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DE L'HOMME DU CAMEROUN

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STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION  
TO MARK THE 5TH AFRICAN CIVIL REGISTRATION AND VITAL STATISTICS DAY

ON THE THEME: HARNESSING COORDINATION, COUNTRY LEADERSHIP AND  
OWNERSHIP TO STRENGTHEN INTEGRATED CIVIL REGISTRATION AND VITAL  
STATISTICS SYSTEMS: A VEHICLE FOR COUNTING EVERYONE

10 AUGUST 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 Joint Chambers,

*Considering* that since 2018, Africa Civil Registration and Vital Statistics Day is celebrated on 10 August every year to raise public awareness on the importance of making every African visible, wherever they live, through a civil registration and vital statistics system<sup>1</sup>,

*Bearing in mind* that African Civil Registration and Vital Statistics Day is a special day for Africans to celebrate their heritage, particularly concerning the recognition of legal identity from birth to death of every person and the affirmation of key human and civil rights, including *the right to recognition by law, the right to participate in social and economic development, and the right to access social services*<sup>2</sup>,

*Considering* that civil registration is defined by UN standards as the universal, compulsory, continuous, permanent and confidential registration of all events of civil status; that it is an invaluable source of comprehensive, regular and detailed statistics<sup>3</sup>,

*Taking note* that most African countries have laws on systematic registration of vital events and that very few countries have a universal registration system in place that covers all such

<sup>1</sup> African Union, "Statement by the Chairperson of the Commission to mark the first African Civil Registration and Vital Statistics Day, 2018, <https://au.int/es/node/34748>, accessed on 8/7/2022.

<sup>2</sup> <https://thepressfree.com/journee-africaine-de-letat-civil-et-des-statistiques-de-letat-civil-2/>, accessed on 8/7/2022.

<sup>3</sup> AIMF, *Journée africaine de l'état civil : renforçons les complémentarités*,

<https://aimf.asso.fr/Journee-africaine-de-l-etat-civil-renforcons-les>

[mplementarites.html#:~:text=Le%2010%20ao%C3%BBt%20marque%20la,des%20faits%20d'%C3%A9tat%20civil,](https://aimf.asso.fr/Journee-africaine-de-l-etat-civil-renforcons-les) accessed on 8/7/2022.

vital events, including births, deaths and other intervening vital events, including related geographical areas<sup>4</sup>,

**Bearing in mind** the words of Ms Beatrice Mutali, former Deputy Regional Director of the UN Population Fund (UNFPA) for West and Central Africa, now UN Resident Coordinator in Zambia, at the 3rd Conference of African Ministers in charge of Civil Status organised by the African Union (AU) and the Economic Commission for Africa (ECA), from 9 to 13 February 2015 in Yamoussoukro (Côte d'Ivoire), in which she emphasised: "the fact that children do not have an identity is fraught with consequences for the country because the country does not have reliable statistics on this group of people for their development. It is difficult for governments to plan well under such conditions. The situation is similar for women. They are not registered at marriage."<sup>5</sup>

**Taking note** that an inadequate registration system renders Africa's poorest people invisible and marginalised. This in turn limits their access to socio-economic services in their respective countries<sup>6</sup>,

**Recalling** that in July 2016, the Assembly of Heads of State and Government of the African Union, given the importance of civil registration and vital statistics in daily life, declared the decade 2017-2026 as the Decade for repositioning CRVS in Africa's continental, regional and national development agenda and urged governments to respond with appropriate measures<sup>7</sup>,

**Considering** the Preamble of the Cameroonian Constitution of 18 January 1996 which provides that "*the Nation shall protect and promote the family which is the natural foundation of human society. It shall protect women, the young, the elderly and the disabled*". It further considers that by making this crucial issue a national cause, the Preamble thus makes each structure and each individual concerned with the production of civil registration records accountable for the right to have civil registration records established,

**Considering** that Cameroon's civil registration system is governed by Law No. 2011/011 of 6 May 2011 amending and supplementing certain provisions of Ordinance No. 81-02 of 29 June 1981 on the organisation of civil registration and various provisions relating to the status of natural persons, that in addition, Decree No. 87/1115 of 17 August 1987 lays down the modalities for establishing and operating special civil registration centres,

**Whereas** the African Charter on Human and Peoples' Rights adopted on 27 June 1981 in Nairobi, Kenya, which entered into force on 21 October 1986 and was ratified by Cameroon on 20 June 1989, states in its Article 3 (2) that "*Everyone is entitled to equal protection of the law*",

**Referring** also to the Protocol to the African Charter on Human and Peoples' Rights adopted in Maputo, Mozambique on 11 July 2003 and ratified by Cameroon on 28 May 2009, which

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<sup>4</sup> African Union, 'Statement by the Chairperson of the Commission on the Occasion of the Commemoration of the First African Vital Statistics and Civil Registration Day', op. cit.

