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DE L'HOMME DU CAMEROUN**

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**CAMEROON HUMAN  
RIGHTS COMMISSION**

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**STATEMENT OF THE CAMEROON HUMAN RIGHTS COMMISSION  
ON THE OCCASION OF THE CELEBRATION OF THE INTERNATIONAL  
DAY OF THE WORLD'S INDIGENOUS PEOPLE**

**9 AUGUST 2021**

The Cameroon Human Rights Commission herein referred to as the Commission, created by Law N°. 2019/014 of 19 July 2019,

*Bearing in mind* resolution 49/214 of the United Nations General Assembly which declared the 9th of August as the International Day of the World's Indigenous Peoples, in remembrance of the first meeting of the United Nations Working Group on Indigenous Peoples, held in Geneva, Switzerland on 9 August 1982,

*Considering* the Preamble to the Constitution of 18 January 1996, which provides that “the State shall ensure the protection of minorities and shall preserve the rights of indigenous populations in accordance with the law” and recalling that Cameroon is a party to the African Charter on Human and Peoples' Rights since it entered into force on 21 October 1989, and considering the jurisprudence of the African Commission on Human and People's Rights,

*Recalling* Cameroon's positive vote during the adoption of the United Nations Declaration on the Rights of Indigenous Peoples of 13 September 2007,

*Affirming* that the rights of indigenous peoples are specifically recognized and protected at the national, regional and international levels, especially given their unique character, their way of life, their particularly precarious situation and the threats to their survival,

*Considering that* there is no universally agreed definition of indigenous peoples<sup>1</sup>,

*Conscious however of the fact that* indigenous people in the world have retained social, cultural and economic characteristics that are distinct from those of the dominant societies with whom they live<sup>2</sup>,

*Considering that* the concept of indigenous people embodies certain constitutive elements or characteristics, which include self-identification; a special attachment or use of their traditional land; an experience of subjugation, marginalization, dispossession, exclusion,

<sup>1</sup> Advisory Opinion of the African Commission on Human and Peoples' Rights on The United Nations Declaration on the Rights of Indigenous Peoples adopted at its 41st Ordinary Session held in May 2007 in Accra, Ghana 2007 p.3.

<sup>2</sup> We need indigenous communities for a better world. <https://www.un.org/en/observances/indigenous-day/background>.



or discrimination because these peoples have different cultures, ways of life or mode of production than the national hegemonic and dominant model<sup>3</sup>,

**The Commission observes** that in accordance with convention 169 of the International Labour Organization on Indigenous and Tribal Peoples, in Cameroon, all peoples who meet some of the following four internationally recognized criteria should benefit from the national, regional and international safeguards specific to indigenous peoples.

These include:

- the occupation of a specific territory or their attachment to that territory;
- the voluntary maintenance of cultural characteristics, which could encompass aspects of language, social organization, religious and spiritual values, mode of production, laws and institutions;
- self-identification and recognition by other groups as a distinct community;
- an experience of subjugation, marginalization, expropriation, exclusion or discrimination.

**Recalling** the 2030 Agenda for Sustainable Development in which Member States of the United Nations Organization pledged to ensure that no one is left behind and whose goals 1 and 10 aim at ending poverty in all its forms everywhere and reducing inequality within and among countries respectively,

**Considering** the theme of this year's commemoration of the International Day of the World's Indigenous People which is: ***Leaving no one behind: Indigenous peoples and the call for a new social contract***,

**Recalling** that the social contract is the unwritten agreement that members of a society make to cooperate for social and economic benefits and that such a contract must combat exclusion and marginalization affecting indigenous peoples<sup>4</sup>,

**The Commission notes** that the United Nations Committee on Economic, Social and Cultural Rights is concerned with the discrimination and exclusion faced by indigenous peoples in Cameroon and with the lack of recognition of their rights with regards to access to land, their ancestral territories and natural resources<sup>5</sup>.

Despite government's efforts to protect indigenous peoples, these populations remain vulnerable and are subject to many forms of marginalization, discrimination and stigmatization mainly due to:

- the illegal appropriation of their land by colonizers, the State, large agricultural and mining companies or by other private actors
- the selective application of texts which impose environmental impact assessments and those requiring their free and informed consent in all natural resource exploitation projects
- their limited access to the benefits generated by the exploitation of the resources of their immediate environment
- their limited access to citizenship, education, health, land and other basic social services

<sup>3</sup> See footnote 1

<sup>4</sup> Concept note of the UN permanent forum on indigenous issues for Virtual commemoration on 9 August 2021 on <https://www.un.org/development/desa/indigenouspeoples/> consulted on 15/7/2021

<sup>5</sup> Concluding observations of the Committee on Economic, social and cultural rights in Cameroon's fourth periodic report of 25 March 2019.



