to the Ministry of Defence:* improve methods used to better protect education against attacks
- *To Public Authorities:* Take special measures to facilitate access to education in other towns in the country for children displaced because of the unrest in their Regions of origin
- *To the Ministries of Secondary Education and Basic Education:* Promote the effective implementation of the Universal Primary and Secondary Education Completion Plan to overcome illiteracy in Cameroon

¹¹⁵ <https://childmortality.org/data/Cameroon>, consulted on 20 August 2022.

¹¹⁶ BUNEC 2020 Report

- *To the Ministry of Social Affairs:* Launch a strong awareness strategy among parents about the effects of neglecting children on the streets, the impact of such neglect and the vulnerabilities of these groups of people in our society
- *To the Ministry of Women's Empowerment and the Family:* Make every effort to further promote the rights of the girl child
- *To the terrorist groups active in the North-West and South-West Regions:* Lay down their arms to allow children to enjoy their rights to education, health, leisure, family and development
- *To the armed groups active in the three conflict-affected regions:* End attacks on schools and stop using schools as hideouts
- *To Parents:* Send children to school without discrimination as per the Constitution, relevant African and Universal instruments, an African wisdom, expressed in a proverb of the Powé tribe of Gabon, "*the monkey cannot give a bitter fruit to its child*" (parents have the obligation to educate their children).

SECTION II.- THE STATUS OF WOMEN'S RIGHTS

In Cameroon, women represent nearly 51 per cent of the population. However, gender equality and women's empowerment are among the major challenges for Cameroon to achieve the goals set out in its vision of *Emergence by 2035* and the Sustainable Development Goals, including Goal 5, which is to *achieve gender equality and empower all women and girls by 2030*.

In its report titled *Data on gender equality in Cameroon*, released on 23 October 2019, the UN Office for the Coordination of Humanitarian Affairs (OCHA) indicated that while 39 per cent of the Cameroonian population lives below the poverty line, this rate stands at 51.5 per cent for women. In addition, 79.2 per cent of them are underemployed. The same report indicates that only 3 per cent of women own a house without a property title and 1.6 per cent own a land title in their name.

These statistics reflect the gender bias in terms of access to certain fundamental rights. Thus, for the year 2020, we shall review the legal-normative and institutional framework regarding women's rights (**Paragraph 1**), the main challenges relating to women's rights and the rights of the girl child in 2020 (**Paragraph 2**), the persistent difficulties in this area in Cameroon, and make some recommendations for improving respect for women's rights (**Paragraph 3**).

Paragraph 1.- The legal and institutional framework relating to women's rights

At the national level, women's rights are enshrined and protected by general and specific laws. Some of these laws include:

- the Preamble of the Constitution of Cameroon of 18 January 1996 declares that the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights. It also states that all persons shall have equal rights and obligations and that the State shall provide all its citizens with the conditions necessary for their development. To ensure that the principle of equality in rights and duties are properly protected, Article 1 of this Constitution provides that "*the Republic of Cameroon ... shall ensure the equality of all citizens before the law*".
- the Cameroon Penal Code, which provides that the Criminal Law is binding on all persons without distinction as to sex and contains several provisions protecting women and the girl child, particularly against:
 - genital mutilation (Section 277-1);
 - damage to the growth of an organ (Section 277-2);

- immoral earnings (Section 294);
- private indecency (Section 295), sexual abuse such as rape or incest (Section 296);
- sexual harassment (Section 302-1);
- abortion (Section 337);
- assault on woman with child (Section 338);
- prostitution (Section 343), corruption of youth (Section 344);
- indecency to child under sixteen and indecency to minor between sixteen and twenty-one (Sections 346 and 347);
- forced marriage (Section 356);
- interference with the right to education or training (Section 355-2);
- abusive in respect of bride-price (Section 357);
- desertion (Section 358);
- eviction from the matrimonial home (Section 358-1), etc.
-
- various other laws such as:
 - *the Civil Code, Ordinance No. 81-02 (29 June 1981) on the organization of civil status and various provisions related to the status of natural persons;*
 - *the Labour Code;*
 - *Order No. 85-02 of 31 August 1985 on the exercise of the activity of credit institutions, amended by Law No. 90/019 of 10 August 1990;*
 - *Decree No. 94/199 of 7 October 1994 to lay down the general rules and regulations of the Public Service.*

These laws recognise, guarantee and protect the specific rights of women, thus reflecting the will of the Cameroonian State to promote an inclusive society offering all (men and women) the same opportunities and the same rights.

At the African regional level, Cameroon is bound by general and specific conventions that protect women's rights, such as the African Charter on Human and Peoples' Rights (ratified on 22 October 1986) and its protocol on women's rights (2003), also known as the Maputo protocol (ratified on 28 May 1986).

At the international level, in addition to the 1966 International Covenants on Civil and Political Rights; and on Economic, Social and Cultural Rights, Cameroon has ratified specific instruments such as:

- the International Labour Organisation (ILO) Convention concerning Employment of Women during the Night (1948)
- the ILO Equal Remuneration Convention (1951)
- the UN Convention on the Political Rights of Women (1952), which provides, inter alia, for the right of women to stand for election in all elections without discrimination
- the Discrimination (Employment and Occupation) Convention, adopted by the ILO General Conference on 25 June 1958
- the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, adopted by the UN General Assembly on 7 November 1962, calls upon States to take all appropriate measures to abolish such customs, ancient laws and practices inconsistent with the principles set forth in the UN Charter and the Universal Declaration of Human Rights, by ensuring complete freedom in the choice of a spouse, completely eliminating *child marriages and the betrothal* of the girl child before the age of puberty

- the UN Convention on the Elimination of All Forms of Discrimination against Women (1979) and its Optional Protocol on the referral of cases to the Committee on the Elimination of All Forms of Discrimination against Women
- Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime (2000), etc.

Another example is the UN Security Council Resolution 1325 on Women, Peace and Security of 10 October 2005, calling on Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict between States. Likewise, mention may be made of resolution 2493 (2019) of 29 October 2019, the latest annex to the above-mentioned resolution 1325 (2005), in which the Security Council urges Member States to commit themselves to implementing the Agenda for Women and Peace and Security and to adopting priorities set out therein by ensuring and facilitating the full, effective and equal participation of women in all stages of peace processes, including through gender mainstreaming, and to continue to strive to increase the number of women in civilian and uniformed personnel in peacekeeping missions at all levels and in senior leadership positions.

In addition to these instruments, most of which are compulsory, Cameroon has signed a number of declarations that are part of the global agenda for the promotion of gender equality, including the 1995 Beijing Declaration and Platform for Action, and the Solemn Declaration of the Heads of State and Government of the African Union Member States on Gender Equality in Africa of July 2004.

Paragraph 2.- The main challenges regarding women's rights in 2020

In the year under review, the realisation of women's rights faced several challenges. We will examine the issue of women's political participation (A), the impact of the security situation in certain regions on women's rights (B), the increase in attacks on women's physical and moral integrity, particularly through sexual and gender-based violence (C), and the impact of Covid-19 on their rights (D).

A - Women's participation in politics

In Cameroon, although legal and institutional efforts are being made regarding gender equality and the fight against discrimination and violence based on gender or sex, many challenges remain, especially with regard to the effective participation of women in decision-making bodies. For example, until 2020, men occupied the majority of leadership positions at all levels in Cameroon, as:

- no woman held the position of Governor in Region or Regional Council President
- only 39 women are at the helm of executive councils, i.e. 10.83%;
- 61 women sit in the National Assembly, i.e. 33.88%;
- only 26 women sit in the Senate, i.e. 26%;
- women hold 21% of ministerial positions;
- only two women hold the position of Secretary General of a Region, i.e. 20%;
- women hold about 15% of Director General positions;
- only two women are Vice-Chancellors in the 11 state universities, about 18%;
- 2 out of 58 Divisional Officers are women, i.e. 3.44%;
- 15 out of 360 Sub-Divisional Officers are women, or 4.16%.

However, there have been improvements in women's participation in governance. These include:

- the increase in the rate of women's registration on the electoral roll from 35 per cent in 2007 to 48 per cent in 2019, with the same trend in 2020, although the year 2020 was particularly marked

by a low rate of new registrations due to the Covid-19 pandemic and the elections held in February and March 2020. This is the result of the combined efforts of the government, political actors and Civil Society to promote women's participation in the electoral process

- the increase in the number of women in the National Assembly, which rose from 57, that is 31.7% in 2013 to 61, that is 33.88% after the twin legislative and municipal elections of 9 February 2020
- the increase in the number of women in municipal councils, from 16 per cent in 2013 to almost 24.7 per cent in 2020, a total of 2,623 women out of 10,626 municipal councillors following the 9 February 2020 double ballot. Also, 38 of the 374 mayors of municipal councils are women, that is 10.16 %.

These statistics are certainly below the national and African standards of 30 per cent and 50 per cent respectively, but the steady progress gives reason to hope that, with more awareness, literacy and education for women, better short- and medium-term results can be achieved in the short to medium term. Nevertheless, gender equality remains a real challenge for the State. The mindset of the population based on harmful traditional practices and/or backward socio-cultural prejudices are still largely dominated by a patriarchal approach to the management of society. Consequently, women remain vulnerable and are victims of various forms of injustice, violence and discrimination, exacerbated in times of crisis or conflict.

B - The impact of security situations in some regions on women's rights

Women and girls suffer greatly in times of insecurity. They are often abandoned by men in insecure villages and have to look after children and family responsibilities single-handedly, even more so when they are IDPs or refugees.

The destruction of socio-economic infrastructures such as hospitals, health centres and schools by terrorist-secessionists particularly affects women and girls. In a context where women's access to health care and education is already reduced due to socio-cultural constraints (preference for boys over girls, deliveries at home, excision, early marriages etc.), the destruction of existing social infrastructures increases their vulnerability.

To reduce the impact of security situations in the North-West, South-West and Far-North Regions on women and girls, Cameroon adopted on 16 November 2017 a three-year action plan for the implementation of the UN Security Council Resolution 1325 (and related resolutions) of the United Nations Security Council on: "Women, Peace and Security"¹¹⁷, with the aim of increasing women's participation in conflict prevention and resolution and peacebuilding. This resolution calls on States to

¹¹⁷ Resolution 1325 (2000) adopted by the Security Council at its 421st meeting on 31 October 2000 and its nine related resolutions listed below now comprise the Women, Peace and Security Agenda:

- Resolution 1820 (2008) adopted by the Security Council at its 5916th meeting, on 19 June 2008;
- resolution 1888 (2009) adopted by the Security Council at its 6195th meeting, on 30 September 2009
- resolution 1889 (2009) adopted by the Security Council at its 6196th meeting, on 5 October 2009
- resolution 1960 (2010) adopted by the Security Council at its 6453rd meeting, on 16 December 2010
- resolution 2106 (2013) adopted by the Security Council at its 6984th meeting, on 24 June 2013
- resolution 2122 (2013) adopted by the Security Council at its 7044th meeting, on 18 October 2013
- resolution 2242 (2014) adopted by the Security Council at its 7127th meeting, on 5 March 2014;
- resolution 2467 (2019) adopted by the Security Council at its 8514th meeting, on 23 April 2019, and
- resolution 2493 (2019) adopted by the Security Council at its 8649th meeting, on 29 October 2019.

take the necessary measures to protect women before, during and after conflicts. The 2018-2020 action plan for the implementation of Resolution 1325 in Cameroon focused on four outcomes, namely:

- the inclusion of women's leadership in peace processes
- the protection of the Rights of women and girls including against gender-based sexual violence in peace, conflict and post-conflict periods
- gender mainstreaming in emergency aid and construction during and reconstruction after the return of peace;
- strengthening institutional mechanisms for data collection on women's involvement in peace, security and conflict prevention programmes.

The Women's International League for Peace and Freedom (WILFP), which carried out an evaluation of this action plan, considers that its implementation was not sufficiently inclusive. The NGO therefore recommends that the second-generation action plan currently being drawn up should emphasise the participation of all actors, particularly regional and local authorities.

However, one of the main effects of the security situation on women's rights is that it *fosters sexual and gender-based violence*, commonly known as SGBV, which is already a challenge even where there is no serious security factor.

C - The increase in the number of attacks on the physical and moral integrity of women: sexual and gender-based violence (SGBV)

During the reference year, there were frequent complaints filed at the NCHRF related to SGBV, mostly from its Branches in the South-West and North-West Regions.

In 2020, 14 out of the 57 complaints received by the NCHRF North-West Branch Office, *that is about a quarter* (24.5 per cent) concerned gender-based violence, including a case of SGBV. This rate, although alarming, is nevertheless lower than the 2019 rate of 23 cases of GBV, including a case of SGBV, out of a total of 69 complaints, which represents one third (33 per cent) of the complaints from the branch that year.

In 2020, the South-West Region recorded specific cases of sexual and gender-based violence, with 17 cases of SGBV out of the 107 written complaints filed at the NCHRF during the reference year, which represents a rate of 18.19 per cent.

In these regions, the current unstable security climate further increases the vulnerability of women and girls, and equally increases the risk of impunity for the perpetrators of such acts. The Commission's teams in the field are working to reduce such risks by giving victims the opportunity to expose their offenders and ensuring that they are effectively punished, as illustrated by the cases below.

Case No. 13 - Case of Ms MBUA Sarah WONJE vs. Officer EYEGUE Philemon on sexual violence based on gender

The South-West Branch of the NCHRF received a complaint from Ms Sarah MBUA, accusing Mr Philemon EYEGUE, a soldier to whom she was married, of physical aggression, on 20 February 2020. It should be noted that the regional Branch had previously received complaints from that complainant decrying repeated violence from the accused.

The NCHRF Branch office thus referred the matter to the Public Prosecutor of the Fako and Buea Magistrates' Courts for appropriate action, supported by a medical certificate provided by Ms MBUA Sarah. After Ms Sarah MBUA expressed her wish not to take legal action, Mr Philémon EYEGUE signed a pre-emptive engagement stating that he would not harm her for a period of three years, at the end of which time the complainant has the right to bring the matter before the competent courts in case of recurrence.

Case No. 14 - Case of *The rape of Miss KUM Wisdom, aged 7, vs. Daniel Praise*

Ms. Judith MEH filed a complaint at the NCHRF South-West Branch, on 16 June 2020, in a matter pitting a certain Daniel Praise against KUM Wisdom, her 7-year-old daughter whom he had raped.

In follow up, the Branch took the complainant and the victim to the Buea General Hospital where a forensic certificate was issued after a consultation, stating that anal penetration occurred. After the victim identified the accused as the author of this act, the Branch contacted the Buea territorial gendarmerie brigade, which is close to the victim's home. The suspect was arrested and presented before the judicial authorities to answer for his acts. The diligence of the branch led to the issuance of an arrest warrant against the accused (Daniel Praise). However, he fled and the warrant could not be executed.

Thus, the Branch put the victim and family in contact with the psychiatrist of INTERSOS, a non-governmental organisation, for appropriate medical follow-up.

D- The impact of Covid-19 on women's rights

The spread of Covid-19 generally reduced progress in all areas on gender equality and women's rights in previous years, from health and the economy to security and social protection.

At the social level, Covid-19 has led to the exacerbation of violence against women and gender-based discrimination. According to UN Women, *women, compared to men, perform three times more unpaid domestic work and care in families*. With lockdown, which is a key preventive measure of Covid-19, this imbalance has worsened because women's domestic workload has increased considerably.

Lockdown has also been a catalyst for the continued spread of domestic and spousal violence against women. For example, the UN Women's report on this issue states that in 12 months, nearly 243 million women and girls (aged 15-49) worldwide have been physically or sexually abused by an intimate partner¹¹⁸. Men, faced with the stress of job loss and economic slowdown, were more likely to take it out on their female partners.

The Covid-19 pandemic has also had an impact on women's health and especially their sexual and reproductive health. In the context of the health crisis, while priority was given to the care of those infected, many women did not have access to reproductive healthcare. In addition, women found it difficult to go to health facilities for consultations because they feared exposure to the novel Coronavirus infection or lack of financial means due to economic tensions.

The Government response strategy to the coronavirus pandemic (COVID-19), which the Prime Minister, Head of Government, announced in his speech on 17 March 2020, set out a series of 17 measures designed to curb the spread of this pandemic in the country. The adoption of this action plan by each Ministry has made it possible to draw up sector action plans to fight against Covid-19. For the Ministry of Women Empowerment and the Family, in charge of women's rights, the main actions included the installation of handwashing and temperature control devices at the entrance to the Ministry, as well as Regional delegations, and the centres for the promotion of women and the family, which serve as Divisional delegations. Measures were also taken to raise awareness on the need to comply with restrictive measures at the family level.

¹¹⁸ PHUMZILE MLAMBO-NGCUKA, Executive Director of UN Women, «Violence against women and girls: the shadow pandemic», statement made on Monday 6 April 2020

Other stakeholders, such as *Horizon femmes*, have been involved in raising awareness and supporting women in the fight against Covid-19¹¹⁹. Thus, some 500 awareness-raising posters were put up in Yaoundé, Douala and Bafoussam, and 4,777 women and 1,181 men (including prostitutes, their clients, innkeepers, IDPs and others) were educated on prevention measures. Some 150 IDPs and prostitutes and their family members (857 people overall) received financial support to cope with the economic crisis related to the pandemic.

The MBOSCUDA association worked on the specific issue of indigenous women's rights in the North-West and South-West Regions. This project highlighted the *double-pronged vulnerability of indigenous women who, because of their status as a vulnerable group, are acutely exposed to gender-based violence*. For example, in the Mbororo communities of the North-West, most young girls are victims of forced early marriage. Parents have been educated on the risks of early marriage and on their responsibilities in providing for the education and basic needs of their children.

The association has carried out several activities for indigenous women in the target communities, such as:

- conducting campaigns to raise awareness and inform communities about women's rights and the rights of the girl child; to encourage all actors to respect these rights, beginning from the women and girls themselves, as well as men and boys, and community and religious leaders
- strengthening mutual respect and peaceful coexistence between the neighbouring Baka and Bantu communities, through dialogue platforms which include the leaders of the said communities and involving the capacity building of the said communities in conflict resolution and peacekeeping
- continued advocacy for the inclusion of gender and women's participation in all spheres of community decision-making, towards traditional, community and religious leaders
- promoting women's empowerment through capacity building in entrepreneurship and management and provision of material support for the launch of income-generating activities
- supporting the education of the girl child and providing them with school kits.

Paragraph 3.- Main challenges and recommendations concerning the protection and respect for women's rights

The following are some of the main challenges concerning respect for women's rights in Cameroon:

- the weak domestication (harmonising laws and regulations), insufficient adoption and application of the Protocol to the African Charter on Human and Peoples' Rights (AfCHPR) on Women's Rights by the various actors, including in courts
- the persistence of stereotypes and cultural practices that discriminate against or demean women
- the insufficient awareness of the population (men, women and children), traditional authorities, political and religious leaders, journalists and other opinion leaders on women's rights
- the poor communication on instruments that protect women's rights
- the low-level of reporting on violence against women and various forms of discrimination by victims and rights defenders
- impunity in several cases of rape, incest, early marriage, repudiation, female genital mutilation, unwillingness to send girls to school, and domestic violence, with the complicity of families or because of the silence of the victims themselves

¹¹⁹ <http://horizonsfemmes.org/lutte-contre-la-covid-19-au-cameroun-horizons-femmes-joue-sa-partition-avec-lappui-strategique-de-ses-partenaires/> accessed on 20 October 22 at 00:30.

Stakeholders, namely public administrative services and institutions, their technical and financial partners, regional and local authorities, journalists, traditional, religious and political authorities, NGOs, and Civil Society Organisations must, according to their respective missions, competences and interventions, take measures to:

- ensure the conformity of national laws with instruments ratified or adopted by Cameroon, according to the case, concerning women's rights and the rights of the girl child
- enforce existing laws that protect women against all forms of discrimination and violence, including rape, domestic violence, early and forced marriages, mutilation etc., and fight against impunity
- raise awareness among women, young people, community leaders, members of the security and defence forces, etc., on their roles and responsibilities as defined in women's rights protection instruments
- strengthen women's financial independence to enable them to meet their specific needs and those of their family members
- encourage women to participate in elections as candidates, register to vote and vote freely
- strengthen the education of girls and promote women's involvement in economic development at local and national levels, including through vocational training, access to land, credit, employment and decent work.

CHAPTER IV - THE RIGHTS OF PERSONS WITH DISABILITIES AND INDIGENOUS PEOPLES

Persons with disabilities and indigenous peoples fall within what is known as the vulnerable categories of human rights, owing to their specific needs, which, for some, stems from their physical or mental states and for others, from the impact of migration or development actions that have affected their lifestyle.

The following sections will focus on the situation of the rights of persons with disabilities (Section 1) and indigenous peoples (Section 2).

SECTION I.- THE RIGHTS OF PERSONS WITH DISABILITIES

According to WHO, a person with disabilities is “*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.*”¹²⁰

As per the provisions of Section 2 of Law No. 2010/002 of 13 April 2010 on the promotion and protection of persons with disabilities in Cameroon, disability can be simply defined as “*a limitation of a person’s ability to fully participate in an activity in a given environment.*”

The Convention on the Rights of Persons with Disabilities signed by Cameroon on 1 October 2008 and its Optional Protocol define disability as an evolving concept which stems from interaction between persons with disabilities and environmental barriers that hinder their full and effective participation in society on an equal basis with others.

This 2020 report will discuss the legal and institutional frameworks concerning the rights of persons with disabilities (**Paragraph 1**) and the main challenges encountered by this category of persons during the reference year (**Paragraph 2**).

Paragraph 1.-The Legal and Institutional Frameworks concerning the Rights of Persons with disabilities

The promotion and protection of the rights of persons with disabilities in Cameroon is based on the Preamble to the 18 January 1996 Constitution, which states that “*all persons shall have equal rights and obligations. The State shall provide all its citizens with the conditions necessary for their development*” and Law No. 2010/003 of 13 April 2010 on the promotion and protection of persons with disabilities, and Decree No. 2018/6233/PM of 26 July 2018 laying down the procedure for the application of Law No. 2010/003 of 13 April 2010 on the promotion and protection of persons with disabilities. The provisions of this decree specifically apply to persons with disabilities holding a *national disability card as per the 2010 Law*¹²¹ and justifying a permanent potential disability rate of at least 50 per cent¹²². Under these laws, these people are entitled to specific rights concerning education, vocational training, employment, access to infrastructure, housing, transport and communication, and in the fields of health and participation in political, cultural and sports activities.

¹²⁰ Comité national coordination action handicap, *les différents types de handicap*, published at www.ccah.fr/CCAH/Articles/Les-differents-types-de-handicap, accessed on 12 March 2022 at 10 a.m.

¹²¹ Section 41 of Law No. 2010/003 of 13 April 2010 on the promotion and protection of persons with disabilities

¹²² Section 1 of Decree No. 2018/6233/PM of 26 July 2018 lays down the procedure for the application of Law No. 2010/003 of 13 April 2010 on the promotion and protection of persons with disabilities.

To tackle the fraudulent allocation of national disability cards by computerising and securing them, a collaborative agreement was signed between the Ministry of Social Affairs and the General Delegation for National Security on 18 November 2020. As part of the implementation of the public-public partnership for the realisation of the rights of persons with disabilities, *specialisation workshops to define the new card's design have been organised, applicant enrolment sites have been set up and MINAS staff required to operate in the system have been trained*. As of 25 October 2021, 1206 new applications for national disability cards have been registered, including 813 for men and 393 for women. The Centre Region has the largest number of applications, with 332, of which 254 are men and 78 are women¹²³.

In addition to these legislative and statutory provisions, several other laws have been signed or adopted to promote the consideration of disability and the rights of persons with disabilities at the national level. These include:

- Decree No. 2018/366 of 20 June 2018 to institute the Public Contracts Code, which, in paragraph 2 of Section 55, requires project owners to conduct mandatory preliminary studies that must also include *“the disability approach to infrastructure projects”*
- Decree No. 2018/6234/PM of 26 July 2018 on the reorganisation of the National Committee for the Rehabilitation and Socio-Economic Reintegration of Persons with Disabilities (NCRSED)
- Joint Order No. 0001/MINSANTE/MINAS of 13 August 2018 to lay down the modalities for the establishment and *issuance of the special medical certificate for persons with disabilities*
- Order No. 0017/MINAS of 14 August 2018 establishing the modalities for the preparation and issuance of the national disability card.

