



STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION TO MARK
THE 136TH INTERNATIONAL LABOUR DAY

ON THE THEME "LABOUR WORLD: COMBATING COVID-19,
SAFEGUARDING JOBS AND ENSURING PRODUCTIVITY"

1 MAY 2022

The Cameroon Human Rights Commission (hereinafter: "the Commission"), established by Law No. 2019/014 of 19 July 2019 and set up on 29 April 2021 following the swearing-in of Commissioners before the Supreme Court sitting in Assembled Chambers,

Recalling that on May 1, 1886, more than 400,000 workers in many parts of the United States of America engaged in a strike action in which they demanded eight hours of work per day, an event known as the Haymarket Affair, which prompted socialist parties and trade unions to adopt this day as a Labour Day in 1889,

Recognizing that Labour Day is an event to honour the struggles and achievements of workers and labourers and to celebrate the role that trade unions play,

Bearing in mind that Labour Law is the set of rules governing the industrial relations between an employer and employees on one hand and between employers, workers and society on the other hand¹,

Recalling that the International Labour Organisation (ILO) recognizes four principles of labour law as fundamental. These are freedom of association and recognition of the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour and elimination of discrimination in employment and occupation²,

Welcoming the theme of this year's celebration chosen by the Ministry of Labour and Social Security, which is "Labour World: Combating covid-19, safeguarding jobs and ensuring productivity",

Considering that:

- labour market disruptions in 2020 resulted in severe job losses for women (5.0%) and men (3.9%)³

¹ "Droit du travail au Cameroun", <https://cours-de-droit.net/droit-du-travail-camerounais-a126314768/>, consulted on 23/4/2022.

² ILO Declaration on Fundamental Principles and Rights at Work, adopted in 1998.

³ Ibid.

- in 2020, job losses were more severe for young workers (8.7%) than for older workers (3.7%)
- by 2021, the global unemployment rate had decreased slightly to 6.2%, which is still well above the pre-pandemic rate of 5.4%⁴
- a total of 511,620,853 cases of Covid-19 infection and 6,253,667 cases of death⁵ were recorded worldwide as of 28 April 2022.

Considering the Preamble of the Constitution of 18 January 1996 which provides that "every person shall have the right and the obligation to work" and that this fundamental text recalls the commitment of the State of Cameroon to observe the rights enshrined in the Universal Declaration of Human Rights and all international and regional human rights instruments that Cameroon has ratified,

Recalling that the African Charter on Human and Peoples' Rights adopted on 27 June 1981 and ratified by Cameroon on 20 June 1989 states in Article 15 that "[e]very individual shall have the right to work under equitable and satisfactory conditions and shall receive equal pay for equal work",

Bearing in mind Article 23 (1) of the Universal Declaration of Human Rights which states that "[e]veryone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment", that this instrument guarantees non-discrimination against workers, as well as the granting of "just and fair remuneration for his labour, so as to ensure for himself and his family an existence worthy of human dignity",

Bearing in mind Article 7 of the International Covenant on Economic, Social and Cultural Rights adopted by the United Nations General Assembly on 16 December 1966 and ratified by Cameroon on 27 June 1984 which states that "State Parties recognize the right of everyone to the enjoyment of just and favourable conditions of work" and in particular ensures fair wages, safe and healthy working conditions, leisure, rest and reasonable limitation of working hours,

Recognizing that Article 27 of the Convention on the Rights of Persons with Disabilities, adopted by the United Nations General Assembly in December 2006, which entered into force on 3 May 2008, was ratified by Cameroon on 28 December 2021⁶ provides that "states parties shall recognize the right of persons with disabilities to work on an equal basis with others",

Recalling Human Rights Council resolution 17/4 of 16 June 2011 adopting the Guiding Principles on Business and Human Rights, which are a set of guidelines for States and companies to prevent, address and remedy human rights abuses in the course of business operations,

Considering that Cameroon as a member of the International Labour Organisation (ILO) since 7 June 1960, which brings together governments, employers and workers to

⁴ Statistiques de l'OIT sur <https://ilostat ilo.org/fr/covid-19-and-the-sustainable-development-goals-reversing-progress-towards-decent-work-for-all/#:~:text=En%202021%2C%20le%20taux%20de,jusqu'en%202023%20au%20moins>, consulted on 24/4/2022.

⁵ Statistics of 26/4/2022, <https://www.worldometers.info/coronavirus/>, consulted on 26/4/2022.