- the difficult socio-professional insertion of young graduates which portrays poor access to the job market and to opportunities for self-employment
- the special nature of their way of life and their socio-cultural origin sometimes puts them out of phase with the pace of school
- the fact that their labour is exploited by other communities
- their limited access to and / or plundering of natural resources derived from hunting, agriculture and animal husbandry, which are necessary for their subsistence.

*The Commission welcomes* the firm option of public authorities to reserve the posts of the mayor of a town for indigenous municipal councilors of the Region, through Law N°. 2019/024 of 24 December 2019 on the General Code of Local and Regional Authorities, promulgated by the President of the Republic of Cameroon on 24 December 2019 and implemented during the municipal elections of 9 February 2020.

*The Commission commends* the Executive Branch, the Judiciary and Elections Cameroon (ELECAM) for giving due effect to Article 57 (3) of the Constitution which reserves the post of President of the Regional Executive to an indigenous person during the election of regional executives subsequent to the election of regional councilors on 6 December 2020.

Since indigenous people are generally at risk of marginalization in their communities or regions of origin, and also at the national level, the Commission encourages the State to continue efforts to ensure that indigenous peoples have access to birth registration, which will enable them to fully enjoy other rights such as the right to education, decent work and property.

*The Commission deplores* the negative impact of the hot spots of conflict and tension in Cameroon on the rights of indigenous peoples, especially in the Far North of the country, with the repeated Boko Haram attacks, in the Adamawa and the East with the incursions of armed groups and in the North-West and South-West Regions, with the prevailing socio-political situation there.

*The Commission further observes* that since the beginning of the current socio-political unrest in the North-West and South-West Regions, there have been open and recurrent conflicts between the Mbororos and other neighbouring communities. The Mbororos are victims of kidnappings for ransom, confiscation of livestock, burning of houses, forced displacement, torture and killings by secessionist terrorists who accuse them of not supporting their struggle.

*The Commission once more strongly condemns* the atrocities, abuses and all other forms of physical, verbal or written attacks against the indigenous peoples of Cameroon, the perpetrators of such atrocities, abuses and attacks against the Mbororo and other indigenous peoples in the North-West and the Far North especially must be investigated, apprehended and brought to justice.

*The Commission commends* government, development partners and CSOs that are working tirelessly to safeguard the political, economic, social and cultural rights of indigenous peoples, based on the 2007 United Nations Declaration on the Rights of Indigenous Peoples.

*The Commission recommends* that Government should create more opportunities for the political, economic and social participation of indigenous populations in the framework



of decentralization, so that they can contribute to their full potential, in the governance and development of their respective communities.

*The Commission recommends* specifically that support programmes should be put in place to strengthen the economic capacity of women and girls through income generating activities.

*The Commission equally recommends* that government, regional and local authorities should promote cultural houses and languages of indigenous populations through community radios and through the creation of centers for the learning of indigenous cultures.

*The Commission recommends* that the State, regional and local authorities should permanently sensitize traditional chiefs and members of indigenous associations against early marriages, practices and customs that preferentially favour boys especially in matters of education, as well as against violence based on sex.

*The Commission strongly recommends* that all actors concerned (government, regional and local authorities, development partners) should organize more public hearings with the support of competent courts to regularize the situation of thousands of indigenous adults without birth certificates.

*The Commission recommends* that public authorities of devolved services, notably the Governors of the regions and the Divisional Officers, should create platforms for inter-community dialogue so as to put an end to agro-pastoral conflicts and to promote living together in harmony amongst indigenous populations and the populations of other localities.

To mark the 2021 edition of the International Day of the World's Indigenous Peoples, the Commission underscores the need to respect the rights of indigenous peoples in Cameroon, so that no one is left behind. The Commission, for its part, will spare no effort to promote and protect the civil, political, economic, social and cultural rights of indigenous peoples through training workshops, awareness-raising campaigns, advocacy, prison visits, fact-finding missions and the handling of complaints.

07 AOUT 2021

Done in Yaounde, .....

James MOUANQUE KOBILA