At the infrastructural level, the State has stressed on the rehabilitation of persons with disabilities through Presidential Decree No. 2020/632 of 19 October 2020 to lay down the establishment, organization and functioning of the Maroua Centre for the Rehabilitation of Persons with Disabilities, under the supervision of the Ministry of Social Affairs. This new specialised centre will focus on the rehabilitation, re-education and socio-economic reintegration of persons with disabilities in the Northern Regions, to apply the provisions of Article 16 (1) of the Decree that lays down the procedures for the application of Law N°. 2010/002 of 13 April 2010 on the protection and promotion of persons with disabilities, which states that *“rehabilitation aims to enable the disabled person to reach and maintain an optimal functional level from a physical, sensory, intellectual and psychosocial point of view, and thus to provide him or her with the means to acquire greater autonomy.”*

Initiatives taken for the rights of persons with disabilities include Government efforts to make information accessible and continuous to persons with visual and hearing impairments, especially as part of raising-awareness on respect for barrier measures against COVID-19, and other information concerning the pandemic. This applies to Elections Cameroon's arrangements for persons with disabilities during the 2020 elections, such as printing ballot papers in Braille, and including sign language in some television advertisements.

Several Civil Society Organisations have equally participated in promoting the rights of persons with disabilities. This is the case of the *Club des jeunes aveugles réhabilités du Cameroun*, which inaugurated its multimedia centre for the blind and visually impaired on 2 December 2020. This multimedia centre, the first of its kind in Sub-Saharan Africa, was entirely funded by the Cameroonian government through the Ministry of Posts and Telecommunications. This inclusive and multi-purpose

¹²³ <http://minas.cm/fr/bulletin-d-informations-statistiques-et-sociales.html>, accessed on 31 January 2023.

centre will significantly contribute in training persons with disabilities in the use of modern information and communication technologies.

Paragraph 2.- Challenges concerning the Promotion of the Rights of Persons with Disabilities in Cameroon in 2020

Despite some progress in the establishment of a framework conducive to the promotion and protection of the rights of persons with disabilities, several challenges have been observed concerning this vulnerable category of persons in 2020.

The first challenge is that of the application of the law in force on persons with a disability. Despite the adoption of legislative and statutory instruments, as well as institutional measures aimed at promoting and protecting the specific rights of this category of people, it has been observed that, in practice, persons with disabilities do not yet benefit from all the advantages provided for by law, especially:

- the provision of sign language interpreters in schools and universities
- the granting of subsidies for the purchase of teaching equipment for persons with specific educational needs
- housing assistance
- the access to communication and information (labelling in Braille and enlarged characters on everyday products, full and quality subtitling on television and all audio-visual works, TV news in sign language, etc.)
- the reduction of the prices of sports, tourist, artistic and cultural events for the benefit of persons with disabilities
- the creation of reserved spaces in public transport vehicles as well as in public or private car parks open to the public
- the reduction of transport fares in proportion to the degree of disability indicated on the national disability card, etc.

Similarly, the security context in the North-West and South-West Regions, as well as *Boko Haram* attacks in the Far-North has seriously affected persons with disabilities in conflict areas, thus increasing their vulnerability. Since they do not have the same ability as able-bodied people to escape or flee in case of imminent danger, they are exposed to all forms of violence and abuse by others. It should be recalled that on 20 June 2019, the UN Security Council unanimously adopted resolution 2475 (2019) calling on Member States and warring parties to *protect persons with disabilities in conflict situations and to ensure they have access to justice, basic services and unimpeded humanitarian assistance*.

Concerning access to education for children with disabilities, Cameroonian lawmakers have opted for inclusive education integrating the disability approach, to prevent cases of stigmatisation. This option, adopted since 1990 through the Law on educational orientation, has gradually led to the gradual opening of 68 inclusive pilot schools throughout the country, alongside specialised rehabilitation schools. The main challenges include: *the training teachers in sign language and Braille and providing the necessary devices and equipment for the specific care and monitoring of children with disabilities*.

Concerning access to employment, very few initiatives have been taken to promote persons with disabilities effective access to decent employment in the public and private sectors, despite that the MINAS developed a monograph on jobs accessible to persons with disabilities since 2007, and the signing of Decree No. 2018/6233/PM laying down the procedure for the application of Law No. 2010/002 of 13 April 2010 on the promotion and protection of persons with disabilities, which grants preferential

measures to persons with disabilities who have completed vocational training as opposed to able-bodied people during recruitment for public and private jobs.

Concerning participation in public affairs management, despite some progress in the consideration of disability by Elections Cameroon during elections, the NCHRF received some complaints from organisations for the defence of the rights of persons with disabilities, about the *poor accessibility of polling stations to persons with disabilities in some localities*, during the 6 December 2020 regional elections. For instance, the association called the *Comité départemental pour la démocratie, la justice, et la paix du Mbam et Inoubou* (COMDEJPAX/MI), noted the lack of adequate *facilities* for these people to properly carry out their civic responsibilities. According to this CSO, the polling stations were not adapted to persons with disabilities and, therefore, did not consider their specific needs. The *Groupe Nouvelle Afrique (GNA)* Association recommended that members of local voting commissions be trained to help persons with disabilities exercise their right to vote.

In response to these challenges, the NCHRF continued its awareness-raising and advocacy activities towards key stakeholders by. The following activities can be mentioned:

- participating in activities organised by CSOs defending the rights of persons with disabilities, such as the round table organised by the Cameroon Organisation for the Development of the Deaf (OCDS) to mark the International Day of Persons with Disabilities on 3 December 2020, under the theme: *Not all disabilities are visible*. Administrative authorities, persons with disabilities and other civil society organisations attended the meeting. The Commission made a presentation on *People with hearing impairments - their rights and employment: the role of stakeholders (administrative authorities, private sector and civil society)*
- releasing a statement to mark the International Day of Persons with Disabilities on 3 December 2020. In this statement, the Commission:
 - *encourages disability to be taken into account at all levels for the effective fulfilment of persons with a disability;*
 - *calls on ministries, in particular the Ministry of Basic Education, the Ministry of Secondary Education, the Ministry of Higher Education and the Ministry of Employment and Vocational Training, to take steps to facilitate access to school and university facilities by people with disabilities;*
 - *reiterates also its call to TV station managers to make arrangements for the daily broadcast of at least one news edition in sign language in both official languages;*
 - *recalls Article 11 of the Convention on the Rights of Persons with Disabilities, which calls on signatory states, including Cameroon, 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»;*
 - *calls on the Ministry of Basic Education to train pupils to understand the attitudes of visually impaired people who use white sticks and to assist them in case of distress;*
 - *recommends that the public authorities take exceptional measures to provide free care for patients with disabilities suffering from pre-existing chronic diseases (hypertension, cardiovascular diseases, diabetes, liver diseases, respiratory diseases), such as HIV-AIDS.*

Concerning prospects, it should be noted that the 2020 session of the National Committee for the Rehabilitation and Socio-Economic Reintegration of Persons with Disabilities (created in 2016) was organised under the theme: *Socio-Economic Integration of Disabled Persons as a measure for equalising opportunities to consolidate living together*. During the session, the draft benchmark for assessing

impairments and disabilities in Cameroon was approved, as well as a mid-term assessment of the process of drafting the regulatory enactments prescribed by Decree No. 2018/6233/PM of 26 July 2018. In addition, following the implementation of decentralisation, regional and local authorities are expected to lay emphasis on the disability approach.

SECTION II.-THE RIGHTS OF INDIGENOUS PEOPLES

According to the dictionary *Le Petit Robert*, an indigenous person is one who “*hails from the land where he or she lives, and is not supposed to be an immigrant or a transient.*” The *Dictionnaire de Droit international public* defines indigenous peoples as those who are “*natives of the territory in which they reside, as opposed to immigrants; people settled in a territory long before the invasion by other people, through colonisation*”¹²⁴.

However, there is no universally accepted definition of indigenous populations¹²⁵, given the complex nature of the issue of indigenesness, which results from the heterogeneity of claims and rights to be attributed depending on the group, and the fluidity of perpetual changes in social reality, which is a result of pluralistic tolerance. Consequently, the NCHRF is of the opinion that a restrictive interpretation cannot be legitimated that would lead to limiting the status of indigenous people to the Mbororo, the Bagyèli or Bakola, the Baka and the Bedzang. Unlike many countries around the world, Cameroon has opted, along with a few other countries, to avoid drawing up a formal list of specific groups of individuals who are subject to the constitutional protection of minorities or indigenous peoples. This cautious approach is all the more relevant as indigenous peoples are, in the Cameroonian context, all the peoples making up the demos of the country, each people being indigenous to its own territory, if one refers to Article 57(3) of the Constitution of 18 January 1996. Thus, rather than crystallising irredentism, the State of Cameroon aims, through this broad approach, to ensure the harmonious cohabitation of national communities in a pluralistic society.

The main criteria used by the United Nations to identify indigenous peoples are enshrined in the International Labour Organisation’s Convention 169 on Indigenous and Tribal Peoples. These are:

- occupying or being attached to a specific territory
- voluntary conservation of cultural features which could include which could include aspects of language, social organisation, religious and spiritual values, mode of production, and laws and institutions
- *self-identifying* and being recognised as a distinct community by other groups
- experiencing subjugation, marginalisation, expropriation, exclusion or discrimination.

Peoples who meet at least two of these criteria, including the one relating to self-determination, should benefit from specific protection against discrimination or marginalisation by other communities settled on their lands - which in some cases are in the majority - or by measures adopted by the State or by regional and local authorities.

¹²⁴ James Mouangue Kobil, “Droit de la participation politique des minorités et des populations autochtones, l’application de l’exigence constitutionnelle de la prise en compte des composantes sociologiques de la circonscription dans la constitution des listes de candidats aux élections au Cameroun”, *Revue française de droit constitutionnel*, vol. 3, 2008, No. 75, p. 629-664 (spec. pp. 631 et 632).

¹²⁵ Legal Opinion of the African Commission on Human and Peoples’ Rights on the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the ACHPR at its 41st Ordinary Session held in May 2017 in Accra, Ghana, p. 3.

In Cameroon, therefore, all peoples who meet some of the four internationally recognised criteria are entitled to national, regional and international protections specific to indigenous peoples. Although their exact number is not known, they can be found almost everywhere in the country.

The indigenous populations include not only the 4Bs, but also the following groups broken down by region.

- the *pygmées* who represent nearly 0.4 per cent of the population and are divided into three sub-groups: the *Bagyèli* or *Bakola*, the *Baka* and the *Bedzang*, who are in the South and East Regions respectively, and in some areas in the Centre Region, especially in the Ngambe-Tikar area (Mbam-et-Kim Sub-Division).
- the Mbororo, they are a nomadic community estimated at a population of over one million people and are found mainly along the borders with Nigeria, Chad and the Central African Republic. They are made up of three groups, including the *Wodaabe* in the North Region, the *Jafun* in the North-West, West, Adamawa and East Regions, and the *Gallegi* who are also found in the East, North-West, Adamawa and West Regions.
- In the Littoral and South-West Regions, we can mention the Sawa group, a small part of whose populations are found in the South Region (notably the Batanga). In any case, the Sawa include the following populations:
 - the *Baneka, Bakaka, Bakem, Balong, Bankon, Bonkeng, Mbo'o, Pongo, Bakoko peoples in the Mounjo Division;*
 - the *Douala peoples in the Wouri Division;*
 - the *Yabassi, Bandem, Banen, Banya, Dibom, Bodiman, Ewodi, Mbang, Moya, Dibom peoples in the Nkam Division;*
 - the *Malimba, Bakoko, Ndonga, Bassa, Pongo-Songo peoples in the Sanaga-Maritime Division; the Banyang in the Manyu Division;*
 - the *Bakole, Ngolo-Batanga, Oroko and Yabassi peoples in the Koupe-Manengouba Division;*
 - the *Bakossi, Bakweri and Mongo peoples in the Fako Division;*
 - the *Bimbian and Oroko in the Ndian Division;*
 - the *Batanga, Ngoumba Bongwe and Iyassa peoples in the Ocean Division;*
 - the *Bafaw, Balong and Barombi in the Meme Division.*
- In the Adamaoua Region, there are the Baboute or Vute, Mboum, Péré or Koutine, Nyem Nyem, Waawa, Kwandja or Kondja, Peuhl, Tikar and Gbaya peoples, Dii or Dourou across the five Divisions of the Region which has 1043 traditional chieftaincies including six 1st degree chieftaincies (Banyo, Tibati, Tignere, Kontcha, Meiganga and Ngaoundere), 16 2nd degree chieftaincies and 1021 3rd degree chieftaincies
- In the Far North Region, they are the Peulh, Guiziga, Mousgoum, Massa, Toupouri, Mbororos, Moufou, Douvanger, Kera, Mandara and Zoulgo peoples, Mada, Nguemdjek, Podoko, Morah Mafa, Mofole, Gawar, Gadala, Tourou, Dlhama, Daba, Bana, Hide Kapsiki, Moundang, Guiziga, Pohri, Hadjarey, Sarah, Djoumkoune, etc. They are found in the six Divisions of the Region
- In the North Region, there are Dwayo (Faro Division), Fali (Benue Division), Guidar (Mayo-Louti Division) and Lame (Mayo Rey Division)
- In the North West Region, the Mendankwes, Mankons, Nkwens, Pinyins, Bali Nyongas, the Bafut (Mezam Division), the Wimbams, Fumtehs, Kakars, Mbessas, Mbembes (Donga Mantung Division), the Aghems, Isimbis, Furu-awas peoples, Ukpwas (in the Menchum Division), the Nsos, Nonis, Okus (Bui Division), the Bamunkas, Babas, Bali-kumbats (in the Ngokentunjia Division),

the Koms (Boyo Division) as well as the Metas, Ngies, Njikwas, Batibos and Wirikums (Momo Division)

- In the Eastern Region, these are the Gbaya, Kepere, Pol, Mboum, Bamvélé, Bobili and Maka peoples (Lom and Djerem Division), the Kaka, Bangangtou, Medjime and Gbaya peoples (Kadey Division), the Maka, Dejem, Badjoué, Akpwakoum, Djem, Bikélé and Omvang peoples (Haut-Nyong Division), the Bidjouki, Konabembe, Mbimou, Mbombo, Yanguéré, Bangangtou, Essel and Baka peoples (Boumba-and-Ngoko Division)
- In the Centre Region, these are the Bamvele, Baboute, Badjia, Yezoum, Yangafeuk, Kaka peoples ((Upper Sanaga Division), the Batchenga, Biyaga, Manguissa, Eton peoples ((Lekie Division), the Koro, Ngam, Sanaga, Yambassa, Lemande, Balom, Bekké peoples, Nkokwé, Gouifé, Bapé, Yambetta, Nyokon, Banen (Mbam and Inoubou Division), the Tikar, Sanaga, Baboute, Baveuk, Ndjanti peoples (Mbam and Kim Division), the Mvele, Ewondo, Bene, Tsinga and Eton peoples (Mefou and Afamba Division), the Ewondo, Elegu, Yanda, Etenga, Bene, Tsinga, Bassa (Mefou and Akono Division), Mvog-Ada, Mvog-Betsi, Etoudi, Tsinga, Mvog-Ekoussou, Mvog-Atemengue, Ndong, Mvog-Mbi, Mvog-Beling, Mvog-Ebanga, Mvog-Atangana Mbala, Emveng, Emombo, Angok (Mfoundi Division), and Bassa peoples Bakoko (Nyong and Kelle Division), the Yebekolo, Yembama, Yelinda, Mvog-Nyengue, Omvang, Sso, Mbidambani, Maka, Essankom, Yengono, Essankom (Nyong and Mfoumou Division), the Bene, Mbidambani, Enoah and Ewondo peoples (Nyong and So'o Division)
- In the West Region, these are the Fussep, Baleng, Bamougoum (Mifi Department), Bachua, Balepo, Bamedji, Bamendou, Bamegnia, Bamekoue, Bamelo peoples, Bamepah, Bametougou, Bawa-Bamelo, Gagong-Kombou, Madju-Mantset, Mogni-Njingha, Ntouna, Topelou, Batcham, Bangang, Bamougou, Bamessingou, Balatchi, Bamenkombo, Babété, Bamendjinda, Bamendjo, Bafounda, Bamesso, Bagam, Bamenyam, Bamendjing, Bati (Bamboutos Division), Bamoun peoples, Tikar (Noun Division), Foto, Foreke-Dschang, Fongo-Ndeng peoples, Fossong-Wentcheng, Fotetsa, Fontsa-Touala, Bamegwou, Fotomena, Fomopea, Fongo-Tongo, Fossong-Ellelem, Bafou, Baleveng, Bamendou, Bansa, Balessing, Baloum, Santchou, Fondonera, Fombap (Menoua Division), the Bayangam, Batoufam, Bandrefam, Bangang-Fondji, Bandjoun (Koung-Khi Division), the Bangangté, Bangoua, Bamena, Bongoulap peoples, Batchingou, Bangang-Fokam, Bahouoc, Bazou, Balengou, Bakong, Babitchoua, Baloua, Bambou, Bandounga, Boulou (Nde Division), of the peoples Baham, Bamessing, Bametchetcha, Baloumgou, Bandenkop, Mendjieu, Schela («Hauts-Plateaux» Division), the Badoumka, Baboate, Babouantou, Bakoven, Baloum, Fondanti, Mentchem, Bakondji, Bapoungue, Fombele, Fonti, Fotsi, Fon Kouakem peoples, Fondjomoko, Foyemtcha, Mboebo, Bana, Bakassa, Bandoumkassa, Batcha, Balouk, Fopouanga, Komako, Bafang, Baboutcheu-ngaleu, Bankondji, Bassap, Baboutcha-Nitchou and Babone (Haut-Nkam Division).

In this report, the analysis will dwell on the legal and institutional frameworks for the protection and promotion of the rights of indigenous peoples (**Paragraph 1**), the main challenges encountered by these peoples in 2020 (**Paragraph 2**) and the NCHRF actions and recommendations concerning this vulnerable group (**Paragraph 3**).

Paragraph 1.- The Legal and Institutional Frameworks for the Promotion and Protection of the Rights of Indigenous Peoples

The Preamble of the Constitution of Cameroon states that “*the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations in accordance with the law.*” Article

22 of the African Charter on Human and Peoples' Rights, to which Cameroon is a party, states that "*All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity*".

At the regional level, the Working Group on Indigenous Populations/Communities in Africa was established by the ACHPR. This working group has carried out a study on the situation of indigenous peoples in Africa.

At the international level, the UN adopted the UN Declaration on the Rights of Indigenous Peoples with the support of Cameroon, on 13 September 2007 which Cameroon ratified. The law provides specific rights which enable organisations fighting for indigenous peoples to carry out awareness-raising and advocacy activities. The UN organised the first Conference on Indigenous Peoples in New York, United States to initiate discussions around the adoption of a binding instrument in September 2014.

Follow-up mechanisms such as the Special Rapporteur on the Rights of Indigenous Peoples, the Working Group of Experts on the Rights of Indigenous Peoples, and the UN Permanent Forum on Indigenous Peoples have been established to disseminate the declaration and conduct thematic studies, provide advice and report on the situation of Indigenous Peoples' Rights worldwide.

At the national level, to pursue their commitment to the rights of indigenous peoples, public authorities have adopted a series of legislative, regulatory and institutional measures to protect these rights, including participation in the management of public affairs, the right to the preservation of their cultural heritage, the right to identity, etc.

These measures include the following:

- Setting-up an inter-sector committee to monitor programmes and projects involving *vulnerable indigenous peoples* by Ministerial Order No. 0022/A/MINAS/SG/DSN of 6 August 2013. This platform brings together representatives of public administrations, technical and financial partners, and representatives of indigenous peoples with the aim of mobilising resources for assistance to *vulnerable indigenous peoples*
- The strong decision of leaving positions of mayor to indigenous municipal councillors from the region concerned, through law No. 2019/024 of 24 December 2019 on the General Code of Regional and Local Authorities, enacted by the President of the Republic on 24 December 2019¹²⁶. This measure was applied under municipal elections in March 2020; the post of city mayor, which is reserved for the indigenous people of the region, has replaced that of Government Delegate, which is the province of native the city
- Applying the provisions of paragraph 3 of Article 57 of the Constitution of Cameroon, which states that regional councils shall be headed by an indigene of the Region, following the election of regional councillors held on 6 December 2020
- Developing a *National Plan for the Development of Indigenous Peoples* aiming at promoting better coordination of state actors' interventions, technical and financial partners, and Civil Society Organisations concerning prevention, assistance and protection of the Rights of indigenous peoples, under the impetus of the MINAS and in collaboration with the NCHRF, in December 2020. Specifically, this plan will make it possible to

¹²⁶ See Section 246 (1) of Law No. 2019/024 of 24 December 2019 *institute the general code of regional and local authorities* which states that "*the city mayor, municipal councillor of a sub-divisional council of the said city council shall be a native of the region of attachment of the city council*".

- (1) develop a shared vision of the main areas of intervention for the promotion and socio-economic inclusion of indigenous peoples,
 - (2) identify the main guidelines of sector policies for indigenous peoples by area of intervention,
 - (3) identify the principles and frameworks for intervention by development partners for indigenous peoples,
 - (4) outline a consensual strategic document for potential stakeholders and donors to guarantee greater effectiveness and efficiency in the actions undertaken for the development of indigenous peoples,
 - (5) suggest strategies and actions contributing to the socio-economic inclusion of indigenous peoples
- Considering concerns for the protection and promotion of the rights of vulnerable groups, including indigenous peoples, in the National Development Strategy 2030 (NDS 30).

Paragraph 2.- The Main Challenges encountered by Indigenous Peoples

Indigenous peoples in Cameroon, like in most African countries, encounter many challenges. They are *poorly represented in decision-making institutions* and do not participate in the management of public affairs in their home communities or areas. Sometimes, these peoples have limited access to land and are victims of land expropriation marginalisation, discrimination and stigmatisation, including:

- unlawful appropriation of their land by the coloniser, by the state, by largescale agricultural and mining companies or by other private stakeholders;
- the failure to recognise and demarcate their land rights
- selective enforcement of laws that require environmental impact assessments and free prior and informed consent for any natural resource exploitation project
- pressure on their land due to logging, mining, conservation and agribusiness activities all of which lead to restricted access to natural resources or to the benefits from the exploitation of resources in their immediate environment
- their weak participation in decision-making processes at both community and national levels
- their limited access to citizenship, education, health, land and other basic social services, including through the non-use of their mother tongue
- difficult socio-professional integration of their young graduates, which reflects their poor access to the labour market and to self-employment opportunities.

The outbreak of COVID-19 in 2020 has been a double challenge for indigenous peoples, since it increased their vulnerability. Despite the measures taken by public authorities through the Ministry of Social Affairs to raise awareness in nearly 100 municipalities, indigenous peoples had to resort to ancestral methods derived from traditional pharmacopoeia for the prevention and symptomatic treatment of COVID-19, given the inadequacy of prevention or protection kits such as hand sanitizers, face masks, etc. Similarly, measures such as lockdown or no gatherings have negatively impacted their livelihoods, owing to the impossibility of selling products from livestock, agriculture, hunting, fishing or gathering, which are the main activities these people live on in rural areas.

The situation in the conflict-prone Regions of the North-West, South-West and Far-North, and the upsurge of insecurity in the East, Adamawa and North Regions, marked by kidnapping, hostage-taking and ransoms, cattle rustling, as well as inter-community conflicts, have seriously impacted the rights of indigenous peoples, especially the right to life, the right to property, the right to physical and moral integrity, the right to education, the right to security, etc. For instance, some *260 Mbororo were killed, 3,210 injured, 12,000 displaced, 525 houses burned and looted, 163 million FCFA paid as ransom, 2,700 animals stolen and killed amounting to 810 million FCFA, in 2020 alone*, based on a report from the *Justice et Dignité* campaign initiated by a group of organisations defending the rights of the indigenous Mbororo people Following a survey the results of which were published in 2020, the Cameroonian NGO

Observatoire du développement sociétal (OBS), revealed that “the Mbororo community in the North-West Region is threatened with genocide by armed secessionist groups.”