⁶ Decree No. 2021/751 of 28 December 2021 to ratify the United Nations Convention on the Rights of Persons with Disabilities, adopted on 13 December 2006.

set labour standards, develop policies and programmes, has ratified the eight fundamental conventions on workers' rights and many others,

Recalling the national normative and institutional framework of labour law in Cameroon, including:

- Law No. 92/007 of 14 August 1992 on the Cameroon Labour Code which governs relations between workers and employers, recognizes their right to freely create professional unions and governs the employment contract, etc.
- Law No. 90/053 of 19 December 1990 on freedom of association
- Decree No. 2018/6233/PM of 26 July 2018 establishing the modalities of application of Law No. 2010/002 of 13 April 2010 on the protection and promotion of persons with disabilities
- Decree No. 90/805 of 27 April 1990 on the creation, organization and functioning of the National Employment Fund
- Decree No. 2016/060 of 1 February 2016 on the appointment of a trade union registrar
- Order No. 159/CAB/PM of 11 October 2010 on the creation, organization and functioning of the National Observatory of Employment and Training
- Order No. 067/CAB/PM of 14 July 2014 on the creation, organization and functioning of the Consultation and Social Dialogue Monitoring Committee
- Circular No. 067/LC/MINEFOP/CAB of 29 April 2013 on the periodic production of information on the situation of employment by companies, programmes and projects in the public and private sectors
- the decision of the Minister of Mines, Industry and Technological Development, signed on 30 August 2021, prohibiting the access of child miners to mining sites.

Recognizing that the Covid-19 pandemic started in Wuhan Province, the People's Republic of China in December 2019 and the first officially recognized case was announced in Cameroon on 6 March 2020;

Recalling that the number of Covid-19 cases in Cameroon has risen from 61,731 confirmed cases, including 919 deaths as of 14 April 2021⁷, to 119,780 cases and 1,927 deaths by 27 April 2022⁸,

Noting that in March 2022, the epidemiological situation stabilized in Cameroon and that the Polymerase Chain Reaction (PCR) test positivity rate dropped from 25% to 1.3%⁹, with the understanding that since the beginning of the epidemic, the country spent its first week without Covid-19 patients in hospitals in the same month¹⁰,

The Commission observes that with the onset of the Covid-19 pandemic, the global workforce has been severely affected with more than 300 million jobs lost, while in Cameroon, 64.5% of companies have reduced their business hours, 50.1% of companies have laid-off workers and 43.3% of firms reduced employees' wages between April and

⁷ Tweet of the Minister of Public Health of 14/4/2021.

⁸ Statistics from 26/4/2022, <https://www.worldometers.info/coronavirus/>, accessed on 27/4/2022.

⁹ Covid 19, the fight continues, www.minsante.cm published on 23 march 2022, consulted on 26/4/2022.

¹⁰ Declaration of the Minister of Public Health during the workshop to evaluate the management of Covid 19 during the CAN TotalEnergies 2021 on 6 April 2022, www.minsante.cm.

May 2020, according to the International Labour Organisation (ILO), with job loss or cessation affecting roughly three out of five households (54%) as of July 2021¹¹;

The Commission notes that in Cameroon, unemployment has increased among young people living in cities such as Douala and Yaounde to 24% and 35% respectively¹²;

The Commission notes that the unemployment rate in Cameroon will have increased by 6.1% in 2021¹³ compared to 2020 when it stood at 3.43% and that 90% of the jobs concerned were in the informal sector, mainly made up of women and young people, who contribute 20-30 per cent of the country's GDP, according to the International Monetary Fund,

The Commission commends the government's efforts to combat the Covid-19 pandemic and its tireless search for ways and means of protecting employment and improving the working conditions of workers notably by:

- taking preventive measures such as social distancing, wearing of masks, screening and mass vaccination of the public, curative measures by providing free care to people infected by the disease and by providing care in medical institutions
- granting extended payment deadlines, tax and duty deferments as well as financial support to businesses
- granting tax exemptions for certain categories of workers in the informal sector
- increasing family allowances for employees in the public and formal private sectors, as well as the granting of tax deferments and bank moratoria for the companies concerned
- implementating the Urban Special Employment Programme (USEP) by the National Employment Fund (FNE), which aims at integrating unemployed youths through development, sanitation and improvement of social services in Cameroon's cities
- implementating of the National Action Plan for Youth Employment 2016-2020, with the objectives of granting CFAF 135 billion for the creation of 380,000 jobs for young people and promoting youth entrepreneurship
- the signing of Decree No. 2020/376 of 8 July 2020 setting the coefficient for the re-evaluation of certain old-age, disability and death pensions, and support for the productive sector
- launching a competition to obtain national scholarships for 3 000 contract teachers (IEMP) in public and private vocational training structures under the Ministry of Employment and Vocational Training (MINEFOP) for the year 2021-2022.