<sup>5</sup> UNFPA, "African governments set course for reliable civil registration and statistics for good governance", 2015, <https://wcaro.unfpa.org/fr/news/les-gouvernements-africains-mettent-le-cap-sur-un-%C3%A9tat-civil-et-des-statistiques-fiabiles-au>, accessed 8/7/2022.

<sup>6</sup> *Ibidem*.

<sup>7</sup> *Idem*.



provides in Article 6 (d) that "*every marriage shall be recorded in writing and registered under national laws, to be legally recognised*",

**Bearing in mind** the Universal Declaration of Human Rights adopted on 10 December 1948, which states in Articles 1 and 6 that "All human beings are born free and equal in dignity and rights" and that "Everyone has the right to recognition everywhere as a person before the law",

**Bearing in mind** also Article 24 of the International Covenant on Civil and Political Rights, adopted on 16 December 1966, entered into force on 23 March 1976 and ratified by Cameroon on 27 June 1984, which provides that "(2) Every child shall be registered immediately after birth and shall have a name." and that "(3) Every child has the right to acquire a nationality",

**Considering** that the birth certificate, which is one of the categories of civil status certificates, is an indispensable legal document for:

- to ensure the legal existence of a person before the law, in which respect the birth certificate constitutes the second phase of the birth of a person
- determining the age of the person and administering the proof thereof
- determining the person's parentage
- guaranteeing the human rights to name and identity
- allow access to nationality
- help prevent and punish violations of children's rights, including child marriage, trafficking, child labour, child soldiers, etc
- Enable the enjoyment of the right to education (graduation and success in entrance examinations to various training institutions)
- Facilitate access to health services and social protection benefits
- to enable or facilitate the exercise of inheritance rights
- Enabling the exercise of the right to political participation (right to vote and stand for election)
- the right to found a family.

**Recalling** that a marriage certificate is the legal proof of marriage; as such, it can be used by women to realise their Rights, including their right to usufruct, and social protection following the death of their spouse or in the event of dissolution of the marriage through divorce, and the establishment of marriage certificates can also facilitate the compilation of statistics on the prevalence of child marriage<sup>8</sup>,

**Whereas** a final divorce decree, on the other hand, is legal proof of the dissolution of a marriage and confers on the persons concerned the right to remarry under civil, religious or

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<sup>8</sup> Concept note of Fifth Conference of African Ministers Responsible for Civil Registration, Lusaka, 14-18 October 2019.

other provisions, whereas it also provides a basis for, inter alia, the custody of children, alimony and the division of property acquired under the dissolved marriage<sup>9</sup>,

*Bearing in mind* that the death certificate is a crucial document for the opening of the estate of the deceased and access of the surviving spouse to the social benefits (insurance and pension) of the deceased, the related statistical data are important in public health to measure the magnitude and distribution of major disease problems and are essential for the design, implementation, monitoring and evaluation of health programmes and policies<sup>10</sup>,

*Taking note* that according to statistics from the Ministry of Decentralisation and Local Development, "nearly four million Cameroonians do not have birth certificates"<sup>11</sup> and cannot benefit from the Fundamental Rights, listed in the 11 indents above,

*Whereas* in 2021, 30 per cent of U-five children in Cameroon did not have birth certificates and the National Bureau of Civil Status counted 1,600,000 school children without birth certificates, with the Far North Region being the most affected with about 400,000 children, the Centre Region with 210,000 children, while the Littoral Region had about 295,000 children not registered with the civil status<sup>12</sup>,

Recognizing that 118 million children in Africa (about 6 out of 10) do not have a birth certificate<sup>13</sup>,

The Commission is concerned that people in Cameroon continue to face difficulties in the civil registration procedure due to:

- the remoteness of civil status centres from certain isolated villages, forcing people to travel long distances under precarious transport conditions and at high, even prohibitive costs
- the lack of awareness of the importance of registration and how it should be carried out
- the low level of collaboration between civil registration centres and health centres when it comes to birth declaration
- the inadequacy or absence of civil registers at the main or secondary civil registry centres
- the prohibitive cost of procedures for issuing or reconstituting birth certificates through the supplementary judgement procedure, which involves, depending on the case, costs such as search costs, costs of issuing the certificate of existence of the birth certificate, costs of judicial transport, costs of issuing certificates of non-appeal, costs of registering the court decision, etc., which are borne exclusively by the applicants, for amounts varying between 40,000 and 150,000 CFA francs, or even more, per child

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<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid.*

<sup>11</sup> <https://www.cameroon-tribune.cm/article.html/47444/fr.html/-lobjectif-de-delivrer-actes-de-naissance-tous-ceux-qui-nen-ont-pas-> accessed on 8/7/2022.