Paragraph 3. - NCHRF Measures and Recommendations for the Promotion and Protection of the Rights of Indigenous Peoples

As part of its missions, the Commission immediately initiated cases, conducted investigations and made recommendations concerning complaints about violation of the rights of indigenous people, especially acts of aggression and violence against the Mbororo community in the North-West Region in 2020. These include:

- the murder of a Mbororo woman burnt alive in her home with her two children by secessionists in the Donga Mantung Division, North-West Region, whose images were published on social media (*WhatsApp, Twitter, Facebook*) on 28 October 2020
- the murder of a Mbororo woman by secessionists in Ndawara in the Ngohketunjia Division, North-West Region, published on social media.

Ms BOUBA HAWÉ, Rapporteur of the Working Group on the Rights of Vulnerable Groups, after getting wind of these cases notified the interim NCHRF Chairperson, who referred to institutions of competence to investigate these cases.

To examine these allegations, the Observation Investigation and Alert unit (OIA) of the Commission conducted preliminary investigations from 30 October to 2 November 2020. As part of conducting the investigations, a representative of the *Mbororo Social and Cultural Development Association* (MBOSCUDA), contacted on 2 November 2020, disclosed the following:

- Ms Habiba Hammadu, aged 34, and her two children Umaru Hammadu, aged five and Nafisah Hammadu, aged three months respectively, were burnt alive in their home by secessionists on the night of 23 October 2020 in Ntamru, a village in Donga Mantung Division. The secessionists were looking for Sambo KAIGAMMA, the husband of the victim, who escaped when they stormed his house. The reasons why they were looking for Sambo KAIGAMMA remain unknown. Three houses were burnt down during the incident.
- Mrs Fadimatu Ahmeh, a 42-year-old widow, was shot dead by secessionists in an ambush in Karatu-Ntumbaw, Ngohketunjia Division as she was leaving Ndop to Ndu on 22 October 2020, accompanied by military trucks. The conveyor of the truck in which she was travelling was injured while the driver escaped unharmed.

According to information gathered on the spot, secessionists started attacking the Mbororo ethnic and native minority following their refusal to participate in the armed struggle against the State of Cameroon. Many mbororos people have fled from their homes.

Based on all this information, the Commission released a statement on 24 November 2020 condemning the atrocities the secessionists committed against the Mbororo community in the North-West Region (in Sabongari, Donga-Mantung Division and in the villages of Achah, Jakiri, Ndawara, Santa and Bafut, Mezam Division) and urged the Government to investigate and subsequently bring the perpetrators of these heinous crimes to book.

To mark the International Day of the World’s Indigenous Peoples on 9 August 2020, under the theme *COVID-19 and indigenous peoples’ resilience*, the Commission released a statement decrying the various atrocities, abuses and other forms of physical, oral or written attacks against indigenous people. It also underscored the impact of this pandemic on the rights of indigenous peoples, including the right to life, the right to health, the economic, social and cultural rights, and the right to free movement.

The NCHRF, therefore, recommends the adoption of the following measures to better consider the rights of indigenous peoples:

- include the NCHRF as a stakeholder in all awareness-raising and training activities for indigenous peoples or concerning their fundamental rights
- consider or implement programmes to promote local cultures and traditional pharmacopoeia to prevent and combat some infectious or endemic diseases
- do more to include indigenous people or their representatives in local development initiatives and actions
- establish a system to collect statistical data on the specific needs of indigenous people, per Region, gender and age group
- implement incentive programmes to enable indigenous people to access birth certificates, land ownership, decent housing and employment
- strengthen measures to prevent and combat insecurity in conflict-affected Regions, to preserve the rights of indigenous people and protect them from all forms of insecurity
- increase opportunities for political, economic and social participation of indigenous peoples in the decentralisation process, so that they can fully contribute to the governance and development of their respective communities
- specifically establish support programmes to strengthen the economic capacities of indigenous women and girls to start income-generating activities
- continuously sensitise traditional leaders and members of indigenous associations against early marriages, preferential habits and customs in favour of boys, including in education, as well as against gender-based violence
- increase the number of mobile court hearings with the support of the competent courts to regularise the situation of the hundreds of thousands of indigenous adults who do not have birth certificates
- set up frameworks for inter-community dialogue to put an end to agro-pastoral conflicts and to promote living together between indigenous populations and other populations in different localities.

CHAPTER V - THE RIGHTS OF PERSONS LIVING WITH HIV/AIDS AND OTHER VULNERABLE GROUPS

The *Cameroon Population-Based HIV Impact Assessment (Camphia)* carried out between July 2017 revealed that the HIV prevalence among the adult population aged 15-49 years falls between 3.1 per cent and 3.8 per cent. The 2018 Demographic and Health Survey indicated that this rate dropped to stand at 2.7 per cent.

Despite progress made in combating this epidemic in Cameroon over the last twenty years, the outbreak of the novel coronavirus has undermined Government efforts to promote and protect the rights of persons living with HIV/AIDS (Section 1). Covid-19 has also affected the management of both these people living with HIV/AIDS and those suffering from other chronic diseases such as tuberculosis, cancer and kidney failure (Section 2).

SECTION I.- GOVERNMENT EFFORTS TO PROMOTE THE RIGHTS OF PERSONS LIVING WITH HIV/AIDS UNDER COVID-19

The legal and institutional frameworks for the promotion and protection of the rights of persons living with HIV/AIDS has not significantly changed in 2020. The same holds true for other groups suffering from chronic or incurable diseases.

However, the Government, through the Ministry of Public Health, has launched a *Plan to Combat HIV against Covid-19 backdrop* (**Paragraph 1**). Despite the impact of Covid-19 on the health system, this ministry has carried out activities for some groups of vulnerable patients (**Paragraph 2**).

Paragraph 1- MINSANTE's Actions for Persons living with HIV/AIDS

Cameroon has not suspended the implementation of programmes for HIV/AIDS patients at the height of the COVID-19 pandemic. However, the Global Fund HIV/AIDS survey report published in November 2020 revealed that 85 per cent of health facilities surveyed in October 2020 reported that *patients have stopped going to health centres for fear of contracting Covid-19*.

The Ministry of Public Health, through the National AIDS Control Committee (NACC), has continued its screening and awareness-raising campaigns for the public and vulnerable groups. Thus, as at 1 December 2020, some 1,250,000 people have been tested, 37,435 tested positive for HIV and 30,061 of them placed on antiretroviral therapy.

In addition, *efforts made by the State in recent years have reduced the national prevalence rate from 4.3 per cent in 2018 and 3.4 percent in 2019 to 2.7 per cent by 1 December 2020*. However, prevalence among people aged 15-49 years remained high in some regions of the country. The South, Centre and East are the top three Regions with prevalence rate still above 4 per cent that is, 5.9 per cent, 4.6 per cent, and 4.1 per cent respectively.

Furthermore, besides the free treatment given to persons living with HIV/AIDS since 2007, the *State has covered all examinations expenses for pregnant women living with HIV since 1 January 2020*. This aims at facilitating patients' access to treatment and ensure their right to health.

Another commendable action is the decision by the Minister of Public Health of 4 April 2019, effective from 1 January 2020 which charges the State and its partners for the costs of medical and prenatal consultations, medical records, biological monitoring tests, especially CD4 and viral load tests, early HIV screening tests (for the U-five), and antiretroviral drugs and drugs to prevent opportunistic infections

for persons living with HIV. The NCHRF encourages the State to monitor the implementation of this measure across the country as it makes care for people living with HIV more accessible.

Paragraph 2.- Safeguarding the Right of Access to Health Services

The 2020 World Health Organisation (WHO) Global Report on national progress in the fight against AIDS in 2019 revealed that Cameroon was on track to achieving the organisation's ambitious 90-90-90 targets in 2020. The process of accelerating treatment with antiretroviral drugs launched in 2016 was sustained and intensified in all 190 district hospitals of the country, in line with the government's commitment to pursue the implementation of the "*testing and treatment for all*" campaign.

- Concerning screening, Cameroon has jointly used three strategies. They include:
- fixed-site screening in health facilities
- targeted screening using an advanced strategy and
- mobile strategy in high-prevalence areas and among the most vulnerable groups. However, the third strategy of screening in high-prevalence areas and among the most vulnerable groups could not be implemented in 2020 because of Covid-19.

The Commission noted that the *fear and uncertainty surrounding Covid-19 has exacerbated social rejection and discrimination of persons living with HIV*. However, the Government made considerable efforts to maintain healthcare services despite the difficult circumstances, with support from partners like Global Fund. Similarly, health volunteers, known as case workers, were deployed to assist HIV/AIDS patients, *although to respect restrictive measures, home visits (HVs)* were suspended and were now made by phone calls.

The Commission notes that the Ministry of Public Health organised some HIV/AIDS-related activities in 2020, despite these challenges. These include the official launch of the 5th edition of the [*Cameroonian Month for the fight against AIDS and HIV self-testing*] by the Minister of Public Health, who is also the Chairman of the National AIDS Control Committee (NACC), on 17 November 2020, the *AIDS-free holidays* campaign, whose official launching ceremony for the 18th edition took place at the African Synergies head office in Yaoundé on 9 September 2020. About 600 peer educators were recruited, with the mandate to double the number of young people aged 10 to 24 years educated during the campaign. These youths stood at 9,608 in 2019. This aimed at reducing the prevalence rate among this age group, estimated at 1.5 per cent.

Protecting HIV vulnerable groups and other patients with rare or chronic diseases was also one of MINSANTE's priorities in 2020.

SECTION II – PROTECTING HIV VULNERABLE GROUPS AND OTHER CHRONIC DISEASES

The situation of HIV vulnerable groups (**Paragraph 1**), and other people suffering from chronic or incurable diseases such as kidney failure, cancer and viral hepatitis (**Paragraph 2**), caught the Government's attention, despite the difficulties and disruption to health services caused by Covid-19 in 2020.

Paragraph 1 – Protecting HIV Vulnerable Groups

It should be recalled that *HIV/AIDS remained one of the deadliest pandemics prior to Covid-19*, despite great progress made through the partnership between Global Funds and governments over the last two decades.

Prevention remains the best way to reduce the prevalence of this disease, especially among vulnerable groups such as sex workers, injecting drug users, prisoners, and young women and adolescent girls. The same holds true for all HIV vulnerable groups because of gender inequalities.

However, Covid-19 has threatened and remains a threat to progress made by disrupting some essential HIV prevention services. In the absence of prevention services such as screening, people do not know their HIV status or have access to treatment, both contributing to the risk of increasing HIV prevalence rate in our country.

Cameroon carried out outreaches for the above-mentioned vulnerable groups in 2020. Thus, to pursue the implementation of the Prevention of Mother to Child Transmission of HIV (PMTCT) policy, the Permanent Secretariat of the National AIDS Control Committee organised a capacity building workshop for some twenty community radio presenters from the ten regions of the country in Kribi, to enable them grasp new communication messages proposed in the specific context of PMTCT from 16 to 18 June 2020.

Paragraph 2.- The Situation of Persons Suffering from other Chronic Diseases

In addition to persons living with HIV/AIDS, the impact of Covid-19 on the health system affected the situation of people suffering from other infectious or chronic diseases such as *tuberculosis, cancer, viral hepatitis, kidney failure*, etc., in 2020.

Access to health services for tuberculosis patients has indeed been greatly disrupted with the outbreak of the novel coronavirus pandemic in Cameroon. In this regard, the Global Fund's October 2020 report notes that the *number of tuberculosis patients referred to a specialist dropped by 59 per cent in 2020*, as compared to 2019 statistics.

This has been exacerbated by the reallocation of equipment and specialists previously assigned to tuberculosis screening and management to Covid-19 management centres. Global Fund declared in its 24 June 2020 report on surveys conducted in 106 countries, including Cameroon, *that advanced diagnostic equipment, usually used to measure the viral load of HIV-positive persons on antiretroviral treatment or to diagnose tuberculosis, is being used to screen for Covid-19*.

The risk of confusing tuberculosis with Covid-19, given the similarity of early symptoms and the reallocation of diagnostic resources, has fuelled stigma and hampered diagnosis in communities.

The Commission was informed of the woes of persons with kidney failure and viral hepatitis, who not only lacked sufficient and available specialists but also the technical platforms necessary for their care. Such lack was due to the reallocation of these specialists towards the Covid-19 response.

PART V.- SPECIAL ISSUES

Special issues are topics which, due to their cross-cutting or systemic nature, have a considerable impact on human rights. The special issues that will be examined for the year 2020 are the right to a healthy environment (**Chapter 1**), the security situations in the Far North, North West and South West Regions and their human rights implications (**Chapter 2**), the implementation of the resolutions of the Major National Dialogue and their incidence on human rights (**Chapter 3**) and corruption and its effects on human rights. (**Chapter 4**).

CHAPTER I.- RIGHT TO A HEALTHY ENVIRONMENT

The recognition of the right to a healthy environment hails from the Declaration adopted by the Stockholm Conference on the Human Environment, held on 16 June 1972. The first principle of this instrument states that: “ [1] *The Man has the fundamental right to freedom, equality and an adequate condition of life, in an environment of a quality that permits a life of dignity and well-being, and he bears a solemn responsibility to protect and improve the environment for present and future generations*”.

The right to a healthy environment is thus linked to other Human Rights such as the right to drinking water and sanitation, the right to food and the right to health. In this chapter, the legal and institutional framework concerning the right to a healthy environment (Section 1) will be discussed before looking into environmental issues in Cameroon in 2020 (Section 2).

SECTION I.- THE LEGAL AND INSTITUTIONAL FRAMEWORK CONCERNING THE RIGHT TO A HEALTHY ENVIRONMENT

The legal framework concerning the right to a healthy environment (**Paragraph 1**) will be explored before the institutional framework (**Paragraph 2**).

Paragraph 1.-The legal framework concerning the right to a healthy environment

The right to a healthy environment in Cameroon is expressly enshrined in the Constitution of 18 January 1996, which states in the Preamble that “*every person shall have a right to a healthy environment. The protection of the environment shall be the duty of every citizen. The State shall ensure the protection and improvement of the environment*”. In accord with the Constitution, Article 5 of Law No. 96/12 of 5 August 1996 relating to environmental management states that “*The laws and regulations shall guarantee the right of everyone to a sound environment and ensure a harmonious balance within ecosystems and between the urban and rural zones*”. Several other legislative and regulatory texts have been signed to strengthen environmental protection, such as Law No. 94/01 of 20 January 1994 to lay down Forestry, Wildlife and Fisheries Regulations and Law No. 2016/017 of 14 December 2016 on the Cameroon Mining Code. These laws also provide for sanctions in case of damage to the environment or nature, especially regarding protected areas and species, and in the context of the exploitation of mines, forest or wildlife products or industrial development.

Cameroon is party to several regional and international conventions that enshrine and guarantee the right to a healthy environment. They require member states to take concrete measures to protect human beings from environmental degradation.

Therefore, Article 24 of the African Charter on Human and Peoples' Rights of 28 June 1981, which Cameroon ratified on 20 June 1989, states that “*All peoples shall have the right to a general satisfactory environment favourable to their development*”. In addition, the African Convention on the Conservation of Nature and Natural Resources, signed in Maputo on 11 July 2003, enshrined the right of peoples to a satisfactory environment that fosters their development.

At the universal level, Article 12 (2) (B) of the International Covenant on Economic, Social and Cultural Rights provides, concerning the right to health, that “[1] *the steps to be taken by the States Parties [...] to achieve the full realization of this right shall include those necessary for [...] the improvement of all aspects of environmental and industrial hygiene.*»

Several other specific international legal instruments that Cameroon has ratified, or to which she otherwise acceded, on environmental protection, including those on the preservation of biodiversity and ecosystems, the protection of nature, the fight against pollution and climate change, etc. These include:

- The CITES Convention (*International Trade in Endangered Species of Wild Fauna and Flora*), opened for signature on 3 March 1973 in Washington; Cameroon acceded to this Convention on 5 June 1981;
- United Nations Framework Convention on Climate Change (UNFCCC), opened for signature on 9 May 1992 and ratified by Cameroon on 19 October 1994;
- The Abidjan Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region, opened for signature on 23 March 1981 and ratified in August 1984;
- The Kyoto Protocol at the UNFCCC opened for signature on 11 December 1997; Cameroon acceded to this Protocol on 28 August 2002;
- The Vienna Convention for the Protection of the Ozone Layer, opened for signature on 22 March 1985, then ratified on 30 August 1989 and the Montreal Protocol to the Vienna Convention, opened for signature on 16 September 1987 and ratified on 30 August 1989;
- The Convention to Combat Desertification, opened for signature on 17 June 1994 ratified on 29 May 1997;
- The Convention on Biological Diversity, opened for signature on 5 June 1992 and ratified on 19 October 1997;
- The Basel Convention Control of Transboundary Movements of Hazardous Wastes and their Disposal, opened for signature on 22 March 1989 and ratified on 11 February 2001;
- The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (PIC), opened for signature on 10 September 1998 and ratified on 20 May 2002;
- The Cartagena Protocol on Biosafety, opened for signature on 29 January 2000 and ratified on 20 February 2003;
- The Stockholm Convention on Persistent Organic Pollutants, opened for signature on 22 May 2001 and ratified on 17 May 2004, etc.

Paragraph 2.- The institutional framework concerning the right to a healthy environment

According to the provisions of Law No. 96/12 of 5 August 1996 on the law relating to environmental management, the President of the Republic shall define the national environmental policy. Its implementation shall devolve upon the Government, which shall apply it, in collaboration with the regional and local authorities.

However, given its multi-sectoral and cross-cutting nature, *the institutional framework concerning the right to a healthy environment in Cameroon is characterised by a lack of coordination of actions and interventions, due to the absence of a real “institutional leader”*. There is a profusion of national actors with patchy coverage, and a lack of expertise in some key environmental sectors. The Ministries in charge of the environment, nature protection, mining, energy, water, forestry, wildlife, fisheries, agriculture, sustainable development, industrial development, etc., are the main actors in this field. Furthermore, the ministries and institutions dealing with sectors such as labour, health, justice, human rights, territorial administration, etc. follow-up the impact of these activities on the public.

SECTION II.-ENVIRONMENTAL ISSUES IN CAMEROON IN 2020

The main environmental issues in Cameroon in 2020 were anthropogenic pollution (**Paragraph 1**) and natural disasters (**Paragraph 2**).

Paragraph 1.- Anthropogenic pollution

The term “*anthropogenic pollution*” refers to any form of nuisance, destruction or degradation of the environment caused by human activity. The main forms of pollution observed in Cameroon in 2020 were air pollution and waste management.

The WHO defines air pollution as *contamination of the indoor or outdoor environment by any chemical, physical or biological agent that modifies the natural characteristics of the atmosphere*. Such contamination is caused mainly by development policies that affect outdoor and indoor air quality through the emission of harmful substances (carbon monoxide, ozone, nitrogen dioxide, sulphur dioxide) with significant risks for public health and the environment.

Some industrial development activities in Cameroon, such as food processing, mining, power generation, boiler making and metallurgy, cement works, etc., leading to a proliferation of industrial units in Douala and Yaoundé, are inevitably accompanied by a deterioration in air quality, caused by the release of polluting substances into the atmosphere. Load shedding and power cuts lead to the use of diesel generators, which increases air pollution. These activities cause air emissions of various pollutants such as sulphur dioxide, nitrogen oxides, hydrochloric acid, and volatile organic compounds or greenhouse gases, such as carbon dioxide or certain fine particles.

The road transport sector, which represents 95 per cent of transport in Cameroon, is also implicated in the deterioration of air quality. The increase in the vehicle fleet, made up mainly of second-hand vehicles without catalytic converters, causes the release of polluting particles and heavy metals into the air. In addition, the use of poor-quality fuel increases air pollution with the emission of pollutants (particles (PM 2.5 and PM10), nitrous oxides (NO_x), especially nitrogen dioxide (NO₂, carbon monoxide, sulphur dioxide, nitrogen, lead, etc.).

This situation is bolstered by the absence of an air quality monitoring network and warning system for the protection of human health and *the weak enforcement of air quality preservation regulations*.

As far as waste management is concerned, there is a steady increase in the volume of waste due mainly to a soaring and uncontrolled demography in urban areas, as well as changes in the lifestyles and consumption patterns and lack of rigour in the control of industrial activities and industrial facilities. Thus, in Yaoundé and Douala, industrial zones are now surrounded by houses or dwellings notwithstanding the risks incurred by the people, due to the industrial waste generated by these structures and considering the shortcomings observed in the treatment of such waste.

The harmful nature of hazardous waste requires a specific treatment method to protect the environment and public from contamination and infection. The two methods of treatment for this category of waste are incineration and landfill. According to the Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED), “*Cameroon produces 6 million tons of waste per year, of which 600,000 tons is plastic waste*”.¹²⁷ Hazardous industrial waste is directly handed over to approved companies for their collection, transportation and/or treatment.

¹²⁷ <https://www.scidev.net/afrique-sub-saharienne/features/cameroun-gestion-dechets/#:~:text=des%20d%C3%A9chets%20plastiques-,Selon%20Pierre%20H%C3%A9l%C3%A9%2C%20le%20ministre%20de%20l'Environnement%2C%20de,dont%20600.000%20tonnes%20de%20plastique%22> (accessed on 12 February 2023).

Industrial areas and the urban environment remain the most polluted areas. Despite the legal framework¹²⁸ which offers opportunities for an environment-friendly industrial development, *the Cameroon industry remains very polluting*. The management of hospital waste (soiled or infectious waste, non-soiled special waste, household waste and wastewater) is also inadequate because of the limited number of suitable incinerators and the poor design of small-scale incinerators. This situation leads to an anarchic management of domestic and industrial waste: incineration and burning in open air, dumping in rubbish bins without sorting, waterways or in nature, burying and dumping in special pits.

The effects of poor waste management on people and the environment are many, including as follows:

- The pollution of water wells, mainly as a result of the direct dumping of waste into streams and rivers, and of unauthorised dumps created on the banks of rivers and in neighbourhoods;
- The propagation of pests such as rodents, flies and other insects, which are direct or indirect agents of the spread of serious diseases.
- Pollution of water resources: illegal dumps containing organic matter and *leachate*¹²⁹ are the source of contamination by infiltration of groundwater by pathogenic germs and heavy metals, or surface water by run-off of contaminated rainwater
- Air pollution: burning waste in the open produces emissions of substances that are harmful to the environment and human health, such as dioxins and furans, carbon monoxide, etc.
- Diseases caused by the consumption or use of these waters for domestic purposes increases the prevalence of water-borne diseases (typhoid fever, amoebic dysentery, cholera, dermatoses, etc.)
- Flooding caused by the build-up of waste in the river bed, forcing the water out of the river bed after each rainfall event.

To enable the treatment of waste in an environmentally sound manner which would eliminate or reduce its harmful effects on human health and on the quality of the environment, *the NCHRF recommends the effective implementation of the recommendations made to the Government during the first National Conference on Waste, held from 27 to 28 April 2016, in Yaoundé, regarding a waste management policy which aims at transiting from a linear economy to a circular economy*, from waste management to resource management while fostering the recovery, reuse and recycling of waste in order to create added value and green jobs. These recommendations included:

- the creation of a national waste exchange to serve as a platform for exchange and implementation of the circular economy concept and
- the revision of the national waste management strategy for the implementation of a circular economy between 2016 and 2026.

Paragraph 2.- Natural disasters

Throughout the year 2020, natural disasters in several parts of the West, Far North, Littoral and South-West Regions resulted in loss of lives or material damage.

In the Noun division (West Region), the Bangourain sub-division experienced a lightning bolt and the collapse of a wall which caused eight (8) deaths on Wednesday 17 June 2020, after heavy rainfall.

¹²⁸ See law No. 89/027 of 27 December 1989 on Toxic and Hazardous Waste as well as the Stockholm Convention on Persistent Organic Pollutants opened for signature on 22 May 2001 and ratified on 17 May 2004.