The Commission deplores the lack of public adherence to the mass vaccination project against the Coronavirus even though the pandemic continues to ravage the world,

¹¹Source : [https://www.lecourrier.vn/cameroun-hausse-de-61-du-taux-de-chomage-en-2021/945514.html#:~:text=Le%20taux%20de%20ch%C3%B4mage%20a,national%20des%20statistiques%20\(INS\).](https://www.lecourrier.vn/cameroun-hausse-de-61-du-taux-de-chomage-en-2021/945514.html#:~:text=Le%20taux%20de%20ch%C3%B4mage%20a,national%20des%20statistiques%20(INS).)

¹² Source: www.finecm.org/index.php/en/presentation-du-fne/programmes-67/usep/457-programme-special-d-emplois-urbains-fne-usep, consulted on 20/4/2022.

¹³ Selon la dernière édition des indicateurs de développement durable publiée par l'Institut national de la statistique le 29 décembre 2021, <https://www.lecourrier.vn/cameroun-hausse-de-61-du-taux-de-chomage>, consulted on 20/4/2022.

The Commission observes that concerning the right to work, despite the State's efforts to improve the situation, unemployment and underemployment rates remain significantly high, especially among young people and among women¹⁴,

The Commission observes that with regards to the right to social security, Cameroon's social protection system is heavily reliant on formal employment and that despite the adoption of a voluntary insurance scheme, a very significant number of people are still excluded from social protection systems¹⁵,

The Commission recognizes that the enormous progress made in professionalizing education has not led to a perceptible improvement in the labour market¹⁶,

The Commission observes that globalization, climate change, environmental concerns, and technological innovations are leading to new forms of labour and changing its structure and organization. The many, often contradictory, forecasts of the effects of these changes on job creation or destruction have contributed to the uncertainty surrounding the achievement of decent work¹⁷;

The Commission notes that many workers in the Regions of Cameroon affected by insecurity have lost their jobs and sources of income, thus living in precarious situations, with many of them having migrated to cities where they are underemployed. The underemployment rate, though still very high, has fallen slightly from 69% in 2020 to 65 % in 2021;

The Commission notes with regret that less than 3% of people in Cameroon are covered with adequate social health protection; with the National Social Insurance Fund covering 10% of the population according to the International Labour Organisation¹⁸;

The Commission continues to deplore the unfavourable working conditions prevailing in some socio-professional environments in our country, especially in the informal sector, as well as the low remuneration of workers, sometimes below the minimum wage guaranteed by law;

The Commission renews its plea for an increase in the guaranteed minimum wage (SMIG), which is still far below the ILO's requirement for decent work;

The Commission recommends better protection of workers' rights through:

- the amendment of Law No. 92/007 of 14 August 1992 on the Labour Code, which should address issues related to hazardous work for children of learning and working age

¹⁴ Concluding Observations of the Committee on Economic, Social and Cultural Rights on the 4th Periodic Report of Cameroon in 2017.

¹⁵ *Ibid.*

¹⁶ The leading source of labour statistics, <https://ilostat.ilo.org/fr/only-half-of-workers-worldwide-hold-jobs-corresponding-to-their-level-of-education/>, consulté le 24/4/2022.

¹⁷ "Promouvoir l'emploi et le travail décent dans un monde en mutation, Conférence internationale du Travail 109^e session, 2020", https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_738280.pdf, consulté le 23/4/2022.

¹⁸ ILO social protection, situation and priorities, Cameroon, www.socialprotection.org, consulted on 19 April 2021.

- the continued application of the national labour strategy with a focus on vocational training and the promotion of self-employment
- the effective protection of workers against abuse by employers through the strengthening of existing control mechanisms, especially labour inspections
- the continuous awareness of workers on the need to adhere to the social security schemes provided for by the regulations in force
- the implementation of policies to ease the conditions for access to the formal sector (various taxes, trade register) in order to create more jobs
- raising the minimum wage in line with the ILO's decent work requirements
- continuous dialogue with the various socio-professional sectors, especially teachers, for more equity and social peace
- guidance for the creation of businesses and multi-faceted support for business enterprises especially by accelerating and facilitating the various procedures in order to mitigate the impact of the Covid-19 while the pandemic persists,

The Commission encourages the National Committee to Combat Child Labour instituted by Order No. 082/PM of 27 August 2014 to publish its reports as well as its initiatives to draw up a draft Order on the prohibition of dangerous work for children in Cameroon,

The Commission considers that businesses are the main job providers and therefore recommends that the government systematise entrepreneurship training in all secondary education training cycles and in all higher education courses; at the same time, government should set up real ecosystems of business incubators in all public and private higher education institutions as well as in secondary education institutions.

For its part, **the Commission will spare no effort** to promote and protect human rights in general and the rights of workers in particular, through training workshops, awareness-raising campaigns, advocacy, handling of complaints, investigations on its own motion, visits to places of detention and fact-finding missions.

Yaounde,.....2. 9. AVR 2022



Pour le Président
et par Ordre

Dr Galega Gana Raphaël
Ministre Plénipotentiaire Hors Echelle