<sup>12</sup> *Cameroon Tribune*, Tuesday 12 July 2022, p. 5.

<sup>13</sup> *Ibid.*



- certain harmful traditional practices that do not favour the official birth registration process
- the negligence of the communities themselves.

*The Commission is equally worried* about the proliferation of false civil status certificates which, according to a study conducted by the General Delegation for National Security on a population of nearly 6 million people in 5 regions of the country, nearly 800 cases of fraud on civil status certificates were recorded. The majority of cases concerned birth certificates. Although few in number, marriage certificates are also concerned<sup>14</sup> ;

*The Commission observed* that the Covid-19 pandemic and the security situation in the North-West, South-West and Far-North Regions have a detrimental impact on the issuance of civil registration documents, given:

- the drop in the number of people attending civil registration centres and, consequently, the drop in the number of civil registration reports
- the suspension of activities by certain technical, financial and humanitarian partners operating in the civil registration domain
- the drastic fall in state revenue, with the risk of an impact on the financing of civil registration.

*The Commission commends* Government efforts to develop a civil registration system that is accessible to all and usable for the effective implementation of public policies and programmes, such as:

- the reform of Cameroon's national civil registration system, initiated by an evaluation of the Cameroonian civil registration system carried out in 2006, led to the establishment, in 2010, of the Cameroon Civil Registration Rehabilitation Programme (PRE2C)
- the establishment of the National Bureau of Civil Status by Presidential Decree No. 2013/031 of 13 February 2013, a coordinating body responsible for supervising and guiding the national civil registration and vital statistics system
- the signing of Decree No. 2018/449 of 1 August 2018 on the organisation of the Ministry of Decentralisation and Local Development
- the implementation of the 2020 Annual Performance Project by the National Bureau of Civil Status throughout the national territory
- the launch of the computerisation, digitisation and indexing of civil status archives in 8 communes in the Far North Region by the National Bureau of Civil Status on 1 December 2021

<sup>14</sup> Fraude à l'état civil : La cote d'alerte, <https://www.cameroon-tribune.cm/article.html/35836/fr.html/fraude-letat-civil-la-cote>, consulté le 16/7/2022.

- the creation of civil status offices in health facilities, including two in the Centre Region, six in the Adamaoua Region, 59 in the Far North Region, 33 in the North Region and seven in the East Region<sup>15</sup> ;
- the supervision by the National Bureau of Civil Status of procedures that resulted in 6,000 suppletive judgments, rendered to persons who do not have civil status records on the national territory
- the distribution of registers to all civil registration centres throughout the national territory, and Cameroon diplomatic missions
- the training of 11,000 civil registrars and secretaries during annual training sessions for agents responsible for recording civil registrations<sup>16</sup> ;
- the arrest of a woman specialised in trafficking and the fabrication of false civil status certificates by officers of the Nlongkak gendarmerie, in Yaoundé, on Tuesday 14 June 2022
- the organisation of awareness and communication campaigns on the importance of civil registration by the Ministry of Decentralisation and Local Development and the National Bureau of Civil Status, with the support of technical and financial partners such as the French Cooperation, German Cooperation, UNICEF, the European Union and civil society organisations
- the selection of Cameroon among the 14 African countries likely to conduct the pilot phase of the United Nations Legal Identity Programme.

*The Commission supports* the United Nations in recommending to States that digital technology, with extensive use of devices such as mobile phones and tablets, offers an unparalleled opportunity for achieving the African Programme for Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS) and legal identity for all on the continent<sup>17</sup>;

*The Commission recommends that the government:*

- setting up an efficient civil registration system capable of producing the statistics needed for the formulation, programming, and relevant and coherent implementation and evaluation of economic and socio-cultural development policies, whether in an emergency or not
- the establishment of secure loss of birth certificates for IDPs applying for official examinations and entrance exams based on information or documents (photocopy of birth certificate, photocopy of national identity card or passport, old report cards, school

<sup>15</sup> *Ibidem.*

<sup>16</sup> <https://www.cameroon-tribune.cm/article.html/46535/fr.html/-le-taux-denregistrement-aux-actes-detat-civil-satisfaisant->, consulté le 16/7/2022.