¹²⁹ During storage and under the combined action of rainwater and natural fermentation, the waste produces a liquid fraction called "*leachate*". Rich in organic matter and trace elements, these *leachates* cannot be discharged directly into the natural environment and must be carefully collected and treated.

Out of the 162,000 victims¹³⁰ of the floods in the Far- North between July and October 2020, a total of 7,350 were displaced and 1,500 families lost their homes. In addition, some 50 deaths were recorded, while 104 primary and secondary schools were destroyed, affecting the right to education of 38,000 school children. The material damage caused by the floods also included the collapse of the Palar bridge linking Maroua and Kousseri in Chad and Nigeria. The reconstruction of this strategically important bridge is ongoing. It is also worth mentioning the collapse of National Road No. 1 after the rains of 31 August 2020. The damage was such that a delegation of seven members of the Government were sent to the scene by the President of the Republic between 3 and 7 September 2020 to provide state aid to the victims.

Some 900 families in Douala lost their homes and countless possessions following the floods of 20 and 21 August 2020. The Minister of Territorial Administration brought Government aid to the victims. Floods are a frequent phenomenon in Douala, because of the abundance of rainfall, its hydromorphic soil and flat relief, coupled with construction in areas at risk of flooding, the obstruction of channels and drains and anarchic urbanisation. According to the National Observatory on Climate Change (ONACC) which had predicted that the country could experience drainage overflows in urban and peri-urban areas¹³¹, these floods can be attributed to the combination of natural factors (abundant rainfall, hydromorphic soil and flat relief) as well as human factors (construction in areas at risk of flooding, obstruction of channels and drains, anarchic urbanisation, unauthorised houses, retreat of mangroves and no cleaning of water channels filled with plastic waste) The minister of Decentralisation and Local Development (Minddevel) had, however, instructed the 374 municipalities and city councils to *organize campaigns against insalubrity in municipalities and city councils and to clean run-off drains regularly*¹³². Apparently, this has not been done.

Considering these facts, the NCHRF recommends:

- sustainable land use planning that considers potential risks of natural disasters in urban planning;
- improving waste management in urban areas;
- drawing up risk management plans (floods, landslides, etc.)
- constructing sustainable drainage works in urban areas
- increasing the awareness and involvement of the communities in the prevention process.
- sensitising people, through regional and local authorities as well as other actors, on the need to avoid piling up household waste around their homes or throwing them in drains and other water channels by making use of rubbish bins.

This chapter highlights *the need to enforce existing legal and regulatory provisions designed to contribute to the fulfilment of the right to a healthy environment*. To this end, a better synergy between public and private institutions and the Civil Society is essential.

¹³⁰ See OCHA Sub-Office in Maroua, *Cameroon: Far North, Status Report No. 3*, October 2020, published on 17 December 2020, https://www.humanitarianresponse.info/en/operations/cameroon/document/cameroon-extr%C3%A0me-nord-rapport-de-situation-no-3-octobre-2020?_gl=1*c989di*_ga*NDQ4MTY0NzI0LjE2NzQ5OTExNzU.*_ga_E60ZNX2F68*MTY3NDk5MTE3Ni4xLjEuMTY3NDk5MjIxMy41OS4wLjA, accessed on 20 February 2021. The phenomenon has occurred many times in this region (1994, 1997, 2000, 2005, 2006, 2007, 2012, 2013, 2018). In 2012, the total number of victims was 114,211, with 110,383 in Mayo Danay and 3,828 in Logone-et-Chari. Minepded reports, 2014 and 2019.

¹³¹ Cameroon-Info.Net, “*Cameroon – Intempéries : les inondations sont de retour à Douala*” [archive], on www.cameroon-info.net (accessed on 22 August 2020).

¹³² <https://www.journalducameroun.com/cameroon-graves-inondations-dans-les-villes-de-douala-et-edea-cameroon/>, accessed on 20 February 2021.

CHAPTER II - SECURITY SITUATION IN THE FAR-NORTH, NORTH-WEST AND SOUTH-WEST REGIONS AND HUMAN RIGHTS EFFECTS

Insecurity kept impacting the Far-North, North-West and South-West Regions through murders, rapes, kidnappings for ransom, destruction of property, looting, hostage taking, torture and cruel, inhumane and degrading treatment in 2020. It forced people to flee to safer places. These effects spilt on the country's major cities such as Douala and Yaoundé, where homemade explosives have killed civilians. Some 565 deaths were recorded in 2020, because of security problems.

Some 565 deaths were recorded in 2020, due to the security situation. Such deaths included 272 in the Far North (230 civilians, 23 soldiers and 19 suicide bombers) and 293 in the North-West and South-West (184 civilians, including 24 children, 23 Defence and Security Forces agents, 72 separatists, eight traditional rulers and six administrative agents). This security situation led to 85 to 95 per cent of numerous human rights violations caused by non-state actors in the Far-North, West, North-West and South-West Regions. These include violations of the right to life, especially with the atrocities armed separatist groups committed against civilians (including students and teachers), the heinous killing of seven students of *Mother Franscesca College* in Kumba on 24 October 2020, and many Mbororos including a woman and her two children burnt alive. The same armed groups slaughtered and even even beheaded and/or skinned several Defence and Security Forces. Houses were destroyed or burnt down in many areas and people were forced to abandon their goods and property to save their lives.

In this report, it is appropriate to examine the security situation in the Far-North (Section 1), and North-West and South-West Regions (Section 2).

SECTION I.- THE IMPACT OF THE SECURITY CONTEXT ON HUMAN RIGHTS IN THE FAR- NORTH REGION IN 2020

The Commission decries the upsurge of *Boko Haram* attacks in the Far-North during the reference year. Attacks were in the form of raids, suicide bombings, abductions for recruitment and ransoms, looting of villages and IDP camps, and killings. They resulted in many displacements of persons and human rights violations, especially those examined in the following paragraphs which will successively focus on violations of the right to life, the right to safety as well as the right to moral and physical integrity (**Paragraph 1**), violations of the right to education (**Paragraph 2**) and internal displacements (**Paragraph 3**).

Paragraph 1.- Violations of the Right to Life, the Right to Security, and the Right to Physical and Moral Integrity

One of *Boko Haram* deadliest attacks killed around 100 people in Boma, including 92 Chadian soldiers on 23 March 2020. Other sporadic small-scale attacks were recorded, including attacks against IDP camps. A roadside bomb attack on Nguetchewe village in the Mayo-Tsanaga Division killed 18 civilians and injured 15 on 2 August 2020. A month later, a suicide bomber killed 8 civilians and wounded 14 in an IDP camp in Kouyapé, Kolofata Sub-Division, on 1 September 2020. Overall, *Boko Haram* carried out 400 attacks in 12 months, with 234 against civilians, representing 59 per cent.

Paragraph 2.- Violations of the Right to Education

Boko Haram made schools war targets, just like the secessionists in the North-West and South-West¹³³ Regions. Their multiple attacks on education have boiled down to the massive violation of the

¹³³ The Commission notes that *children are Boko Haram prime targets in the Far North Region and victims of the secessionist-fuelled conflict in the North-West and South-West*. *Boko Haram* attacks are geared towards education, children's main activity. This is a

right to education for thousands of children. Due to *Boko Haram* attacks, thousands of Cameroonians were forced to drop out of school. Dozens of schools were abandoned, some taken over by IDPs, while others were destroyed or looted during the attacks.

Most schools in the Far-North Region were deserted following *Boko Haram* repeated attacks. Despite the reopening of some schools in October 2020, attendance remained low. Many teachers and students who fled the attacks have still not resumed classes. At the Fotokol Government High School, for instance, only about 900 of the expected 1,700 students returned to class in the first week. Some 68 schools were closed in the Far-North as a precautionary measure in September 2020. Authorities equally closed some 60 schools near Borno State in Nigeria to protect children from *Boko Haram*, in October 2020. Children were forced to drop out of school or travel long distances to attend school elsewhere¹³⁴.

Paragraph 3.- Internal Displacement and Surrender of Ex-Combatants

The Far-North Region recorded nearly one million people in need of humanitarian assistance and 490,000 IDPs in 2020¹³⁵. Some *Boko Haram*-hit areas, especially in Mayo Tsanaga, Mayo Sava and Logone-et-Chari, also experienced flooding during the rainy season. People were frequently compelled to move.

The Commission noted that some technical and financial partners-funded projects in the Far-North Region to bring peace and ensure economic growth for the return of IDPs. They include the following:

- The Project to stabilise *Boko Haram*-free areas. This AU and UNDP-funded project addresses security, economic recovery and infrastructure.
- The “Youth and Stabilisation for Peace and Security in the Far-North of Cameroon” project. This is an EU-funded project carried out by Cameroon government and UN agencies. It covers 12 areas in the Logone-et-Chari, Mayo Sava and Mayo Tsanaga Divisions.

Other stakeholders are known for disseminating questionable information, as in the case of the Human Rights Watch report of 10 July 2020, which accused the 14th Military Battalion of forcing the vigilance committees to watch terrorist attacks. A leader of one of the vigilance committees debunked this allegation stating that it stemmed from their own initiative.

However, it should be noted that the Yaoundé Military Court sentenced the four soldiers involved in the 2015 murder of two women and their two children in the Far-North Region, atrocities whose images went viral on social media and provoked public outcry, to ten and two years’ imprisonment on 21 September 2020.

SECTION II.-THE PERSISTENCE OF THE POOR SECURITY CONTEXT IN THE NORTH-WEST AND SOUTH-WEST REGIONS

Although there seemed to be a lull in the North-West and South-West Regions between March and September 2020, an upsurge of attacks marked by outrageous atrocities was recorded in October. However, a gradual return to normalcy was observed through people returning to their places of residence, and sustained by the deployment of the Defence and Security Forces, the arrest of some terrorists, and humanitarian actions conducted by the Government, the army and some development partners. Excluding

children-oriented war. The same holds true for the conflict secessionists started in the North-West and South-West Regions with banning of school or preventing learners and teachers, even if it takes violence, from going to school. The conflict in these two regions is equally a war against children.

¹³⁴ See Moki Edwin Kindzeka, *Voice of America*, www.reliefweb.int (accessed on 12 January 2021).

¹³⁵ See *Plan de réponse humanitaire de l’État du Cameroun*, March 2020.

the ban on activities on Mondays («ghost towns») and other lockdown measures imposed, agricultural and economic activities had timidly resumed in several areas. Most of the roadblocks secessionists set up to extort money from people were dismantled.

Despite the actions aimed at accelerating the permanent return of peace in the two above-mentioned Regions (**Paragraph 1**), the persistence of security issues has negatively impacted the enjoyment of human rights (**Paragraph 2**).

Paragraph 1.- Actions to Promote the Permanent Return of Peace

Actions aimed at promoting the permanent return of peace in the North-West and South-West Regions include:

- the investigation the Head of State ordered following the Ngarbuh massacre¹³⁶. On 17 February 2020, the Minister of Defence, following the Head of State's instructions set up a mixed *ad hoc* Commission that conducted the fact-finding mission. The Chairperson of the Cameroon NHRI was a member of the Commission and the Secretary-General at the Presidency released the conclusions of the investigation through a radio and television communiqué on 21 April 2020. The perpetrators were arrested and legal proceedings were instituted against them as part of a trial opened before the Yaoundé Military Court on 10 June 2020.
- the President of the Republic, Head of State and Supreme Commander of the Armed Forces, in his speech to mark the triumph of the 37th batch of the Combined Services Military Academy, addressed the Defence and Security Forces on 24 January 2020 in the following terms: “*in performing your duties, you must respect human rights.*” This prescription first of all goes to bodies that have the right to resort to violence in some circumstances, as well as all other State structures. It aims at promoting Human Rights in the society as a whole, hence the slogan “*Human rights for all and by all*”, adopted for the 28th NCHRF ordinary session held on 22 December 2020
- the specific measures Mamfe authorities took to accommodate nearly 300 people who sought refuge in Nigerian border cities and villages such as Agadom, Mfum, Uyo and Aba, in October 2020
- the deployment of troops in the most affected areas and conduct of special operations such as “Keep Bamenda Clean”, launched in September 2020. These operations led to the arrest of a secessionist leader called Lucas Nde Fru alias “Mad Dog” on 6 September 2020. His terrorist group was suspected both of killing a military officer in Bamenda and robbing a micro-finance institution. Another operation was carried out in the South-West Region, during which the separatist leader Ayike was killed and 13 hostages freed in Besali, in the Wabane Sub-Division, on 13 October 2020
- donations of table-benches that the Rapid Intervention Battalion (BIR) made in October 2020, and the rehabilitation of several buildings, to ensure the effectiveness of the 2020/2021 back-to-school in the four Sub-Divisions of the Menchum Division. Military personnel equally made donations to some villages located at the entrance of Kumba, such as Ediki
- the Minister of Territorial Administration's donations worth 600 million FCFA to 500 internally displaced families in the seven Sub-Divisions of the Mfoundi Division

¹³⁶ On 15 February 2020, the United Nations and some NGOs such as Human Rights Watch and Amnesty International reported the killing of about 20 civilians and the burning of houses in the area of Ngarbuh, Ndu Sub-Division, Donga Mantung Division, North-West Region on the night of 14 February 2020. The events, documented through satellite images, are attributed to armed men identified as members of the Cameroon Security and Defence Forces. According to reliable sources, at least 22 civilians, including a pregnant woman and 14 children, died on that day. The victims included SEKA, shot dead in his home with his wife and children, and Pah Awudu, Pah Abdul Sunjo, Ma Kwicherreh, Yaya, Sika Justin Alidou, Kinuyui, Mai Suley, and Ngong Hassana

- local authorities' measures to combat the ban on activities imposed on Mondays since 2016. Mr David Mafany Namange, Mayor of the Buea Council, sealed shops whose owners were following secessionists' orders despite local authorities' security guarantees, on Monday 13 July 2020. Similarly, during 30 December 2020 budgetary session, Mr Mbigba Felix, Mayor of Bamenda I, pledged to fight this phenomenon by using motorbikes of the municipality and sealing shops
- the numerous dialogue and awareness-raising initiatives aimed at encouraging secessionists to lay down arms and seize the President's outstretched hand for dialogue and return to peace by integrating NCDDR camps.
- the ongoing construction of a much larger and better equipped disarmament, demobilization and reintegration centre in Bamenda for former secessionist combatants to improve their living conditions
- the ongoing reconstruction projects amounting to 90 billion FCFA in the North-West and South-West Regions. Minister Paul Tasong, National Coordinator of the Presidential Plan for the Reconstruction and Development of the North-West and South-West Regions, divulged this during a consultative mission to these Regions in July 2020.

Concerning international cooperation, Cameroon has signed cooperation partnerships with UN partners for the implementation of large-scale projects as part of the UN Peacebuilding Fund. These projects aim at creating community-based peace-making mechanisms in insecure areas and training stakeholders in this field. These include the Project leveraging Community participation and the Role of Human Rights Defenders (HRDs) in the Peacebuilding Process in the North-West and South-West Regions of Cameroon, funded by the UN Peacebuilding Fund under an agreement with the Ministry of Economy, Planning and Regional Development signed in 2020. A component of the project, steered by UNDP, is based on activities aimed at *dispelling the idea that impunity prevails in the Regions*. The Cameroon NHRI was designated to implement the Project, alongside community-based human rights defenders.

Another major project of the UN Office of Counter-Terrorism was launched in 2018, and is being implemented by the Ministry of External Relations. The project aims at *building the capacity of law enforcement officials on counter-terrorism*. These include staff from the Ministry of Defence, the Secretariat of State for Defence, the General Delegation for National Security, the Ministry of Justice (magistrates and prison superintendents), and NCHRF staff. They were trained on the international regime for the protection of human rights under counter-terrorism, legal limitations on the use of force, detention and hearing practices as per human rights, and special investigation techniques, at the Hotel La Falaise in Bonanjo, Douala, from 17 to 21 February 2020.

It should be emphasised that implementing these projects is part of Cameroon's desire to strengthen rule of law and make respect for human rights a fundamental basis for its actions. The implementation of these projects is frequently assessed through high-level consultations, as part of the *Cameroon-United Nations System Structured Political Dialogue*, chaired by the Minister of External Relations, a forum which equally involves representatives of various public administrative services and senior representatives of UN agencies. The Commission recommends such mechanisms to reaffirm the State's commitment to tackle national security issues, and involve development partners in the search for lasting solutions.

Paragraph 2.- The Negative Impacts of the Persistent Security Issues on Human Rights in the North-West and South-West Regions

Despite actions undertaken for the return to lasting peace in the North-West and South-West Regions, insecurity prevails, with serious impacts on human rights, especially the right to life, the right

to security, the right to property, the right to be protected from torture and other cruel, inhumane and degrading treatment or punishment, and the right to health. The impact of continuous security problems on the right to life, as well as on the right to physical and moral integrity (A), the right to education (B) and the right to property (C) will be particularly examined.

A - Violations of the Right to Life, the Right to Security, and the Right to Physical and Moral Integrity

At least 184 civilians (including 24 children), 23 Defence and Security Forces officers, 72 separatists, 8 traditional rulers and 6 government officials were killed in the North-West and South-West Regions due to conflicts, in 2020.

The fact that the right to life of various categories of persons has been violated for several reasons will be raised. Separatists were killed for insurgency and terrorism. Civilians, in turn, were killed in the crossfire when equated to separatists or for colluding with the national army, failing to respect “ghost towns” and “lockdowns”, refusing to reveal secessionist terrorists’ hideouts, participating in elections, or simply going to school. Soldiers were killed either for being assigned to some checkpoints or simply being in these Regions.

In addition to military counter-terrorism operations in these Regions, the modus operandi that led to death includes the setting up of roadblocks, hostage-taking use of homemade bombs, ambushes and attacks on military convoys, as well as the use of torture and other forms of cruel, inhumane or degrading treatment.

Concerning the installation of roadblocks, they were set up in Buea on 1 July 2020 by separatists who then had to confront soldiers. The Kumbo - Oku road was blocked for about two years after separatists destroyed bridges and dug trenches. Traffic was restored on 3 July 2020 thanks to the Ngoke-Bui military operation.

Concerning hostage-taking, the leader of a separatist terrorist group, Ayike, took 63 civilians hostage in the Lebialem Division on 13 July 2020. Most of them were released by ransom. Separatist fighters entered a church in Kumbo and took worshippers hostage on 6 December 2020. Concerning kidnappings, armed men kidnapped and killed a humanitarian worker in Batibo on 7 August 2020. Cardinal Christian Tumi and Fon Mbinglo of Nso were abducted in Ndop on their way to Kumbo on 5 November 2020. Eight (8) people were equally abducted in Limbe on 9 November 2020, three (3) traditional rulers including Chief Ikome Ngale of Mile 14, Dibanda village, was found dead in the forest on 13 December 2020.

Concerning military operations, those carried out in Ngoketunjia and Bui in July 2020 resulted in the death of 13 separatist terrorists and the destruction of 16 separatist camps. Lucas Nde Fru aka “Mad Dog”, the pseudo secessionist “general”, was neutralised following the “Keep Bamenda Clean” operation on 6 September 2020. Another operation was conducted in the South-West Region, during which pseudo “general” Ayike was killed and 13 hostages freed in Besali, Wabane Sub-Division. Five civilians were killed in Ngongham, Bamenda on 21 September 2020. Some seventeen (17) separatist terrorists and one (1) soldier were killed during the Ngoke-Bui operations in the North-West Region.

Concerning explosions of homemade bombs secessionist terrorists planted, they are a modus operandi designed to spread the hotbeds of tension. They exploded in the quarters of Nkwen, Alabukom and Mgingfibie in Bamenda, North-West Region, killing several civilians in August 2020. Two (2)

Cameroonian soldiers and a civilian died when their vehicle hit an explosive device in Bongongo, South-West Region on 14 September 2020.

Concerning ambushes, two soldiers died in a separatist ambush at Kisseme in the Bui Division on 18 November 2020.

Concerning attacks on military convoys, separatist fighters targeted several military convoys in Kumbo, injuring four (4) soldiers in November 2020. Acho Elias Ambi, a municipal councillor, was killed in Mbengwi after separatist terrorists attacked a military convoy carrying voters for the regional elections on 6 December 2020.

Concerning cruel, inhumane or degrading treatment as a modus operandi, the case of Comfort Tumasang, a young woman aged 35, brutally killed by secessionists in Muyuka in the South-West Region on 11 August 2020, has been especially widely publicised. A video widely circulated on social media showing three secessionist terrorists, accusing this young woman of colluding with the army, beat her and dragged her on the ground over a distance of nearly 100 meters by pulling her by the hair, hands tied behind her back. They mutilated and beheaded her with a machete, before posting the video of macabre crime on social media, as a warning to those who would be tempted to collude with the army. The Minister of Communication released a statement on 13 August 2020, to condemn the killing and urged the Defence and Security Forces to pay more attention to the security of civilians amid conflicts as regards handling the situation in the North West and South-West Regions. The NCHRF also condemned these despicable and barbaric acts in a press release on 18 August 2020. In this press release, the NCHRF called *on armed gangs operating in these Regions to immediately put an end to the suffering they are inflicting on the people they claim to defend*. It equally requested authorities to investigate the case so that the suspects would be arrested and brought before the courts to be tried as per the Law.

B - Violations of the Right to Education

In 2020, 458,000 students and 19,000 teachers were affected by the security situation in the North-West and South-West Regions due to terrorist attacks on schools and some schools have been shut down because of the prevailing situation in these Regions. Classes started timidly although several schools that closed down because of separatist attacks in the North-West and South-West Regions were reopened for the 2020/2021 academic year. Attacks on education resulted in numerous victims and enormous material damage, as illustrated by the five (5) salient cases below. They include:

- The killing of PIAYU Ibrahim, a chemistry teacher at the Government Technical High School in Santa for not respecting the “ghost town”. His corpse was discovered near a bridge in Bamenda, next to his motorbike, on 10 August 2020;
- The 24 October 2020 unbearably horrific and barbaric attack, in which separatist terrorists killed half a dozen students. This attack left over a dozen students seriously injured at the Mother Francisca International Bilingual Academy in Kumba;

The deceased students are:

- *Princesse NGUEMONE (12 years old),*
- *CHE TEHMA NGHANGNWI (11 years old),*
- *Syndi SHENIA (12 years old),*
- *REMA ZAKAMA (9 years old), and*
- *two others with first names Jenifer (12 years old) and Victoire (10 years old);*

Students who were injured include:

- *Francisca AKIMBOM (12 years old),*

- *Bénédiction MBONG (11 years old),*
 - *Juliette MOKA (11 years old),*
 - *Princesse AGHAINDRY (10 years old),*
 - *James GOLDEN (10 years old),*
 - *Belinda Marion (12 years old),*
 - *TIFU FOWON (11 years old),*
 - *Rémi MUNGE (12 years old),*
 - *Thérèse EFFOUTE (11 years old),*
 - *Romarin WOSE (11 years old),*
 - *SOMENI MOTALA (10 years old),*
 - *Princesse NDUN (12 years old) and*
 - *Christabel ACHA whose age is not known;*
- The killing of KEAFON Luciano SUNJO, Inspector of Education for the North-West Region, by unidentified armed individuals, in Bamenda, on the night of 27 breaking 28 October 2020;
 - The kidnapping of 11 teachers from the Presbyterian Primary and Secondary School in Kumbo, North-West Region, during an attack by armed secessionists in the school premises on 3 November 2020. Owing to pressure from locals, all teachers were released on 5 November 2020;
 - The attack on Kulu International College in Limbe, South-West Region on 4 November 2020. Men armed with machetes and guns broke into the private school, stripped all the students and teachers naked and beat them up. They set fire in the institution: two classrooms were burnt down and offices ransacked;

C - Violations of the Right to Property

Properties were equally frequently destroyed during the reference year. Several buildings, houses and businesses were destroyed or even burnt down. Military vehicles were damaged when secessionists attacked convoys in some areas in the North-West Region. In response to the killing of a colleague of theirs, police officers destroyed several stalls and shops in Bamenda on 1 September 2020. Military officers burnt houses during operations to secure people in the areas of Babanki and Bafut on 2 November 2020.

CHAPTER III.- IMPLEMENTING THE RESOLUTIONS OF THE MAJOR NATIONAL DIALOGUE AND THEIR IMPACTS ON HUMAN RIGHTS

The Head of State convened the Major National Dialogue to “*enable us to seek ways and means of meeting the high aspirations of the people of the North-West and South-West Regions, but also of all the other components of our Nation*” from 30 September to 4 October 2019¹³⁷. The main issues addressed during this major event in Cameroon’s socio-political life were decentralisation, the management of refugees and IDPs, the judicial system, national languages, and cultural diversity, the system of education, the reconstruction and development of regions affected by the insecurity, the issue of the diaspora and its participation in the country’s development, as well as the disarmament, demobilisation and reintegration of ex-combatants.

The following eight commissions were set up to lead debates, each with an office, including a Chairperson, Vice-Chairpersons and Rapporteurs:

- Commission on Bilingualism, Cultural Diversity and Social Cohesion
- Commission on Educational System
- Commission on Judicial System
- Commission on Return of Refugees and Internally Displaced Persons
- Commission on Reconstruction and Development of Crisis-Affected Regions
- Commission on Disarmament, Demobilization and Reintegration of Ex-combatants
- Commission on Role of Diaspora in the Crisis and its Contribution to the Country’s Development
- Commission on Decentralisation and Local Development

This five-day consultation was enough to make 38 recommendations, which are more or less consensual, coherent and compatible with each other, to be implemented for a better Cameroon. By adopting these recommendations, the various MND Commissions achieved their objectives, following the Head of State’s instructions and the Prime Minister, Head of Government’s guidelines.

To accelerate the process of implementing the recommendations of the Major National Dialogue, the Head of State, through Decree No 2020/136 of 23 March 2020, created the *Committee to follow up the Implementation of the Recommendations of the Major National Dialogue*. This Committee was placed under the auspices of the Prime Minister, Head of Government. As per Section 2 of the above-mentioned decree, six main missions were assigned to this follow-up committee. They range from monitoring the actual implementation of these recommendations, to the execution of all other duties prescribed by the President of the Republic. Such duties include adopting the necessary strategic guidelines for implementing the said recommendations, prescribing all measures aimed at mobilising Cameroonians from within and out of the country, to involve them in peace-building and the pursuit of national development. This was equally done to gather opinions and suggestions likely to facilitate the implementation of the MND’s recommendations.

The first session of the Committee to follow up the Implementation of the Recommendations of the Major National Dialogue held on 3 September 2020 in the Prime Minister’s office.

This report seeks to assess the level of implementation of the recommendations of the MND during the reference year (Section 1) before highlighting the human rights effects of these major consultations (Section 2).

¹³⁷ See the Head of State’s Address to the Nation, on 10 September 2019.

SECTION I.- ASSESSING THE IMPLEMENTATION OF THE RECOMMENDATIONS OF THE MAJOR NATIONAL DIALOGUE

It is important to distinguish the four main recommendations of the MND (**Paragraph 1**) from the level of implementation of other recommendations (**Paragraph 2**).

Paragraph 1.- The Level of Implementation of the Four Main Recommendations of the MND as at 31 December 2020

It should be noted that of all MND recommendations, four were unanimously considered to be key, owing to their centrality and impact on the implementation of many other recommendations. They include:

- the special status granted to the North-West and South-West Regions;
- the acceleration and effective implementation of decentralisation;
- the promotion of bilingualism and
- the reconstruction of these Regions

Their level of implementation was generally satisfactory as at 31 December 2020.

It should be recalled that in 2019, the implementation of these recommendations had been underway since the November ordinary and extraordinary parliamentary sessions.¹³⁸ As a matter of fact, laws were adopted following the examination of the drafts. *These laws contribute to improving the conditions for living together and fostering the participation of local communities in decision-making.* Law No. 2019/024 of 24 December 2019 to institute the General Code of Regional and Local Authorities which enshrines the *special status of the two Regions, as well as the acceleration and effective implementation of decentralisation.*

This law crystallises significant progress in the decentralisation process, especially *the enshrining of the status of local elected representatives, the abolition of the position of formerly appointed government delegates, the functioning of local assemblies, the establishment of the House of Chiefs in the North-West and South-West Regions, as well as the allocation of new and substantial financial resources to the Regions*¹³⁹. The application of this law will enable the implementation of almost all the recommendations the Commission on Decentralisation and Local Development made¹⁴⁰. The implementation of these recommendations was strengthened by Decree No. 2020/111 of 2 March 2020, on the establishment, organization and functioning of the National School of Local Administration (NASLA) which provides initial training leading to a qualification, continuous training, specific training

¹³⁸ The ordinary session held on 12 November 2019 and the Head of State convened the extraordinary session on 13 December 2019, based on Article 14 (3) b of the Constitution, which states that: *"Both Houses of Parliament shall meet on the same dates in extraordinary session, at the request of the President of the Republic or of one-third of the members of both Houses."* See Law No. 96/06 of 18 January 1996 to amend the Constitution of 2 June, amended and completed by Law No. 2008/001 of 14 April 2008.

¹³⁹ See the Head of State's Speech, on 31 December 2019.

¹⁴⁰ The recommendations adopted by the Commission on Decentralisation and Local Development and recorded in the Report of the General Rapporteur of these consultations are as follows:

- to grant a special status to the North-West and South-West Regions, based on Article 62 (2) of the Constitution, which provides that the law may take into consideration the specificities of certain Regions with regard to their organization and functioning;
- effectively establish the regions as soon as possible;
- pay a special allocation to each municipality in the North West and South-West to facilitate the effective resumption of activities in certain localities.
- remove the provision relating to the appointment of Government Delegates under the special regime applicable to certain localities.
- significantly reduce the privileges of the supervisory authority.

and research applied to the management of regional and local authorities. It was also strengthened by the adoption of Decree No. 2020/773 of 24 December 2020 to lay down conditions for discharge of the duties of Public Independent Conciliator in the North-West and South-West Regions. Public Independent Conciliators, who are appointed following the State representative and the President of the Regional Council suggestions, are expected to ensure *the protection of the rights of citizens in their relations with the region or its municipalities*, while enhancing the cultural and linguistic specificities of the two regions. This aims at implementing the political will of better involving citizens in the management of local affairs.

The Commission on Decentralisation and Local Development had equally recommended the implementation of Section 23 (2) of the law on the orientation of decentralisation, which provides that *the finance law shall determine, on the proposal of the Government, the fraction of State revenue allocated to the general decentralisation grant, to strengthen the financial autonomy of local authorities*. Thus, members of the above-mentioned Commission proposed that 10 to 15 per cent of the State budget be allocated to Regional and Local Authorities. This recommendation has been duly considered, since the adoption of Law No. 2019/023 of 24 December 2019 finance law of the Republic of Cameroon for the FY 2020, *by enshrining 15 per cent of State revenue that has to be transferred to local authorities*.

Applying the provisions of this law will enhance Cameroon's bilingual nature. Concerning the reconstruction of the two regions plagued by socio-political and security issues, Chief Dr Joseph Dion Ngute, the Prime Minister, chaired a high-level meeting with ambassadors to Cameroon, to present the Presidential Plan for the Reconstruction and Development of the North-West and South-West Regions, on 5 December 2019. The Steering Committee adopted the sum of 36,321,000,000 FCFA to implement this plan in 2020. These funds will be used for the construction and/or reconstruction of sixty (60) schools and twenty-five (25) health centres in the North-West Region, forty-five (45) schools and twenty (20) health centres in the South-West Region, 155 solar-powered water points, and the rehabilitation of 1,000 hectares of plantations in the North-West and 700 in the South-West.

The implementation of this special plan is ongoing, despite the persistence of separatist groups attacks in 2020. The Commission on Reconstruction and Development's recommendations will be implemented in conflict areas though some of these recommendations seem particularly difficult to implement¹⁴¹. During the presentation of the above-mentioned plan, many of Cameroon's partners announced their support, which is likely to promote a return to normalcy and improve living conditions of communities of these two ravaged regions.

It should be recalled that Prime Ministerial Decree of 2 September 2019, declared the North-West and South-West Regions as Economic Disaster Zones with a special investment scheme. *The NCHRF*

¹⁴¹ To develop a comprehensive plan for the recovery, reconstruction and development of the North-West, South-West and Far-North Regions, aimed at improving the living conditions of communities and strengthening social cohesion and national unity, the following recommendations were made:

- the immediate resumption of projects that have been suspended over the last three years owing to security issues in the North-West and South-West Regions, such as the Babajou-Bamenda, Loum-Tombel-Kumba, Mundemba-Akwa roads, etc.
- the rehabilitation of public facilities and infrastructure destroyed or abandoned especially in the education, health, transport, energy, water and communications sector owing to security issues
- the reconstruction of main economic infrastructures to support or re-launch production systems by reopening public agri businesses in the affected regions (CDC, PAMOL, UNVDA, SEMRY, SODECOTON)
- compensating individuals, religious congregations, chiefs, communities and owners of private production and service provision units for the losses incurred, and setting up direct social assistance programmes for victims
- the creation of sustainable jobs for young people and women, especially in regions affected by socio-political conflicts and security issues.

therefore calls on public authorities to more effectively than ever implement the laws adopted and the measures taken.

Paragraph 2.- The Level of Implementation of Other MND Recommendations as at 30 December 2020

Parliamentarians adopted the bill amending Section 241 of the Penal Code during the 29 November 2019 plenary session. It *aimed at punishing perpetrators of hate speech and tribalism*. This offence is now termed “*contempt of tribalism*”¹⁴². The new article 241 of the Penal Code is part of implementing the recommendation to *strengthen inter-community brotherhood, restore trust between communities and civic engagement to strengthen social cohesion*, as well as *develop and codify the principles of social dialogue, social cohesion and living together*, recommended by the Commission on Bilingualism, Cultural Diversity and Social Cohesion¹⁴³. These principles have been considered in the *National Development Strategy 2020-2030* (NDS 30), stemming from a broad consultative process remarkably involving various development stakeholders and the people.

The Ministry of Territorial Administration is implementing recommendations of the Commission on the Return of Refugees and IDPs¹⁴⁴. This Ministry has launched a census of IDPs including an assessment of their basic socio-economic needs since 2019. It also provides them with “*resettlement or reintegration kits*”.

In addition, the disarmament, demobilization and reintegration of ex-combatants continued as part of implementing the recommendations of the Commission on these issues¹⁴⁵. In 2020, some 800 ex-combatants were effectively reintegrated into income-generating activities¹⁴⁶.

¹⁴² See [Law No. 2019/020 of 24 December 2019 to amend and supplement some provisions of law No.2016/7 of 12 July 2016 relating to the penal code](#).

¹⁴³ The recommendations adopted by the Commission on Bilingualism, Cultural Diversity and Social Cohesion recorded in the Report of the General Rapporteur of these consultations are as follows:

- improving bilingualism in all strata of society through the creation and implementation of programmes from nursery school
- entrench cultural diversity through the *strict implementation of regional balance* and equitable access to public services and security forces
- develop and implement a curriculum on inter-community brotherhood, inter-community trust building and civic engagement to strengthen national social cohesion
- adopt a law that clearly provides for the equal use of the two official languages across the nation
- develop and codify the principles of social dialogue, social cohesion and living together

¹⁴⁴ The recommendations adopted by the Commission for Refugees and IDPs and recorded in the Report of the General Rapporteur of these consultations are as follows:

- create communication channels for better army deployment and greater freedom of movement for communities
- take initiatives to build decent housing for displaced persons
- take measures to grant a general amnesty to encourage the return of refugees and displaced persons
- conduct a census of all IDPs and assess their basic socio-economic needs (schools, health facilities, housing, etc.)
- provide “*resettlement and reintegration kits*” to refugees and IDPs.

¹⁴⁵ The recommendations adopted by the Commission on Disarmament, Demobilisation and Reintegration of Ex-combatants, recorded in the Report of the General Rapporteur of these consultations are as follows:

- develop and implement a holistic communication strategy emphasising the peace offer the Head of State made to young combatants
- build bridges between these young people, the CNDDR and security and defence forces
- put an end to the production of home-made weapons and strengthen the fight against the dissemination of light weapons
- consider taking care of young people spiritually, psychologically and physically through detoxification programmes following the excessive use of drugs and their intensive indoctrination by certain members of the diaspora
- integrate the community violence reduction component into the DDR programme.

¹⁴⁶ See [CRTVweb - #CNDDR #Cameroun 800 ex combattants réintégré... | Facebook](#) (accessed on 27 July 2021).

However, some recommendations whose implementation required establishing institutions or bodies were pending as at 31 December 2020. These include recommendations on:

- the creation of a law school to train lawyers and all legal experts in Cameroon
- the establishment of the Common Law Section of the Supreme Court as a full-fledged chamber including all sections dealing with specific Common Law issues
- the creation of a *High Council of the Diaspora* in host countries with elected officers, with membership conditional on ownership of a consular card, and
- the creation of a *Transnational Diaspora Investment and Development Agency*.

The implementation of some recommendations, such as those that the Commission on the Educational System made requires a long time¹⁴⁷. This makes it difficult to assess the level of implementation.

The implementation of other recommendations requires adopting laws, which are pending. These especially include recommendations of the Commission on the Role of Diaspora regarding the insecurity in the North West and South-West Regions and its Contribution to the Country's Development, aiming to:

- amend the Civil Code for the adoption of dual or multiple nationalities
- adopt the principle of representation of the diaspora at parliamentary and governmental levels (a ministry for the diaspora).

Recommendations such as those that the Commission on Judicial System seem applicable on a permanent basis. These include recommendations aiming to:

- translate all legal instruments into both official languages and ensure their simultaneous publication in both official languages
- consider the criteria of proficiency in English and mastery of the Common Law legal system when dispatching judicial personnel to the North-West and South-West Regions, and
- improve legal cooperative mechanisms to initiate legal proceedings to try those funding terrorism from abroad.

However, the measures already taken to implement the resolutions of the Major National Dialogue, *while deserving to be accelerated and strengthened*, are evidence of the determination of public authorities, under the leadership of the Head of State, to find a peaceful solution to the situation in the North-West and South-West Regions. This challenge will be overcome through respect for human rights.

SECTION II.-THE IMPACT OF THE MAJOR NATIONAL DIALOGUE ON HUMAN RIGHTS IN CAMEROON

The MND was primarily a forum for practising freedom of speech, opinion and the right of citizens to participate in the management of the country. It was observed that freedom of speech characterised the debates within the Commissions, and each participant was free to express his or her opinion in the search for a consensus.

The holding of the MND led to a brief time-out, linked to the return of some secessionist militias “*generals*” with their men, some of whom were presented at the opening of these consultations. The enthusiasm observed in the aftermath of these consultations had raised hopes of reducing widespread

¹⁴⁷ The recommendations adopted by the Commission on Educational System and recorded in the Report of the General Rapporteur of these consultations are as follows:

- Ensure that education sector reforms integrate the need to maintain both education sub-systems, making them dynamic and sustainable, recognising the strengths and specificities of each sub-system, building on the strengths of each for well-trained and excellent Cameroonian graduates, thriving wherever they are
- ensure that teachers' unions collaborate with the Government
- regulate the dissemination of teachers' unions and promote better organisation of unions to ensure synchrony from regional to national level.

human rights violations by secessionist terrorists, especially through the gradual return of students to school. However, it did not contribute to the sustainable reduction of violation of the fundamental rights of peaceful communities affected by this situation. Rights frequently violated include: the right to education, the right to life, the right to physical and moral integrity and the right to human dignity.

However, a Commission was specifically dedicated to examining the status of refugees and IDPs and has proposed recommendations likely to improve the situation of this vulnerable group of people who are victims of serious human rights violations due to the violence initiated by the secessionists¹⁴⁸.

The effective implementation of the Law on the General Code of Regional Local Authorities will make it possible to involve citizens in the management of public affairs. It will strengthen the lawmaker's determination to involve local communities, especially indigenous people, cultural groups and minorities in the management of their affairs. Thus, *6 December 2020* is a date to be remembered given that it marked *the election of the first regional councillors in the country's political history*, thereby strengthening the right of communities to to participate in the management of local affairs.

The recognition of a *special status* considering the cultural specificities of the communities of the South-West and North-West Regions¹⁴⁹ and *the election of the heads of the regional councils from among locals of each of the ten regions* of Cameroon, as per Article 57 (3) of the 18 January 1996 Constitution, also attest to the consideration of political, economic, social and cultural rights during the 30 September to 4 October 2019 consultations.

The Head of State's convening of the Major National Dialogue proved to the world that Cameroon is a mature State contributed in strengthening Cameroon's sovereignty, a country¹⁵⁰ that is resolutely committed to its journey of unity in diversity and to its irreversible walk towards progress. As per the NCHRF, this new Cameroon is one in which living together is more than ever affirmed and experienced in a decentralised unitary State.

¹⁴⁸ See the Commission's Recommendations on the Return of Refugees and IDPs, p. 6.

¹⁴⁹ See Section 3 (1) of Law No. 2019/024 of 24 December 2019 bill to institute the general code of regional and local authorities providing that: "*The North-West and South-West Regions shall have a special status based on their language specificity and historical heritage*".

¹⁵⁰ By celebrating the fiftieth independence anniversary in 2010, Cameroon has reached "[the age of maturity in the practice of its sovereignty]" See the Head of State's opening speech at the Yaoundé Africa 21 International Conference, held at the Yaoundé Conference Centre on the theme "[Africa, an opportunity for the world: reality and challenges]" held on 18 and 19 May 2010

CHAPTER IV - CORRUPTION AND HUMAN RIGHTS

Corruption exists in various degrees in all countries, irrespective of the economic or political systems and levels of development, in both the public and private sectors. It is an obstacle to economic and social development around the world. It is considered to be one of the most insidious social phenomena, and it dangerously undermines human rights, especially among marginalised or disadvantaged groups such as minorities, persons with disabilities, refugees, migrants, and prisoners. Corruption especially affects women, children, and people living in precarious conditions because it hampers access to basic social rights such as shelter, education, and health care.

In this report, corruption will be examined from a double-pronged approach: the legal and institutional developments in the fight against corruption (Section 1) and the negative impact of corruption on human rights (Section 2).

SECTION I.- LEGAL AND INSTITUTIONAL DEVELOPMENTS IN THE FIGHT AGAINST CORRUPTION

The legal framework to combat corruption (**Paragraph 1**) and the institutions involved in fighting corruption (**Paragraph 2**) should be mentioned.

Paragraph 1.- Scope of Anti-Corruption Legal Standards

The Constitution of 18 January 1996, in Article 66, lays down an obligation to declare the assets of certain senior State officials before they take office and at the end of their tenure. Law No. 0003/2006 of 25 April 2006 relating to the Declaration of Assets and Property was subsequently promulgated. The implementing order is pending.

The government's determination to fight corruption resulted in the ratification of the UN Convention against Corruption on 6 February 2006. The State is equally a party to the AU Convention on Preventing and Combating Corruption, adopted in Maputo on 11 July 2003, when the President of the Republic signed Decree No. 2020/166 ratifying the Convention on 1 April 2020. Since 2018, the fight against corruption in Cameroon has witnessed major progress at the legislative and regulatory levels, especially through the promulgation of two laws and the signing of a decree. They are:

- Law No. 2018/011 of 11 July 2018 to lay down the Cameroon *Code of Transparency and Good Governance in public finance management*, Section 51 of which provides that a specific law shall specify the conditions and scope of application
- Law No. 2018/012 of 11 July 2018 relating to the fiscal regime of the State and other public entities
- Decree No. 2018/366 of 20 June 2018 on the Public Procurement Code.

Paragraph 2.- Institutions involved in the Fight against Corruption

The National Anti-Corruption Commission of Cameroon (NACC), the main institution fighting corruption in our country, was established by Decree No. 2006/088 of 11 March 2006. The Commission conducts investigations in several public sectors. CONAC collaborates with Civil Society and reports from citizens, including via toll-free number 1517.

According to the CONAC Chairperson, *"the Commission recorded 23,048 reports of corruption in 2018. This represents a significant increase compared to the 482 similar cases in 2010, as indicated in the first report issued in 2011."*¹⁵¹ Between 2011 and 2017, the cumulative financial gains to the state

¹⁵¹ *Cameroon Tribune*, 17 December 2020.

from CONAC's investigations, in collaboration with the Special Criminal Court (SCC), were estimated at more than 1,652.5 billion francs CFA.

Other institutions equally work to prevent corruption, such as the National Agency for Financial Investigation (NAFI), the Audit Bench of the Supreme Court of Cameroon, the Supreme State Audit (Conseil), the anti-corruption units in various ministries and public institutions, and the SCC. In addition to these institutions, there are Civil Society Organisations active in anti-corruption and good governance, including seven affiliated with the NCHRF¹⁵², involved in prevention.

SECTION II.-IMPLICATIONS OF CORRUPTION ON HUMAN RIGHTS

Corruption affects human rights, with specific and widespread negative effects on the most disadvantaged, marginalised, and vulnerable groups in society, such as women, children, persons with disabilities, older people, the poor, indigenous peoples, or people from minorities. This includes denying them equal access to political participation, public and social programmes, and services, justice, security, and natural resources, including land, employment, education, health, and housing.

Corruption equally jeopardises progress in achieving non-discrimination, gender equality and women's empowerment, as it *limits women's ability to claim their Rights*. It undermines the volume and distribution of public expenditure and *thus seriously affects the ability of States to make the best use of all the resources at their disposal to realise economic, social, and cultural rights*. It exerts an adverse effect on the proper functioning of democracy and the rule of law, as well as the development of a common ethic.

Corruption is first of all a systemic obstacle to the respect and fulfilment of democracy, the rule of law, political freedoms, sustainable development, and all civil, political, economic, social, and cultural human rights. Above all, it leads to indirect human rights violations. It is one of the most neglected causes of human rights violations, while *it drives injustice, inequalities in economic and financial resources, impunity, arbitrariness, extremism, and political and religious conflict*. Corruption undermines the consolidation of democracy, respect for human rights and destabilises government, and can lead to social unrest and violence. It is a source of illicit wealth at the state level and can lead to kleptocrats seizing power to perpetuate it, hence the importance of the Head of State's relentless fight against the scourge.

In many countries, high levels of corruption lead to a low human, social and economic development index, a low-quality education and vocational training system, poor performance of other public services and limited civil and political rights.

¹⁵² Among these seven CSOs, five are specialised in the fight against corruption, while two are specialised in the promotion of good governance. The first ones are:

- *Cameroon Anti-Corruption Youth Movement*
- Association camerounaise des Droits de l'homme, de l'enfant et de la lutte contre la corruption
- *Friends of Press Network*
- *top Corruption – Initiative*
- Association pastorale pour la paix, la liberté et la démocratie au sein de la communauté pentecôtiste chrétienne du Cameroun.

The second ones are:

- *Global Network for Good Governance*
- *Big Steps Outreach Network*.

PART VI – MONITORING OF INTERNATIONAL COMMITMENTS AND INTERACTION WITH HUMAN RIGHTS MECHANISMS

It is through human rights monitoring mechanisms that States implement international human rights law, insofar as they give the provisions of regional and universal instruments the necessary operational baggage to make them genuine human rights protection instruments.

As Frédéric SUDRE said, “*no international protection of human rights can be seriously implemented if it is not accompanied by appropriate judicial mechanisms*”. This contentious or quasi-contentious function is what makes a State’s commitments under ratified instruments enforceable and provides victims with useful means of reparation.

These mechanisms should equally be considered as having a preventive role, particularly when they provide States with the means to interpret and implement the provisions of a convention.

The background of the Covid-19 pandemic compelled actors to reconsider the avenues for international cooperation in human rights and, consequently, the functioning of these mechanisms. The application of the preventive function and the quasi-contentious or contentious function of such mechanisms was observed during the year 2020, through interactions with the African human rights system (Chapter I) and interactions with the universal human rights protection system (Chapter II).

CHAPTER I.- INTERACTION WITH THE AFRICAN HUMAN RIGHTS SYSTEM

Owing to its adherence to the main African instruments for the promotion and protection of human rights, Cameroon is required to interact with the mechanisms that monitor the implementation of the provisions contained therein. Such interaction takes the form of submitting periodic reports, responding to individual complaints, hosting fact-finding and human rights promotion missions, and speaking at the sessions of African human rights monitoring mechanisms.