<sup>17</sup> AIMF, *Journée africaine de l'état civil : renforçons les complémentarités*, <https://aimf.asso.fr/Journee-africaine-de-l-etat-civil-renforcons-les-complementarites.html#:~:text=Le%2010%20ao%C3%BBt%20marque%20la,des%20faits%20d%C3%A9tat%20civil,> consulté le 8/7/2022.



certificates, diplomas, etc.) provided by parents, guardians or the authorities in charge of such matters, and admission of their applications to official examinations and entrance exams based on the certificates thus established

- the full cost of issuing or reconstituting birth certificates for disaster victims, such as IDPs
- the establishment, at the district level, of a commission to issue and reconstitute birth certificates, which should make weekly or monthly visits to remote or isolated communities to facilitate the birth declarations or registrations, and reconstitute the said certificates. This commission could be composed of the DO of the concerned Sub-Division, the Mayor of the Commune along with municipal councillors of the target community, supported by the local traditional authorities. The main role of such commissions would be to encourage birth declarations and registrations based on testimonies, especially for children born outside health facilities.
- strengthening collaboration between health centres and civil registration centres in terms of support for birth declarations, including the adoption of measures to reinforce compliance with the obligation to declare births by public and private health centres.

*The Commission recommends* the provision of adequate resources for the acquisition of necessary equipment for civil registration offices, and support for vital statistics and civil registration initiatives, in line with the African Charter on Statistics and the Strategy for the Harmonisation of Statistics in Africa (SHaSA)

*The Commission recommends* the assessment and compliance of national law, relevant public policies and practices with the provisions of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention) adopted on 22 October 2009, which entered into force on 30 January 2015, to which Cameroon acceded on 31 December 2014.

*The Commission recommends* the publication and dissemination of the updated list of civil registrars in Cameroon and their sphere of competence, to help reduce the phenomenon of fake civil registrars in Cameroon

*The Commission recommends* that the Ministry of Territorial Administration should involve the administrative authorities in the monitoring of birth registration through the organisation of regular awareness-raising tours for actors in the chain of establishing civil registration certificates and the people,

*The Commission recommends* that the Ministry of Decentralisation and Local Development:

- extending the national birth registration campaign, launched on 1 April 2022 by the Minister of Decentralisation and Local Development, to vulnerable people, including IDPs, with the collaboration of the regional councils and the local authorities

- the involvement of municipal councillors in the birth registration process by raising awareness and supporting the public in declaring births, and monitoring birth registration operations in secondary civil status centres
- the multiplication of secondary civil status centres throughout the country to solve the problem of the remoteness and isolation of certain localities
- the extension of the birth certificate digital archiving process to all communes, especially those located in rural areas, and follow-up on the implementation, harmonisation and management of the communes' databases by the competent administrations through better funding for BUNEC
- the inclusion of the salaries of communal agents and remuneration of civil registrars of secondary civil registry centres in the budget of local governments, and the inclusion of salary costs as a priority expenditure within local governments to break the chains of corruption
- Continuous training or capacity building of actors in the birth registration chain on related procedures.

*The Commission recommends* that the Ministry of Basic Education involve those in charge of public and private schools in identifying cases of pupils without birth certificates and referring the cases to the competent courts for an accelerated supplementary judgement procedure

*The Commission recommends* that the Ministry of Public Health take appropriate measures to systematise and computerise the registration of all births and deaths in all hospitals throughout the country.

*The Commission recommends* that the Ministry of Justice:

- facilitate the issuing of civil registration documents by easing the costs associated with the related procedures (supplementary judgement, judgement recognising a child or rectifying civil registration documents)
- streamlining procedures, and harmonising and reducing the costs of suppletive judgement procedures, by encouraging testimony and sworn statements to establish filiation (several actors recommend that magistrates be excluded).

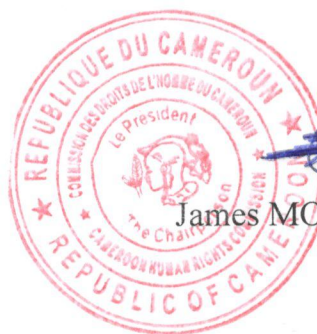
*The Commission recommends* that the National Bureau of Civil Status intensify advocacy for implementing the UN Legal Identity Programme, of which a delegation of experts from the Economic Commission for Africa (ECA) visited Cameroon from 11 to 15 January 2020, to map out the way forward and define a roadmap for making the holistic, interoperable and sustainable UN Legal Identity approach operational in Cameroon

*For its part, the Commission will spare no effort* to continue to promote and protect human rights through training workshops, awareness campaigns, advocacy, fact-finding missions,



handling complaints, self-initiated investigations, and as part of preventing torture, through visits to all detention facilities and use of the Commission's toll-free number, 1523.

Yaoundé, 09 AOUT 2022



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