During the year now under review, all these activities did not escape the restrictions of the Covid-19 pandemic. The pandemic forced African human rights mechanisms to adjust their working methods and adapt to the situation. The African Commission on Human and Peoples' Rights (ACHPR) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) had to include in all their agenda the evaluation of the level of consideration given to human rights in the response to the pandemic, just as they had to rely on new communication technologies to maintain the link with their state partners and with Civil Society.

Apart from the health crisis, a highlight of Cameroon's cooperation with the African human rights system was the election by the Assembly of Heads of State and Government of the African Union of two Cameroonian natives to sit on the two main African human rights monitoring mechanisms.

During the 28th Extraordinary Session of the ACHPR, held online from 29 June to 1 July 2020, Cameroonian Commissioner Lucy ASUAGBOR's rich and much-appreciated mandate came to an end, while that of Cameroonian Magistrate Marie Louise ABOMO commenced. Mrs ABOMO was appointed Special Rapporteur on the Rights of Older Persons and Persons with Disabilities in Africa, Chairperson of the Working Group on Specific Issues and Country Rapporteur for Burundi, the Democratic Republic of Congo, Comoros and Congo-Brazzaville.

Concerning ACERWC, the Magistrate Mrs Hermine GATSING KEMBO sits as a member for a mandate that extends to January 2024. She is the Committee's rapporteur, special rapporteur on child health, welfare and development and country rapporteur for Burkina Faso, Côte d'Ivoire, Ethiopia, Gambia, Ghana and Niger.

Although they serve on these mechanisms in their capacities, it is to the country's credit that they are «represented».

This Section will focus on Cameroon's involvement in the flagship activities of the UN ACHPR (**Section I**) and the follow-up of Cameroon's commitments to the ACERWC (**Section II**).

SECTION I.- CAMEROON'S PARTICIPATION IN THE FLAGSHIP ACTIVITIES OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLE'S RIGHTS (ACHPR)

In 2020, when the Covid-19 pandemic hit the hosting of international meetings hard, Cameroon made a point of fulfilling its commitments to African mechanisms by participating in them through videoconference platforms. In addition to signing the Protocol to the African Charter on Human and People's Rights on the Rights of Older Persons and the Protocol to the African Charter on Human and People's Rights on the Rights of Persons with Disabilities in Africa on 5 February 2020, Cameroon participated in the sessions of the ACHPR and presented its periodic report (**Paragraph 1**) under the African Charter on Human and People's Rights (ACHPR), the Maputo Protocol and the Kampala Convention. Cameroon is also referred to in the other activities of the ACHPR (**Paragraph 2**), including the Special Rapporteur's inquiries.

Paragraph 1.- The organisation of ACHPR sessions and the presentation of Cameroon's Periodic Report

In addition to the sessions (A), which constitute a major feature of the activities of the ACHPR, it should be mentioned that Cameroon presented its periodic report in 2020 after appearing before this mechanism in 2013 (B).

A - Key facts from the ACHPR sessions in 2020

In 2020, the ACHPR held two ordinary open sessions with the participation of States Parties to the ACHPR, National Human Rights Institutions (NHRIs) and Civil Society Organisations and four extraordinary closed sessions. Some of the major events that occurred during these sessions are listed in the table below.

Table 36.- Status of the African Commission on Human and Peoples' Rights sessions in 2020

N°	DATES	SESSIONS	MAJOR EVENT
1	13 July to 7 August 2020	66 th Ordinary Session (online)	<ul style="list-style-type: none"> - On 15 July 2020, the Chairperson of the NHRI of Cameroon made a statement under agenda item 3 on the human rights situation in the country, focusing on the management of the Covid-19 pandemic. - The presentation of the Periodic Report of Cameroon, scheduled for the 66th Session, was postponed to the 67th Session.
2	13 November to 3 December 2020	67 th Ordinary Session (online)	<ul style="list-style-type: none"> - The State of Cameroon submitted its 4th, 5th and 6th Periodic Report under the ACHPR, covering the period 2015-2019 - Adoption of the 2021-2025 Action Plan of the ACHPR - Consideration of 20 papers
3	19 February to 4 March 2020	27 th Extraordinary Session	<ul style="list-style-type: none"> - Adoption of the ACHPR Rules of Procedure 2020 and the Rules for the functioning of the special mechanisms of ACHPR - Adoption of Six Resolutions on the post-election crisis in the Republic of Guinea Bissau; the extension of the deadline for the submission of the draft study on the situation of natural sites and sacred territories in Africa, the need to prepare a study on the situation of human rights defenders in exile in Africa, the need to develop guidelines for shadow reports, the need to develop standards on the obligations of States to regulate private actors involved in the provision of social services, and on the need to develop a study on the use of force by law enforcement officers in Africa.
4	29 June to 1 July 2020	28 th Extraordinary Session (online)	Swearing-in and installation of the new members of the ACHPR
5	2 to 5 October 2020	29 th Extraordinary Session (online)	<ul style="list-style-type: none"> - Presentation on the non-retroactivity of the 2020 Rules of Procedure - Consideration of seven papers
6	11 to 19 December 2020	30 th Extraordinary Session (online)	Adoption of the 2021 annual work plan and discussion of funding opportunities

Concerning the new ACHPR Rules of Procedure, it should be noted that they were adopted during the session in February 2020 and came into force on 2 June 2020. The new rules mainly concern the ACHPR's mandate and statute, the Code of Conduct for members, the holding of sessions, the presentation of activity reports, the appointment of State focal points, the procedure for handling submissions, relations with the African Court and the African Committee of Experts on the Rights and Welfare of the Child, and the role of NHRIs in implementing the ACHPR's activities. Regarding this, Rule 79 of the Rules of Procedure confirms the place of NHRIs in following up on the implementation of the concluding observations made to States after the submission of their periodic reports. Thus, just as these concluding observations are transmitted to the State whose human rights situation has been examined, they will now be transmitted to the NHRI of the country.

According to these rules of procedure, the NHRIs affiliated with the ACHPR also can include an item on the agenda of the Commission's sessions (Rule 33). Finally, they can intervene as *amicus curiae* in the handling of complaints submitted to the ACHPR. Such intervention respects the prerequisites defined in Rules 104 and 105 of the Rules of Procedure.

In addition to these new Rules of Procedure, the ACHPR adopted 39 resolutions during the different sessions of the year under review. They concerned both thematic issues and the human rights situation in different countries, such as the resolution on Cameroon, entitled: Resolution on the deterioration of the human rights situation in Cameroon during the Covid-19 period. In this Resolution, the ACHPR observes that the human rights situation during Covid 19 in Cameroon remains marred by the proliferation of armed groups, an influx of refugees and IDPs, and an increase in cases of sexual abuse of women and young girls. It highlights the ramifications of the security and health situations that have economic and humanitarian effects on neighbouring countries. The ACHPR encourages the Government to seek a lasting solution to the security situation in the Far North, South West and North West Regions. Finally, the ACHPR recommended that Cameroon avoid using the fight against terrorism to justify arbitrary arrests and extrajudicial executions, and reiterated its request for a fact-finding mission. Furthermore, it is worth noting that the members of the ACHPR have repeatedly referred to the deterioration and persistence of serious human rights violations in the country, which they attribute to the troubled security context linked to attacks by Boko Haram and the claims of secessionist terrorists in the North West and South West.

B - The presentation of Cameroon's periodic report to the ACHPR

According to Article 62 of the ACHPR, the members of the ACHPR examined Cameroon's 4th, 5th and 6th periodic reports under the ACHPR and its first report under the Protocol to the ACHPR on the Rights of Women in Africa (the Maputo Protocol) and the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (the Kampala Convention) at its 67th session in November 2020.

The report was judged to be tailored to the ACHPR methodological guidelines which require, for example, the participation of various actors such as CSOs and the NHRI in its preparation. Cameroon respected this recommendation by mobilising its NHRI. The latter organised a consultation with CSOs to enrich the report prepared by the Ministry of Justice. The report recalls the Government's efforts to respect its commitments under the instruments concerned, despite the constraints imposed by the security situation and economic conditions.

The submission of this report by an inter-ministerial delegation led by the Ministry of External Relations earned Cameroon congratulations as the first and only country to have complied with Article 14 (4) of the Kampala Convention, which requires all 31 ratifying States to submit periodic reports.

Cameroon is also listed among the six countries that are up to date with the submission of periodic reports under the ACHPR, as well as the fifteen countries that are up to date with their obligations under Article 26 of the Maputo Protocol.

The positive remarks of the Commissioners of the ACHPR were followed by some requests for further details. These included information on:

- statistical data on the protection of the rights of people living with HIV/AIDS
- the progress of the study to define and officially identify indigenous communities in Cameroon
- measures adopted by the Government for the socio-professional integration of indigenous people in the forestry, water and health sectors
- the measures adopted to protect indigenous minorities in the North-West and South-West Regions from secessionist attacks
- the rate of youth unemployment in Cameroon
- the existence of legal and psychological assistance programmes for direct or indirect victims of medical negligence or error
- the state of progress in making universal health coverage operational
- the reason for the absence of any mention of human rights defenders in the report and the situation of some of them whose names were mentioned by Commissioner Remy NGOY LUMBU
- the measures adopted to combat prostitution among IDPs and street children due to internal displacement
- measures adopted to avoid the risks of statelessness
- measures adopted to protect the rights of children in detention, pregnant women and nursing mothers in prison
- detailed statistics on cases of extrajudicial executions
- the process of ratification of the OPCAT
- the conditions of effectiveness and independence envisaged rendering functional the National Mechanism for the Prevention of Torture (NPM) entrusted to the country's NHRI
- the protection of the rights of journalists
- measures to disseminate the Guidelines on Conditions of Arrest, Police Custody and Pre-trial Detention in Africa and the Principles on the Decriminalisation of Minor Offences in Africa
- the role of women in the response to Covid-19.

At the request of the Ministry of External Relations, the NCHRF was asked by letter No. 6079/DIPL/D1/SDUA/SOUA of 11 December 2020 to clarify some of the points listed above. The NCHRF's contribution was transmitted by letter No. 0107/21/CNDHL/DPP/FS of 20 January 2021 (see the letter and the contribution concerned in the Appendix).

The recommendations from this review of Cameroon's Combined Report will be communicated to the Government and the NHRI, according to the new Rules of Procedure of the ACHPR. However, the final observations of the ACHPR are not yet available.

Paragraph 2.- References in Cameroon for other ACHPR activities

During the year under review, Cameroon was also called upon during (A) the Special Procedures, through (B) the press releases of the ACHPR and (C) urgent appeals.

A - Activities of the special procedures

Some Special Rapporteurs and Working Group Chairpersons referred to Cameroon in their activity reports presented during the two regular sessions of the ACHPR. This is particularly the case for the following three special procedures.

- **Working Group on Indigenous Populations/Communities and Minorities in Africa**

In the report of the Hon. Commissioner Alexia AMESBURY, Chairperson of the Working Group on Indigenous Populations/Communities and Minorities in Africa, it is stated that the Baka peoples of Cameroon are becoming increasingly vulnerable to land dispossession in the name of land conservation. As a result, they suffer various irreparable harms. Her report is accompanied by recommendations that she addresses to all States Parties that are home to indigenous communities. It should be noted, however, that the Bagyèli or Bakola, the Baka and the Bedzang, generally referred to as «the three Bs» - found in the South and East Regions and some settlements in the Centre Region, namely in the Ngambe-Tikar area (Mbam and Kim Division) - are far from being the only indigenous peoples suffering from land dispossession.

- **Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa**

The report of Commissioner Rémy NGOY LUMBU mentions the memorandum sent to Cameroon to seek permission to conduct a fact-finding and human rights promotion mission in the country. He mentions that despite the absence of a formal response from the country to the request, he took advantage of a personal mission to Cameroon in November 2020 to pay a courtesy call to the Prime Minister, Head of Government, with whom he discussed, in particular, the possibility for Cameroon of hosting an upcoming session of the ACHPR, and the cessation of security unrest in the country.

Commissioner LUMBU, in his capacity as Special Rapporteur on Human Rights Defenders in Africa and Focal Point on Reprisals, also reported that on 19 June 2020, he participated in an online meeting on the human rights situation in Cameroon, which NGO Osiwa convened. A key recommendation from the discussions was the establishment of a framework for dialogue between the Government and human rights defenders to enable them to work without fear of arrest, reprisals, and extrajudicial and summary executions.

It is worth mentioning in this regard that 98 per cent of Civil Society Organisations (CSOs) and human rights defenders work without hindrance in Cameroon. Only those NGOs and CSOs that betray the integrity and independence of the human rights defender have a political agenda, are members of coalitions of political parties and are in reality underground political parties which, besides, regularly take a stand against democracy, the rule of law and constitutional order by calling for the overthrow of the Head of State and the establishment of a transitional government, complain about the alleged restriction of civic space in Cameroon.

- **Committee for the Prevention of Torture in Africa**

Commissioner Hatem ESSAIEM's report reflects concerns arising from reports of killings in the Anglophone Regions, especially in the run-up to the legislative elections in Cameroon. The Commissioner recommended that the Cameroonian Government should:

- *adopt laws criminalising torture and other ill-treatment according to the Robben Island Guidelines and ratify the OPCAT*
- *avoid using general laws such as anti-terrorism laws, state of emergency laws and other state security laws to carry out arbitrary arrests, searches and detentions contrary to international and regional standards*

- ensure that security officials do not use excessive force against civilians and that they respond to protests as per the Guidelines for Law Enforcement Officials in Africa at Gatherings and
- ensure that victims of torture and ill-treatment are entitled to all forms of reparation, such as restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition, according to General Comment No. 4 of the African Charter on Human and Peoples' Rights on the Right to Reparation for Victims of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Article 5).

It should be noted that the Cameroon Penal Code, in its Section 277 - 3, incriminates torture. Additionally, it should be noted that what is happening in the North-West and South-West Regions is terrorism and cannot be said to be an abuse by the State. Therefore, it appears that Cameroon has demonstrated a remarkable moderation in the use of force in these Regions where no combat aircraft or helicopters or tanks have been deployed and the use of grenades and several other weapons of war is prohibited. Furthermore, only secessionist terrorists engage in homicides in the run-up to the elections to force people to respect their boycott order.

The CHRC

B - Press releases and statements

The ACHPR issued several press releases and statements during the year 2020. Most of the press releases focused on the impact of the Covid-19 pandemic on human rights in the continent, while others expressed deep concern about the regional mechanism regarding the human rights situation in States Parties, including Cameroon.

i) On press releases and statements related to human rights and the Covid-19 pandemic

The ACHPR mentioned on 24 March 2020 calling for a rights-based response. It referred to the relevant stipulations of the ACHPR on the right to life (Article 4), the right of access to information (Article 9) and the right to health (Article 16). Through this Statement, the ACHPR recommends that States ensure compliance with the principles of legality, non-discrimination, access to information, and protection of vulnerable groups, particularly in prisons and other detention facilities. The ACHPR also urged individuals, the private sector, community leaders, the media and religious institutions to show solidarity and respect for their duties.

On 22 July 2020, the Chairperson of the ACHPR issued a Statement on Elections in Africa in the Context of Covid-19, which recalls that the conduct of regular, free, credible and transparent elections contributes to the realisation of the right to participation of people in public affairs (Articles 13 and 20 of the ACHPR). However, the ACHPR recognises that public health safeguards States take to preserve the rights to health and life of the people as a result of the pandemic may lead to justified and necessary restrictions on the civil and political rights and freedoms that prevail during election periods. It was therefore incumbent on States to take the most appropriate measures, supported by the national and international legal framework, to organise or postpone elections during the Covid-19 period.

On 26 June 2020, the Statement of the Committee for the Prevention of Torture in Africa (CPTA) was issued to mark the International Day in Support of Victims of Torture. The statement is based on the findings of excessive use of force by law enforcement officials to ensure compliance with measures restricting freedoms imposed by the response to the Covid-19 pandemic. Victims of these acts are more likely to be socially vulnerable groups who have defied freedom-restricting measures to survive or those who have suffered unlawful expropriation and destruction of their homes during the health crisis. While recognising the complexity of the response to the pandemic and the extraordinary measures it requires,

the CPTA reminded States that notions such as “necessity”, “national emergency”, “maintenance of law and order” and “public order” cannot be used to justify torture and cruel, inhuman or degrading treatment or punishment. The CPTA reminded States that the measures they adopt to contain the spread of Covid-19 must be guided at all times by the principles of legality, necessity, proportionality, responsibility and precaution.

Referring to the practice of public freedoms, the ACHPR recalled the terms of the Declaration of Principles on Freedom of Expression and Access to Information in Africa and the pressing need to refer to it in the context of the response to the Covid-19 pandemic, particularly concerning Principle 9 on justifiable restrictions.

ii) On Cameroon-related press releases

The ACHPR has issued two statements on criminal attacks in the North-West and South-West Regions plagued by secessionist terrorism and a statement paying tribute to the Chairperson of the NCHRF who died on 18 May 2020. In the latter statement¹⁵³, on 16 July 2020, the ACHPR recognised the significant role of this great human rights defender in promoting and protecting human rights beyond his country, before regional and global human rights bodies.

The other two press releases on the attack in Ntumbo village¹⁵⁴ in the North-West Region and the school massacre in Kumba in the South-West Region, were released on 21 February and 26 October 2020 respectively. The ACHPR deplored that both attacks targeted civilians including vulnerable people, such as children and pregnant women, and school facilities, in flagrant violation of the laws of war and Articles 4 and 17 of the ACHPR governing the right to life and the right to education. Hon. Remy NGOY LUMBU, the ACHPR rapporteur for Cameroon, urged stakeholders to adopt the Safe Schools Declaration, which commits parties involved in the conflict to implement concrete measures to discourage the use of schools for military purposes and to ensure the safety of schools. Lastly, the ACHPR was adamant that investigations should be carried out to avoid impunity. It reiterated its support to the state in seeking peaceful and lasting solutions to the security situation.

C - Examination of urgent submissions and appeals implicating Cameroon

As part of the ACHPR’s protection mandate, it is responsible for handling complaints/submissions concerning human rights allegations submitted by States or by individuals and NGOs. In 2020, 242 submissions were pending before the ACHPR. The following eight (8) cases involving Cameroon were pending before the ACHPR.

Unfinished cases

- **Submission 739/20** - *SARL METIS and Mrs Adèle Hélène Etouman (represented by Nchankou Ndjindam) vs. Republic of Cameroon*
- **Submission 740/20** - *David Toukam Daco vs. Republic of Cameroon*
- **Submission 738/20** - *M. Achille Benoit Zogo Andela (represented by Hakim Chergui) vs. Republic of Cameroon* (request for provisional measures from the State with no response).

Found to be admissible

- **Submission 628/16** - *African Society Petroleum Consultants (represented Dr Ekollo Moundi Alexandre) vs. Republic of Cameroon*
- **Submission 678/17** - *Ernest Acha et autres vs. Republic of Cameroon.*

¹⁵³ Accessible on : https://www.achpr.org/fr_pressrelease/detail?id=521.

¹⁵⁴ Accessible on : https://www.achpr.org/fr_pressrelease/detail?id=478.

Guidelines for further action

- **Submission 701/18** - *Januarius Jingwa Asongue vs. the Republic of Cameroon*
- **Submission 389/10** - *Geneviève Mbiankeu vs. the Republic of Cameroon ;*
- **Submission 718/19** - *Maurice Kamto et Mouvement pour la renaissance du Cameroun vs. the Republic of Cameroon*

Only the content of Submission 389/10 - Geneviève Mbiankeu v. the Republic of Cameroon, which was adopted on 6 May 2015, has been made public. Indeed, the submission filed in 2010 concerned an alleged case of violation of the complainant's property rights she had acquired, with her husband, a 500 square metre plot of land in a residential area of Yaoundé for 26,578,000 (twenty-six million five hundred and seventy-eight thousand) CFA francs. In August 2007, an ownership certificate and a land title were established for them regularly. They then developed the said land. Nevertheless, they were intimidated by law enforcement officers, land registry authorities and private individuals acting on behalf of a businessman whose title to the same plot of land was allegedly irregular. These manoeuvres were aimed at getting them off the land and preventing them from taking legal action against the businessman. They nevertheless filed administrative and judicial appeals with the competent authorities between November 2007 and March 2010, without success until the matter was referred to the ACHPR in November 2010, claiming compensation for the main loss and subsequent damage suffered.

The examination of the submission led the Commission to rule on the admissibility and subsequently on the merits of the case, which resulted in recommendations adopted by the ACHPR on 6 May 2015. The recommendations found that Cameroon had failed to comply with its obligations under Articles 14, 16 and 18 of the ACHPR, concerning property right, as well as the right to adequate housing.

Accordingly, the ACHPR:

- *Urges the Republic of Cameroon to give the complainant a plot of land of equal value and nature, as specified in the description and within the time limit prescribed by the Commission.*
- *Requests the Republic of Cameroon, failing compensation in kind, to pay the complainant:*
 - *the sum of 50,692,185 CFA francs corresponding to the total cost of acquisition of the land*
 - *an additional amount to be determined based on the criteria indicated by the Commission and corresponding to the added transaction value of the land at the date of the present decision.*
- *furthermore, requests the Republic of Cameroon to award the complainant damages assessed as follows:*
 - *damages for material loss, the amount of which shall be determined by mutual agreement between the parties under the terms of this decision*
 - *an amount of 15,391,460 CFA francs by way of financial loss for the damage arising from the non-enjoyment of the rights linked to the property right*
 - *an amount of 5,000,000 CFA francs for the moral damage suffered as a result of the frustration and uncertainty experienced since the expropriation.*
- *finally, requests the Republic of Cameroon to report back to the Commission in writing, no later than 180 days after the notification of this decision, on the measures taken to implement these recommendations.*

During the year under review, the ACHPR received fresh confidential information about the government's efforts to implement the findings in this case. Hence the guidelines for the follow-up of this procedure. In 2021, the 50th and 51st combined reports of the ACHPR reveal an update of the findings of this case, indicating that the State has partially implemented the recommendations made to it by

awarding the victim a part of the sum claimed. As for the main damage, the victim is still waiting for the granting of a piece of land of equal nature and value.

Concerning urgent appeals, the Special Rapporteurs of the ACHPR sent several letters mainly concerning human rights defenders in 2020, but they went unanswered until the end of 2020. These are:

- of the letter of 11 February 2020 concerning the fire at the headquarters of the Network of Human Rights Defenders in Central Africa (REDHAC). In that letter, Ms Maximilienne NGO MBE, Executive Director of the Network, said that the US Ambassador to Cameroon paid a visit to REDHAC headquarters on 24 January 2020. Two days later, part of the building was consumed by flames after an unidentified individual was spotted on the roof. The Fire Brigade's intervention helped to contain the flames and determined that it was arson. Despite the complaint against the unknown person lodged on 28 January 2020 with the Littoral Regional Judicial Police Division, no action was taken on the matter, nor the special rapporteurs' applications.
- the letter of 2 March 2020 concerning the alleged arbitrary detention of Awungafa Clinton since 13 November 2017 in Mamfé prison, in the South-West Region of Cameroon. He was nevertheless released in June 2020, following a decision by the Manyu High Court.
- Letters dated 4 August 2020 concerning the repeated attacks against human rights defender Elvis Brown Luma Mukuna, and the alleged enforced disappearance, torture and murder of Samuel AJIEKAH ABUWE alias Samuel WAZIZI.

Details of these submissions and urgent calls sent exclusively to the Government were only published when the NCHRF had handled and decided on them. However, in the case of Samuel WAZIZI, the Acting Chairperson of the NCHRF seized the opportunity of a request for information from the Commonwealth Secretariat regarding alleged human rights violations to provide the necessary clarifications. The Acting Chairperson had, by letter No. 028/20/CNDHL/CAB-V-P/jmk of 12 June 2020 (see copy attached), informed the Commonwealth Secretariat that based on the reports in the possession of the NCHRF, gathered in the field by the South West Branch, the NCHRF considers that the case concerning the arrest and subsequent death of Samuel EBUWE AJIEKIA, also known as Samuel WAZIZI, does not fall under the ambit of freedom of the press, and is not linked to any criminal offence against freedom of expression. The report that the NCHRF regional branch transmitted to the Head Office on 8 November 2019 states that:

“the CEO of an affiliated human rights CSO to the NCHRF who happened to be a close friend to the victim, Wazizi said [that] the victim on numerous occasions had told him that he was in contact with the non-state armed groups, called Amba Boys. Our contact told us that Wazizi had told him that he had helped in buying basic supplies like cooking pots or foodstuffs for the Amba Boys living in the Muea area after the graveyard in Chief Street. He further declared that Wazizi had also told him that the Amba Boys had trained him on the usage of firearms. He said Wazizi was publicly known to be sympathetic to the Amba boys and talked openly of knowing their hideouts.”

In addition, the Acting Chairperson of the NCHRF noted that Paragraphs 2 and 9 of UN Security Council Resolution 1566 (2004) of 8 October 2004, calling for enhanced cooperation in the fight against terrorism, define a person “*engaged in terrorist activities*”, i.e. a terrorist, for sanctions, as “*any [individual, group or entity] who supports, facilitates, participates in or attempts to participate in the financing, planning, preparation or perpetration of terrorist acts or provides a haven for the perpetrators of such acts*”. As such, the NCHRF expressed no doubt that Samuel WAZIZI was an active terrorist. Therefore, it concluded, the alleged *press freedom violations reported through social media by several journalists, media organisations, journalist's unions and press freedom NGOs were unfounded.*

SECTION II.- MONITORING CAMEROON'S COMMITMENTS TO THE AFRICAN COMMITTEE OF EXPERTS ON THE RIGHTS AND WELFARE OF THE CHILD

The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) also focused on the Covid-19 pandemic and its impact on children. Most statutory activities of the mechanism were organised on online platforms. This section will focus on the major events of the ACERWC sessions (Section 1) and Cameroon's compliance with its commitments under the African Charter on the Rights and Welfare of the Child (ACRWC) (Section 2).

Paragraph 1.- Highlights of the ACERWC Sessions

During the reporting year, ACERWC held two regular sessions, all of which were conducted online, due to the spread and uncertainty of the Covid-19 pandemic. These were its 35th and 36th Sessions.

The 35th Ordinary Session was held from 31 August to 8 September 2020 and witnessed the participation of:

- representatives of the ACERWC States Parties
- the Commissioner for Social Affairs of the African Union Commission
- the Chairperson of the African Union Standing Representative Sub-Committee on Democracy, Governance and Human Rights
- Members of the ACHPR
- Members of the Office of the Special Representative of the UN Secretary-General on Violence against Children;
- NANHRIs
- NHRIs;
- CSOs and
- NGOs.

The main topic of this session was Child Rights Protection in the context of the Covid-19 pandemic. Participants discussed the effects of school closures in almost every country in Africa, the increase in violence and sexual abuse, and threats to the health, life and survival of children.

In addition, General Comment No. 6 on Article 22 of the African Charter on the Rights and Welfare of the Child concerning children in conflict situations was also adopted. The key point of this interpretative document is that it sets 18 as the minimum age for recruitment into the armed forces.

It was also during this 35th Session that the Committee adopted:

- its revised Rules of Procedure
- the Guidelines on NGO Observer Status
- Guidelines for the Preparation of State Party Reports
- the Guidelines on the Conduct of Investigations; and
- the Revised Guidelines on Communications.

Particularly noteworthy are Rule 84 provisions that organise the relationship between ACERWC and NHRIs. Contrary to the practice at the ACHPR, NHRIs did not have a status within the ACERWC, as NGOs can claim. This situation has been corrected in the revised ACERWC rules of procedure.

Furthermore, the Committee created three new working groups to support the implementation of its mandate:

- the Working Group on the Implementation of Decisions
- the Working Group on Child Rights and Climate Change; and

- the Working Group on Child Rights and Business.

Concerning the participation of Cameroon in this session, it should be noted that no representative of the State of Cameroon took the floor during the proceedings. Hon. Joseph NDAYISENGA, Chairman of ACERWC, questioned the country regarding the urgent appeal letters that were sent to him following alleged cases of violations of the Rights of the Child but remained unanswered. This was done during the opening speech of the session. However, details of these urgent appeals are not available on the ACERWC website or from the Committee's contact persons who declare the details of these appeals confidential.

The ACERWC 36th Ordinary Session also took place online from 23 November to 4 December 2020, in coincidence with the 30th anniversary of the adoption of the African Charter on the Rights and Welfare of the Child. It was attended by Member States, representatives of Regional Economic Communities (RECs), UN agencies, NHRIs, children's organisations and CSOs. Several activities were organised on the sidelines of this session to discuss the level of implementation of the Charter and the Agenda 2040.

Concerning the references made to Cameroon during the speeches, the representative of the CSO Forum made a statement on the despicable barbaric attacks on children in schools in the North West and South West Regions, where security is in turmoil. She also mentioned that Cameroon's domestic law on child protection in cyberspace is inadequate and deserves special attention considering the impact of the Covid-19 pandemic on the right to education.

Paragraph 2.- The respect for Cameroon's commitments under the African Charter on the Rights and Welfare of the Child

Cameroon ratified the African Charter on the Rights and Welfare of the Child (ACRWC) on 5 September 1997. In November 2009, it submitted its Initial Report covering the period 2003-2009 under the Charter, and subsequently its first periodic report in November 2015 for the period 2006-2015. This report was defended and discussed at the 28th session of the ACERWC in Banjul from 21 October to 1 November 2016. The Committee's concluding observations were transmitted to the State in January 2017. In 2020, the submission status of reports owing to ACERWC by States Parties indicates that Cameroon was six reports overdue. The 7th periodic report covering 2018-2020 was due on 6 October 2018. As of 31 December 2020, such Report had still not been submitted to the Committee.

Concerning submissions involving Cameroon, ACERWC received two submissions which were handled as shown in the table below:

Table 38.- Submissions implicating Cameroon before the ACERWC

REFERENCES	TITLE OF SUBMISSION	STATE OF PROGRESS
N° 006/Com/002/2015 2015-11-16	Institute for Human Rights and Development in Africa (IHRDA) and <i>Finders' Group Initiative</i> on behalf of a <i>TFA, a minor v. the Republic of Cameroon</i>	Recommendations adopted May 2018
N° 010/Com/003/2016 2016-04-22	Etoungou Nko'o on behalf of Mr and Mrs Elogo Menye and Rev. Daniel Ezo'o Ayo v. the Republic of Cameroon	Submission declared inadmissible

For the submission against which a recommendation was made, the Institute for Human Rights and Development in Africa (IHRDA) and the NGO Finders Group Initiative brought Cameroon before ACERWC on 16 November 2015, under Article 44 (1) of the African Charter on the Rights and Welfare of the Child. The case concerned the rape of the 10-year-old TFA in Bamenda, North West Region, by Mr Angwah Jephther Mbah. The medical evidence of the crime was not sufficient to persuade the Cameroonian judicial authorities to prosecute the perpetrator. However, TFA's lawyer and aunt were sued for libel against the investigating judge in the case, while the matter was still being brought before the court in Bamenda.

After examining the submission before the Committee for failure to comply with the State's duty to protect under Article 16 of the Charter, Recommendation No. 001/2018 of 31 May 2018, which found the State guilty of violating its obligations under Articles 1 (obligations of Member States), 3 (non-discrimination) and 16 (protection of the child from violence and torture), was adopted by the Committee. For these reasons, Cameroon was expected to compensate the victim for the physical and moral damages suffered, to immediately ensure that the perpetrator of the rape was brought to justice, and to adopt structural measures to prevent all forms of violence against children, including by adopting appropriate laws, training stakeholders in the child protection system, and putting in place effective protection and awareness-raising mechanisms against such practices.

Cameroon was supposed to report on the measures taken to implement these recommendations within 180 days of their notification, as per the Guidelines for the Implementation of the Communications <Decisions>, but by the end of 2020, this had not been done.

During the 37th session of ACERWC held from 15 to 26 March 2021, an agenda item concerned the follow-up of the implementation of the recommendation adopted as part of handling that submission, through the hearing of the NGO IHRDA and the government side, represented by the coordinator of the Inter-ministerial Committee for the follow-up and implementation of the recommendations of the monitoring mechanisms. The latter mentioned the measures taken by the Government:

- to prosecute the perpetrator of the rape
- to provide psychosocial support to the victim through the Ministry of Social Affairs
- to cover the victim's school fees
- to train law enforcement officials in child protection.

The NCHRF requested further details on Government measures, some of which were contested by the NGO IHRDA. The efforts undertaken led to the appointment of a representative of the institution to

the inter-ministerial committee responsible for following up the recommendations of the human rights mechanisms, located in the Prime Minister's office. The committee seldom held any meetings.

The Commission has often deplored the lack of direct access to human rights monitoring mechanisms, including ACERWC, in cases where it can intervene, according to its mandate, to put a stop to human rights violations, to encourage the competent authorities to implement the recommendations made or to provide support in cases where conciliation is necessary. However, its efforts with the various stakeholders are often in vain, as they generally argue that the cases referred to them by these mechanisms are confidential.

CHAPTER II.- INTERACTION WITH THE INTERNATIONAL HUMAN RIGHTS SYSTEM

The international human rights mechanisms are the United Nations' backbone on human rights. Their main purpose is to support States Parties in implementing their commitments by helping them to identify strengths, weaknesses, challenges and opportunities in implementing human rights at the national level. Despite the Covid-19 pandemic, these mechanisms have continued to function, including providing the necessary policy guidance to further respect human rights in this specific context.

The report will first examine the situation of cooperation with the treaty bodies (**Section I**), and the follow-up on the Human Rights Council's activities during its three sessions of the year (**Section II**), before moving on to the situation of complaints involving Cameroon and the State's collaboration with the United Nations Special Procedures (**Section III**).

SECTION I.-CAMEROON'S COOPERATION WITH THE TREATY BODIES IN 2020

Concerning collaboration with the treaty bodies, it should be noted that, unlike in 2019, Cameroon did not submit any periodic report during the year under review and did not receive any recommendation from any of these bodies following a previous review.

The timetable for Cameroon's appearance before the treaty bodies, however, provided for the submission of its 6th periodic report to the Committee against Torture in 2020; but the deadline for submission of this report was postponed due to the Covid-19 pandemic.

The table below summarises the collaboration with six treaty bodies to which Cameroon reports on its human rights commitments.

Table 37.- Summary of Cameroon's collaboration with the six treaty bodies in 2020

N°	Treaty body	COLLABORATION STATUS
1	Committee against torture	Transmission by the Committee of the list of issues to be addressed in the 6th report in December 2020
		Postponement by the Committee of the deadline for submission of the 6th periodic report to December 2021, due to Covid-19
		Submission of six shadow reports by CSOs
2	Human Rights Committee	Follow-up letters on additional information to the 5th periodic report, sent to the State by the Committee on 20 July 2020 and 21 April 2021
3	Committee on the Elimination of All Forms of Discrimination against Women	6th Periodic Report due from February 2018 until the completion of the report.

This summary table illustrates that in 2020, Cameroon had the highest number of submissions to the Committee Against Torture. Indeed, in December 2020, this mechanism informed the Cameroonian authorities of the list of additional measures to those provided in the 5th periodic report of the State. Such information concerns, inter alia:

- the State's measures to exclude the statute of limitations for criminal and civil proceedings and the application of mitigating circumstances to the crime of torture
- Information on the existence of case law interpreting the scope of the term "suffering as a result of lawful sanctions", derogating from the implications of the definition of torture

- the State's measures to standardise and create a central register that can be consulted by the family of prisoners, especially those who were arrested and transferred from the Regions to the military court in Yaoundé
- the adopted measures or those in progress to enable the NHRI of Cameroon, based on its mandate as National Mechanism for the Prevention of Torture, to carry out surprise visits to all detention facilities, both civilian and military, including unofficial places
- the specific measures adopted by the NHRI of Cameroon to implement the Convention against Torture and Other Cruel, Inhuman and/or Degrading Treatment or Punishment in the context of the coronavirus pandemic
- statistical data on the practice of incommunicado detention, and training of law enforcement officials, including correctional staff, immigration officials and border police.

SECTION II.- MONITORING THE ACTIVITIES OF THE HUMAN RIGHTS COUNCIL

According to Resolution 60/251 of the Human Rights Council, the main function of this body is to contribute to human rights promotion and the progressive development of international human rights law. This function allows the Council to monitor States' implementation of their commitments under the various human rights instruments.

The three Human Rights Council sessions of the year 2020, namely the 43rd session held from 24 February to 23 March 2020, the 44th session held from 30 June to 17 July 2020, and the 45th session held from 14 September to 7 October 2020, were characterized by the treatment of some worrying human rights issues addressed during the general debates at the Human Rights Council (**Paragraph 1**) and by the adoption of some resolutions in which Cameroon took a stand (**Paragraph 2**).

Paragraph 1.- Handling some of the issues of concern discussed during the general debates in the Council in 2020

During the 2020 sessions of the Human Rights Council, the effects of the Covid-19 pandemic on human rights were at the core of the majority of discussions. 14 main areas of concern were flagged for States' attention as part of the:

- the debate on the Rights of the Child focused on the impact of the Covid-19 pandemic on the right to education
- the debate on the implementation of the Beijing Platform for Action on Women's Rights
- the debate on the rights of persons with disabilities, including the climate change context
- the debate on public freedoms
- the debate on the effects and challenges of new digital technologies on human rights promotion and protection
- the debate on technical cooperation and capacity building on human rights
- the debate on the adverse effects of unilateral coercive measures
- the debate on the progressive achievement of basic rights to safe drinking water and sanitation
- the debate on the health and social impact of the pandemic
- the debate on enforced or involuntary disappearances
- the debate on the issue of arbitrary detention
- the debate on the abolition of the death penalty
- the debate on the rights of Indigenous peoples
- the debate on the mid-term review of the International Decade for People of African Descent.

Based on the current global situation surrounding the Covid 19 pandemic in 2020, the following five topics are particularly relevant:

- ***The impact of the COVID-19 pandemic on women's rights***¹⁵⁵

The Human Rights Council's one-day discussion on women's rights emphasized that the Covid-19 pandemic disproportionately affects women, because of the evidence that:

- an increase in violence against women
- difficulty in accessing specific health services (with risks of increased maternal and infant mortality, unsafe abortions and sexually transmitted infections)
- a worsening of gender inequalities
- difficulties in gaining employment and financial resources, and
- the under-representation of women in planning and decision-making forums on the response to the pandemic.

States were urged to:

- to develop more comprehensive services for women victims of violence
- mitigate the socioeconomic impact of the pandemic on women.

- ***The promotion and protection of freedom of opinion and expression***

During the discussion on public freedoms, the special rapporteur on freedom of opinion and expression, who presented his report titled *Pandémies et libertés d'opinion et d'expression*¹⁵⁶ (Pandemics and Freedom of Opinion and Expression), stated that *the authorities must always demonstrate that restrictions on freedom of opinion and expression are necessary and proportionate*. Mr Clément VOULE equally reiterated that *governments do not have unlimited discretion to impose such restrictions*.

- ***The human rights ramifications of new technologies***

The Council addressed the dependence on digital technologies triggered by the Covid-19 pandemic. The Council members recognised that new technologies offer both opportunities for defending human rights and exacerbating inequalities. Discussions led to a reiteration of the need for human rights impact assessments and due diligence, and the need to examine how technologies function in decision-making and governance structures.

The two main recommendations to States on this issue were the need to:

- have guidelines for governance in all areas where the use of digital technology is spreading rapidly and affecting human rights
- adhere to the Budapest Convention and the African Union Convention on Cyber Security and Personal Data Protection¹⁵⁷.
- *The impact of the Covid-19 pandemic on the Right to education*

Ms Boly Barry, Special Rapporteur on the Right to Education, discussed this topic by warning against the excessive use of distance learning tools, which may increase the inequality factors among children. It called for a review of the health conditions in which teachers and students operate in schools during and after Covid-19.

It was recommended that to better counteract the adverse effects of this pandemic on education states adopt education policies that integrate human rights and development issues.

¹⁵⁵ Le Conseil des Droits de l'homme se penche sur l'impact de la pandémie de Covid-19 sur les droits des femmes, 14/07/2020.

¹⁵⁶ Accessible on : <https://undocs.org/fr/A/HRC/44/49>.

¹⁵⁷ Accessible on : <https://www.afapdp.org/wp-content/uploads/2018/06/CONV-UA-CYBER-PDP-2014.pdf>.

- ***The impact of the Covid-19 pandemic on Human rights***

The Council held an online discussion with Ms Michèle Bachelet, High Commissioner for Human Rights, on the health and social effects of the pandemic. The discussion led to recommendations on:

- the need for states to safeguard press freedom to better organise the response to the pandemic
- building more inclusive and sustainable economies to ensure that people are more resilient towards the pandemic
- taking the Guidelines on board¹⁵⁸ to facilitate States' actions on human rights and the Covid-19 response
- the UN Secretary General's call for a global ceasefire on 23 March 2020¹⁵⁹.

Paragraph 2. - The resolutions adopted by the Human Rights Council and Cameroon's positions

Draft resolutions are usually proposed by a State or group of States and are based on the recommendations of the Special Procedures or the reports of the High Commissioner for Human Rights and the UN Secretary-General. The bearers of these resolutions approach state representatives and CSOs at informal meetings to seek their support for them in principle before formally submitting them for written or oral amendments and adoption of the final draft by the Council's member states.

While they are not legally binding, the thematic and country resolutions of the Human Rights Council are the political expression of the position of the members or a majority of the members of the Council on human rights issues. Based on the resolutions, the Special Procedures may issue questionnaires to States or NHRIs to ascertain the level of implementation of the recommendations contained therein. By adopting these resolutions, the Council generally urges governments to take them on board when developing their national human rights policies. Indeed, they serve more to stimulate legislative changes or good practices at the national level.

In the concluding statements of its three sessions of the year, the Human Rights Council disclosed the resolutions adopted by vote or by consensus. It adopted 39 resolutions at its 43rd session, 23 at the 44th session and 45 at the 45th session. The subjects covered by these resolutions included:

- Enforced and involuntary disappearances
- the right to development
- Human Rights and local governance
- the role of good governance in human rights Promotion and Protection
- the fight against terrorism
- the rights of Indigenous Peoples
- Safety of journalists
- National Human Rights Institutions
- Birth registration and the right to identity
- Cultural Rights and Respect for cultural diversity
- Freedom of religion
- Human Rights and mental health
- the right to shelter and an adequate standard of living
- the role of States in coping with the socio-economic effects of pandemics and health emergencies

¹⁵⁸ Accessible on: <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>.

¹⁵⁹ Accessible on : <https://www.un.org/fr/coronavirus-covid-19-fr/covid-19-les-effets-de-lappel-de-lonu-au-%C2%AB-cessez-le-feu-mondial-%C2%BB>.

- Human trafficking and smuggling, especially of women and children
- Human rights through sport
- the prevention of genocide
- the fight against poverty
- eliminating female genital mutilation
- Human Rights and climate change
- the situation of human rights defenders
- the strengthening of international cooperation
- the fight against discrimination, inequality and incitement to violence
- the right to food
- the right to work
- the right to health
- sport and human rights
- the right to identity and the rights of the child
- the right to education
- business and human rights
- independence of judges and lawyers
- the rights of women and the girl child
- freedom of opinion, expression and peaceful demonstration
- rights of persons with disabilities
- the Sustainable Development Goals
- the fight against torture and cruel, inhuman or degrading treatment.

Cameroon was elected as a member of the Human Rights Council on 12 October 2018 and has sat on the Council since 1 January 2019. In that capacity, Cameroon has exercised one of the prerogatives devolved to States as part of adopting resolutions by the Council, i.e., voting. States can vote in favour of a resolution, against a resolution or abstain from voting. Cameroon exercised this prerogative at the various sessions of the Council held in 2020.

Cameroon's positions during these sessions are summarised in the table below.

Table 38.- Summary of Cameroon's positions at the Human Rights Council

N°	RESOLUTIONS	VOTES / POSITION OF CAMEROON
45th Session		
1.	<i>Resolution A/HRC/45/L.23 on the Right to Development</i> to encourage cooperation among States, promote equitable economic relations, create conditions necessary for eliminating obstacles to achieving this right, and combat human rights violations arising from corporate activities.	The resolution was adopted with 27 votes for, 13 against and seven abstentions. Cameroon voted for this resolution
2.	<i>Resolution A/HRC/RES/45/14 to end inequalities among and within countries to achieve human rights.</i>	The resolution was adopted with 25 votes for, eight against and 14 abstentions. Cameroon voted for this resolution

N°	RESOLUTIONS	VOTES / POSITION OF CAMEROON
3.	<i>Resolution A/HRC/RES/45/19 on the Human Rights situation in Burundi</i> , deploring the shrinking civic space, requesting the Government to take the necessary measures to ensure that the Independent National Commission on Human Rights fully complies with the Paris Principles and extending the term of the Commission of Inquiry on Burundi	The resolution was adopted with 24 votes for, six against and 17 abstentions. Cameroon voted against the resolution
4.	<i>Resolution A/HRC/RES/45/31 on the contribution of the Human Rights Council to preventing human rights violations</i> , requests the OHCHR to provide the Council with data that constitute early warning signs of a human rights crisis so that it can resort to working methods that enhance dialogue and cooperation with the State concerned.	The resolution was adopted with 32 votes for, three against and 11 abstentions. Cameroon voted against the resolution
44th Session		
5.	<i>Resolution A/HRC/44/L.12</i> , whereby the Council decided to convene, before its 47th session, to commemorate the 15th anniversary of the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity, as enshrined in the 2005 World Summit Outcome , an inter-sessional panel discussion on sharing best practices on strengthening national policies and strategies to implement such responsibility to protect, through national mechanisms and other stakeholders.	The resolution was adopted with 32 votes for, one against and 14 abstentions. Cameroon abstained from voting.
6.	<i>Resolution A/HRC/44/L.22</i> by which the Council requests the High Commissioner to further report on the work of OHCHR regarding the development and enhancement of international cooperation on human rights , and to propose therein possible ways and means to address the challenges posed by the promotion and protection of human rights, including the right to development, and to submit such a report to the Council at its 47th session. In the resolution, the Council calls for enhanced international cooperation to overcome the Covid-19 pandemic, including through information sharing, scientific knowledge and best practices, and implementation of the WHO guidelines. The Council also calls on States and all human rights mechanisms to remain mindful that	The resolution was adopted with 30 votes for, 15 against and two abstentions. Cameroon voted for the resolution.

N°	RESOLUTIONS	VOTES / POSITION OF CAMEROON
	cooperation, mutual understanding and dialogue are important means of ensuring that all human rights are promoted and protected.	
7.	<p><i>Resolution A/HRC/44/L.9</i> whereby the Council renewed the mandate of the Special Rapporteur on the situation of human rights in Belarus for another year and requested her to submit a report to the Council at its 47th session. The Council urges the Government of Belarus to cooperate fully with the Special Rapporteur, including by granting her access to the country. The Council urges the Belarusian authorities to ensure that the Presidential election to be held on 9 August is free, fair and transparent.</p> <p>The Council strongly encourages the Government of Belarus to establish a national human rights institution in compliance with the Paris Principles.</p>	<p>The resolution was adopted with 22 votes for, five against and 20 abstentions.</p> <p>Cameroon abstained from voting.</p>
8.	<p><i>Resolution A/HRC/44/L.17/Rev.1</i> relating to the follow-up and implementation of the Vienna Declaration and Programme of Action. It recalls in essence that human rights are a fundamental dimension of the UN's business, including the role of respect for all human rights and fundamental freedoms, which are universal, indivisible, interdependent, interrelated and mutually reinforcing, in the achievement of the purposes and principles of the UN Charter.</p>	<p>The resolution was adopted by vote with 41 votes for and six abstentions.</p> <p>Cameroon abstained from voting.</p>
43rd Session		
9.	<p><i>Resolution A/HRC/43/L.35</i> on human rights promotion and protection in Nicaragua. The Council expresses serious concern at the ongoing reports of serious human rights violations and abuses committed since April 2018 by police forces continuing to use disproportionate force to suppress social unrest and by members of armed groups committing acts of violence, and at reports of unlawful arrests, harassment, torture or sexual and gender-based violence in places of detention.</p>	<p>The resolution was adopted with 24 votes for, four against and 19 abstentions.</p> <p>Cameroon abstained from voting.</p>
10.	<p>Resolution A/HRC/43/L.36/Rev.1 calls for accountability and justice for all violations of international law in the Occupied Palestinian Territory, including East Jerusalem</p>	<p>The resolution was adopted with 22 votes for, eight against and 17 abstentions.</p> <p>Cameroon abstained from voting.</p>

N°	RESOLUTIONS	VOTES / POSITION OF CAMEROON
11.	<i>Resolution A/HRC/43/L.11</i> whereby the Council extended the mandate of the independent expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights , for three years.	Adopted by 26 votes in favour and 15 against, with 6 abstentions. Cameroon voted for this resolution.
12.	<i>Resolution A/HRC/43/L.21</i> on the adverse effects of unilateral coercive measures applicable to human rights practices	Adopted with 25 votes for and 16 against, with six abstentions Cameroon voted for this resolution.
13.	<i>Resolution A/HRC/43/L.31/Rev.1</i> whereby the Council calls for mutually beneficial cooperation in human rights	Adopted with 23 votes for and 16 against, with eight abstentions Cameroon voted for the resolution.

Cameroon's positions on the various issues addressed in the resolutions adopted by the Human Rights Council can testify to its positions on human rights, its traditional diplomatic orientations and its national policy on human rights.

Thus, out of the 13 resolutions listed in the above table, Cameroon voted for six resolutions, contested two and abstained from five. The abstentions were mainly on the country's resolutions.

SECTION III.-THE SITUATION OF STATE-RELATED COMPLAINTS AND THE FOLLOW-UP OF CAMEROON'S COOPERATION WITH THE UN SPECIAL PROCEDURES

Cameroon's interaction with human rights mechanisms can also be analyzed through the prism of litigation practices, by following up on cases involving the State (**Paragraph 1**) and through the prism of requests for visits submitted by the UN special procedures (**Paragraph 2**).

Paragraph 1. - Follow-up on the complaints against the State of Cameroon

The Special Procedures also handle individual cases or allegations of human rights violations as part of their mandate. They are required to send incoming complaints to States to ensure that the adversarial principle is respected. Cases that contain insulting language or are politically motivated are not considered.

This section provides a preliminary update on the follow-up to the 2019 reports on cases involving Cameroon (A), before addressing the complaints the Special Procedures handled in 2020 (B).

A- Follow up on some of the 2019 submissions

Out of four cases that the Special Procedures published in 2019, the State clarified two of them, while two others remained unresolved.

RELEVANT REFERENCES AND SPECIAL REPORTERS	SUBJECT	SYNOPSIS OF THE SUBMISSION	GOVERNMENT RESPONSE OBTAINED
<p>18 September 2019 Ref: AL CMR 5/2019</p> <p>Working Group on Arbitrary Detention, Special Rapporteur on judicial, summary or arbitrary executions, Special Rapporteur on the right to peaceful assembly and freedom of association and Special Rapporteur on the situation of human rights defenders</p>	<p>Supplementary material was submitted concerning the situation of the members of the <i>Organic Farming for Gorillas Cameroon (OFFGO)</i> and the alleged arrest of Mr Vincent AWAZI.</p>	<p>Mr Vincent AWAZI, an Environmental Rights Defender, versus a powerful businessman and politician who does not hesitate to harass him in court. Thus, a legal procedure was initiated against him for not respecting adequate measures.</p>	<p>Still no response within the 60-day deadline for feedback.</p>
<p>2 July 2019 Ref: AL CMR 4/2019</p> <p>Working Group on Enforced or Involuntary Disappearances, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the situation of human rights defenders</p>	<p>Report on the alleged enforced disappearance of Mr Franklin MOWHA, human rights defender.</p>	<p>Mr MOWHA Franklin, a human rights defender, the Chair of Frontline Fighters for Citizens Interests (FFCI) and a member of REDHAC is regularly subjected to arbitrary detention related to his work. He was reported missing on 6 August 2018.</p>	<p>No response was forthcoming within the 60-day deadline for providing the feedback.</p> <p>The Government was advised to take all necessary measures to protect Mr MOWHA's rights and freedoms and to bring those responsible to book if the alleged violations are established.</p>
<p>29 May 2019 Ref: AL CMR 3/2019</p> <p>Working Group on Enforced or Involuntary Disappearances, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the situation of human rights defenders</p>	<p>Information on Mr Jan Joris CAPPELLE's alleged illegal deportation from Cameroon and death threats against Mr Prince Vincent AWAZI and death and kidnapping threats against Mr Elvis BROWN.</p> <p>These members of the Organic Farming for Gorillas Cameroon (OFFGO) are also said to be victims of a defamation campaign because they allegedly reported Mr Alhaji Baba AHMADOU DANPULLO's human rights violations.</p>	<p>See the summary of AL CMR 5/2019 above.</p>	<p>The government response was received on 29 July 2019.</p> <p>Concerning Mr CAPPELLE's allegations of forced expulsion, Cameroon's legendary hospitality was noted as well as the necessity for foreigners to comply with the country's laws and regulations. The Government indicated that Mr CAPPELLE was free to file a new case in Cameroon, which would be examined and handled according to the procedures in force.</p> <p>Concerning the alleged torture and violation of Mr AWAZI's and Mr BROWN's right to physical integrity and security, the Government referred to the applicable laws protecting individuals against such acts, particularly through the investigations and sanctions provided for, if any, against members of the defence and security forces who are guilty of acts of torture or ill-treatment.</p> <p>Concerning the legal proceedings brought against Mr AWAZI before the Mbengwi Court of First Instance as part of the agro-pastoral conflicts with the people of Tudig in the Momo Division, the Government emphasised that they were justified by the offence committed and not by any desire to attack Mr AWAZI's status as a human rights activist.</p> <p>On the issue of corporate respect for human rights, the Government acknowledged the need to continue to raise awareness of the Guiding Principles of Business and Human Rights.</p>

RELEVANT REFERENCES AND SPECIAL REPORTERS	SUBJECT	SYNOPSIS OF THE SUBMISSION	GOVERNMENT RESPONSE OBTAINED
<p>20 March 2019 Ref: AL CMR 1/2019</p> <p>Working Group on Arbitrary Detention, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment.</p>	<p>Report on the alleged arrest and detention of more than 150 persons following peaceful demonstrations in Cameroon.</p>	<p>Leaders and supporters of the Cameroon Renaissance Movement were reportedly arrested in unlawful circumstances for having demonstrated peacefully. Some members of the Government reportedly made remarks that could incite tribal hatred by likening the fate of the Bamiliki ethnic group to <i>the Shoah</i>.</p>	<p>Government responses dated 20 May 2019.</p> <p>Concerning the facts and the procedure, the Government attests that it was an unauthorised public demonstration challenging the results of the 2018 Presidential election, the management of the security situation in the South-West and North-West Regions, and the financial management of the CAN which led to the arrest and indictment before the Yaoundé Military Tribunal of 151 persons for insurrection, assembly, rebellion, demonstration of hostility to the Fatherland, an insult to the President of the Republic and destruction of property.</p> <p>Concerning whether the measures were compatible with human rights standards, the Government argued that the complainants had not proved that the detention was unlawful, hence the dismissal of their habeas corpus proceedings. It argued that the requirements and constraints concerning public freedoms had not been complied with by the complainants, who were also unable to prove the peaceful nature of their demonstration. The Government acknowledged that the use of weapons to disperse the demonstrators could cause inconvenience, but that it would be excessive to assert that it had been a disproportionate use of public force.</p> <p>Concerning the measures adopted to ensure a fair trial, the Government insisted that the Military Court's competence could not be challenged given the offences with which the complainants were charged, which were covered by the 2017 Code of Military Justice.</p> <p>As for the measures taken to combat incitement to hatred, the Government referred to the Constitution, the values and principles of the Republic, the establishment of the CNPBM and the CNC's awareness-raising activities against hate speech.</p>

The NCHRF encourages the Government to consistently respond to requests for clarification from treaty bodies.

B - Submissions received in 2020

In 2020, the Special Procedures sent four reports to the State, three of which the State responded to. These complaints addressed alleged cases of violations of rights of human rights defenders, alleged enforced disappearances, torture, ill-treatment and death in custody, arbitrary arrest, prolonged pre-trial detention, extrajudicial executions, and alleged systematic restrictions on the freedoms of assembly and peaceful demonstration.

RELEVANT REFERENCES AND SPECIAL REPORTERS	SUBJECT	RESPONSES RECEIVED
<p>7 October 2020 Ref: UA CMR 4/2020</p> <p>Working Group on Arbitrary Detention, the Special Rapporteur on judicial, summary or arbitrary executions, the Special Rapporteur on the right to peaceful assembly and freedom of association and the Special Rapporteur on the situation of human rights defenders</p>	<p>Information regarding alleged restrictions on the right to freedom of peaceful assembly, excessive use of force during the peaceful demonstrations of 22 September 2020, and alleged arbitrary arrests and detentions of demonstrators and torture, cruel, inhuman or degrading treatment of demonstrators.</p>	<p>The government response was received on 7 December 2020.</p> <p>The Government reacted to the alleged cases of human rights violations of:</p> <ul style="list-style-type: none"> - Mr KAMTO whose proceedings were still pending before the courts; - Mr BIBOU NISSACK and Mr FOGUE TEDOM who allegedly had been arbitrarily detained, as all the requirements for notifying the use of the rights of suspects were respected in the proceedings before they were remanded in custody at the Yaounde Central Prison - Messrs ESSOMBA, NGASSI POUASSI and NDJIO who were released after being identified as journalists - Messrs BELLO MOUSSA, TEHLE MEMBOU, ANGOUNG and NTSAMA, whose information failed to confirm their arrest or indictment. <p>The government challenged:</p> <ul style="list-style-type: none"> - the allegation of systematic obstruction of peaceful demonstrations and public meetings by asserting that the control of public freedoms is always guided by the principles of legality, proportionality and necessity. Furthermore, the powers to assess the risk of disturbance to public order conferred on the competent authorities generally take into account the context, the facts, the background and the actors involved. In this case, the calls for a coup were liable to undermine public order and peace. The illegal and riotous nature of the demonstrations was also established. - the alleged use of the anti-terrorism law: the offences against the demonstrators of 22 September 2020 were based on the Criminal Code and not on the anti-terrorism law. <p>Concerning the reproach levelled at the government's public statements, which were considered excessive, the Government stated that the intention was to refer to the spirit and the letter of the law governing the organisation of public demonstrations and to present the facts as they had occurred in their absolute truthfulness.</p> <p>Finally, concerning investigations into alleged enforced disappearances, the Government stated that it had not received any complaints in this regard, and reiterated the possibility for individuals to apply to the Commission for Compensation for Victims of Abusive Police Custody and Pre-trial Detention, where appropriate.</p>
<p>14 August 2020 Ref: UA CMR 3/2020</p> <p>Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Working Group on Arbitrary Detention, Working Group on Enforced or Involuntary Disappearances, the Special Rapporteur on extrajudicial, summary or arbitrary</p>	<p>Information on alleged systematic security practices of arbitrary arrest, enforced disappearance, torture and ill-treatment,</p> <p>prolonged detention without trial and extrajudicial killings of 13 individuals (Wirba Didymus Nsoseka, Tabassang Augustine, Louis Bonkuyung, Ms Beza Berist and Ms Grace Mauantem Anu, Germaine Dzenjoh, Yaya Sule, Amba Denis Chenwei, Ojong Joseph, Mr Njong and Ms Che) belonging to the Anglophone minority in the North-West and South-West Regions of Cameroon. Njong and Ms Che) from the English-speaking</p>	<p>Government responses dated 14 October 2020 and 7 December 2020.</p> <p>The Government reacted by acknowledging that several of the persons mentioned were being prosecuted for acts of terrorism and funding of terrorism, while indicating that their right to a fair trial was respected, including through the assistance of an interpreter while in police custody, and decent conditions of detention when they were remanded in custody.</p> <p>The alleged arbitrary arrest, incommunicado detention or torture of Mr SULE, Mr OJONG, Mr TABASSANG, Mr BONKUYUNG and Mr CHENWEI were found to be completely untrue or unknown to the authorities.</p>

RELEVANT REFERENCES AND SPECIAL REPORTERS	SUBJECT	RESPONSES RECEIVED
executions, the Special Rapporteur on minority issues and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism	minority in the North West and South West Regions of Cameroon	<p>An attempt to establish the circumstances of the enforced disappearance, torture and death of Paddisco MBAH NJONG and his wife AZAH Nancy CHE was prescribed to the Attorney General at the North West Court of Appeal.</p> <p>Concerning the measures taken to guarantee the non-repetition of the violations committed against the Anglophone minority, the Government reminded that the constitutional vision of unity in diversity does not accommodate hate speech, tribal violence or attacks on sovereignty propagated by secessionist groups. However, beyond the minority issue, the State is working towards respect for human rights by training the defence and security forces, punishing offenders, and requiring the opening of registers of arrested persons in all places of detention for consultation. The support of the CNPBM and the National Human Rights Institution, which acts as an NMPT, was also mentioned in the government's response.</p>
7 July 2020 Ref: UA CMR 2/2020 Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Working Group on Arbitrary Detention, Working Group on Enforced or Involuntary Disappearances, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Special Rapporteur on the situation of human rights defenders, Special Rapporteur on minority issues and Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism	Information relating to the alleged enforced disappearance, torture and death in custody of Mr Samuel Ajiekah Abuwe, alias Samuel WAZIZI, from 2 August 2019 to 5 June 2020, and arbitrary detention and enforced disappearance of Mr Njoka Kingsley Fomonyuy arrested on 15 May 2020.	<p>Government response dated 3 September 2020.</p> <p>The government stated that the alleged arbitrary detention and enforced disappearance of Mr NJOKA Kingsley FOMONYUY were unfounded and maintained that he has been in pre-trial detention at the KONDENGUI Central Prison in Yaounde since 11 June 2020. He is held in custody there as part of a regular procedure conducted with respect for the rights of the defence, for offences provided for by the law.</p> <p>Concerning the arrest and death of Samuel AJIEKAH ABUWE alias Samuel WAZIZI, the Government's response indicated that a joint investigation by the National Gendarmerie, the Police and the Territorial Administration has been opened on the instructions of the President of the Republic. The findings of the said investigation will make it possible to identify those who are responsible.</p>

The complaint that the State did not address in 2020 concerned the acts of aggression and intimidation against Ms Maximilienne NGO MBE and an arson attack on the headquarters of the Network of Human Rights Defenders in Central Africa (REDHAC). On 15 April 2020, the Special Rapporteur on human rights defenders and five (5) other special rapporteurs alerted the State of Cameroon to reports that the public authorities, private legal entities and individuals were systematically intimidating REDHAC.

The Special Rapporteurs were particularly concerned that these acts could constitute forms of punishment for the complainant's human rights activities, according to the legal instruments ratified by Cameroon.

Paragraph 2.- Follow-up on requests for invitations to Special Procedures in Cameroon

To report on the human rights situation in States and provide technical assistance in implementing their human rights commitments, independent experts conduct country visits. Governments may issue standing invitations to the Special Procedures indicating their readiness to receive all thematic mandate holders.¹⁶⁰ Alternatively, they may formally seek permission from governments. Depending on the

¹⁶⁰ Cameroon endorsed this approach in September 2014.

situation, visits can have various statuses: pending visits, completed visits, ongoing visits, cancelled visits, and rejected or inactive visits.

The status of Cameroon's collaboration with the Special Procedures indicates that it has already received three visits from Special Rapporteurs, in May 1999 (Special Rapporteur on Torture), in July 2012 (Special Rapporteur on the Right to Food) and the last visit was in September 2013 (Special Rapporteur on Minorities).

In the year under review, Cameroon was due to receive the Special Rapporteur on the Right to Health whose request was made in October 2018. The Special Rapporteur on the right to water and sanitation renewed his request in December 2019. The visits scheduled during the year under review were not carried out.

The following table provides a synoptic overview of the general situation of visit requests by special rapporteurs as of 31 December 2020.

Table 40.- Status of requests for visits by Special Rapporteurs

Cameroon	YES	15 September 2014
SR on torture	Reported/completed	from 12 May 1999 to 20 May 1999
SR on food	Reported/completed	from 16 July 2012 to 23 July 2012
SR on minority issues	Reported/completed	from 2 September 2013 to 11 September 2013
WG on arbitrary detention	Inactive	2017
SR on Indigenous Peoples	Inactive	Proposed dates February 2018
SR on internally displaced persons	Reminder	first quarter of 2019
SR on freedom of assembly	Inactive	2019
SR on independence of judges	Requested	Proposed dates fourth quarter of 2019
SR on sale of children	Inactive	Proposed dates September 2019 - October 2019
SR on health	Requested	first half of 2020
SR on rights to water and sanitation	Requested	2020
SR on minority issues	Postponed by the mandate holder	first half of 2021
WG on disappearances	Reminder	2022
SR on human rights and counter terrorism	Proposal of Dates	Proposed dates from 25 May 2023 to 2 June 2023
SR on HR defenders (Agreed in principle by ambassador)	Proposal of Dates	Proposed dates June 2023 - July 2023
SR on rights to water and sanitation	Inactive	
SR on HR defenders	Inactive	
WG on discrimination against women and girls	Requested	

Source: <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&lang=en>

It is advisable to *recommend* to the State, insofar as *Cameroon has endorsed the option of receiving all thematic mandate holders by issuing standing invitations to special procedures, that the pattern corresponding to this formula be diligently applied, so that the missions of special rapporteurs, envisaged in the country, no longer come up against procedural barriers that do not seem to correspond to the option that the country officially adopted in September 2014.*

CONCLUSION

The year 2020 was characterised by the effects of Covid-19 on people's rights and particularly on the rights of vulnerable groups.

Concerning economic, social and cultural rights, the occurrence of this pandemic has had repercussions in key sectors such as education, employment, the free exercise of income-generating activities (commercial, agricultural, artisanal, etc.), the free movement of people and goods, and access to health care, to name but a few. Against this backdrop, persons from socially vulnerable categories, such as persons with disabilities, the elderly, persons deprived of their liberty, refugees, internally displaced persons, women and children, have been the most exposed to the adverse effects of this pandemic.

Given this health crisis, the Cameroon Government, with the support of its partners, has taken several urgent response measures, such as setting up special centres for the care of Coronavirus patients throughout the country, improving the technical facilities of some hospitals, making massive acquisitions and donations of equipment and protective materials, and setting up a Special National Solidarity Fund, to name but a few.

The combined efforts of the public authorities, local and regional authorities, technical and financial partners, Civil Society Organisations, and local traditional authorities and elites, have made it possible to limit the impact of this pandemic on the rights of the people, not only through the adoption of appropriate economic, political and social measures but also through permanent awareness-raising among the people, and employing multi-faceted support.

These measures, although they have led to temporary restrictions on some rights, have proved effective in the medium term, so much so that by the end of the second half of 2020, statistics on the progress of the pandemic in Cameroon showed a cure rate of 95 per cent and a fatality rate of only 1.6 per cent.

In the area of employment, there was a drop in economic activity and a slowdown in growth, which fell to 2.4 per cent, as against 3.7 per cent in 2019. These disruptions led to the elimination of several jobs, reduction of working hours, technical leave, etc. As a result, 102,039 job losses were recorded during the reference year, of which 100,621 were in companies. 62.7 per cent of these job losses were due to dismissals, while 23.6 per cent were due to resignations.

Concerning civil and political rights, in addition to the cases of attacks on life, physical and moral integrity and torture recorded throughout the reference year, the issue of road insecurity and the problem of access to identification documents, particularly birth certificates, continued to be of concern. Indeed, 633 deaths were recorded in 2020 as a result of road accidents, while it was deplored that out of 4 942 000 children enrolled in nursery and primary schools for the 2019-2020 school year, 1 785 668 did not have birth certificates.

The year 2020 was also shaped by the legislative and municipal elections on 9 February 2020, followed by the election of regional councillors on 6 December 2020. On both occasions, despite calls for a boycott by the Chairman of the CRM political party, which led to arrests during illegal marches by the party, people were able to freely express their right to vote, and their right to stand for election, which are components of the right to participate in the management of public affairs, in compliance with the

prescribed barriers to combat the spread of Covid-19. The NCHRF followed these events closely. The observation of such events led to the publication, on 16 September 2020, of a press release condemning any call for insurrection, and to investigative missions to monitor the situation of persons arrested in that context.

Concerning the rights of specific categories, while remarkable efforts were made to manage Covid-19 and its effects on vulnerable groups during 2020, particularly in prisons, schools, universities and some refugee camps, very few special measures were taken for the elderly, persons with disabilities, socially vulnerable children, IDPs and women during this period due to a lack of resources.

It should furthermore be noted that, despite the health crisis that broke out in 2020, the Government continued to pursue its policies and programmes for the return of peace in areas plagued by terrorism and secessionist activities, including by implementing the recommendations of the Major National Dialogue. Likewise, in the Far North Region, the fight against Boko Haram intensified with the increased collaboration of local populations, while in the Adamaoua, North and East Regions, the phenomenon of hostage-taking for ransom decreased significantly.

Concerning cooperation in the area of human rights, Cameroon pursued its interactions with African regional mechanisms, especially with the African Commission on Human and Peoples' Rights, together with the African Committee of Experts on the Rights and Welfare of the Child (ACERWC). In addition, Cameroon seized the opportunity of the sessions of the Human Rights Council in 2020, namely the 43rd session held online from 24 February to 23 March 2020, the 44th session held in the webinar from 30 June to 17 July 2020 and the 45th session held online from 14 September to 7 October 2020, to make its position known on certain issues of concern in human rights throughout the world.

Similarly, as part of NCHRF's mission to protect human rights, the Commission was aware of 977 alleged cases of human rights violations, including 913 complaints and 64 cases of self-initiated investigations. While this number is down by 225 compared to the 1,202 alleged cases reported in 2019, which included 1,031 complaints and 171 self-initiated cases, this can be explained by the Covid-19 pandemic. Also in this respect, the implementation of the restrictive measures prescribed by the Government as part of the response to this pandemic can be considered.

In conclusion, while 2020 was mainly marked by the uncertainties associated with the onset of Covid-19, and its effects on the Rights of Populations at all levels, it should be happily noted that the resilience of the Cameroonian people who have used all means to protect themselves, and the determination of public authorities to fight against the pandemic have made it possible to face this unprecedented health crisis in our country.

However, who can deny the importance of geography in Cameroon's and, more broadly, Africa's success against Covid-19? The analysis of Jean BERNARD, a famous French haematologist and academic (1907-2006) highlighted the influence of geography on the quality of blood in these terms: "the anatomy, physiology and pathology of the blood depend on a large extent on the peoples and races, the soil, the air, the climates, the food customs, the infections, the parasitoses peculiar to certain Regions... The places where a man lives and, sometimes where his ancestors lived, partly regulate the state of the blood". This reasoning may, *mutatis mutandi*, explain the limited number of cases and victims of Covid-19 in Cameroon.

In addition, the country completed the establishment of the institutions provided for by the Constitution of 18 January 1996, through the election of the first regional councillors of its history. This

contributes to the strengthening of the right to participate in the management of public affairs, especially for indigenous peoples.

Nevertheless, emphasis should be placed on combating all forms of insecurity, particularly in areas exposed to terrorist attacks, and on combating discrimination and gender-based violence, access of women to land ownership and inheritance, equality of all before the law, access to justice and the fight against impunity, the fight against torture and other cruel, inhuman and degrading treatment or punishment, the fight against corruption, taking on board the specific rights of persons with disabilities at all levels, combating all forms of exploitation, trafficking and trafficking in human beings, including children, etc.

In this regard, the reform carried out in 2019 through the promulgation of Law no. 2019/014 of 19 July 2019 relating to the establishment, organization and functioning of the Cameroon Human Rights Commission (CHRC), replacing the NCHRF, enables the new Human Rights Institution of Cameroon, once its members have been appointed, to be better deployed in human rights promotion and protection, and the prevention of torture in our country.

Printed by SOPECAM
3rd term 2023
P.O. Box: 1218 Yaounde Cameroon

