

REPUBLIQUE DU CAMEROUN
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**COMMISSION DES DROITS
DE L'HOMME DU CAMEROUN**

**SOUS-COMMISSION CHARGÉE
DE LA PROMOTION DES DROITS DE L'HOMME**

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REPUBLIC OF CAMEROON
Peace – Work – Fatherland

**CAMEROON HUMAN
RIGHTS COMMISSION**

**SUB-COMMISSION IN CHARGE
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**STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION
TO MARK THE 75th HUMAN RIGHTS DAY**

10 December 2022

**Theme: *Dignity, Freedom, and Justice for All*
#StandUp4HumanRights#**

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 its Members before the Supreme Court sitting in Joint Chambers,

Bearing in mind that it was by Resolution 423 (V) of 4 December 1950 that the UN General Assembly called upon all member States and all other organisations concerned to celebrate each 10 December as they deem fit,

Welcoming the fact that the Resolution marks the United Nations’ adoption of the Universal Declaration of Human Rights (UDHR) on 10 December 1948 as a common standard for all peoples and nations to attain and a yardstick for concrete action to uphold human rights and tackle urgent problems plaguing the world¹,

Recalling that the UDHR has been the basis for more than 60 human rights instruments constituting an international normative basis for human rights norms and standards,²

Recalling further that Articles 1 and 7 of the aforementioned Declaration state that “*All human beings are born free and equal in dignity and rights*” and “*are entitled without any discrimination to equal protection of the law*”,

Considering that this year’s theme: *Dignity, Freedom, and Justice for All*, together with the call to action, #StandUp4humanRights, urge individuals and societies to strive for the

¹ <https://www.ohchr.org/fr/get-involved/campaign/human-rights-day>, accessed on 29 November 2022.

² <https://www.ohchr.org/fr/get-involved/campaign/human-rights-day>, accessed on 29 November 2022.

universal and effective recognition and implementation of human rights through national and international progressive measures³,

Noting that, as per *Dictionnaire des Droits de l'homme*, the term **dignity** stems from the Latin word, *dignitas*, referring either to [a position of superiority, distinction, high rank or fame], or [the respect and esteem that a person or thing deserves, implying that the person remains in control of their own body and self and that they should not be alienated and enslaved for other purposes]⁴,

Noting further that **human dignity** is considered as a principle, which requires [safeguarding the individual against all forms of enslavement and degradation] == implying that the individual should not be [considered as a mere tool] -- and [ensuring the basic needs of the human person]⁵,

Considering that *Le Robert*⁶ defines **justice** as [a fair understanding, recognition and respect for the rights and merits of each person], and that good justice is assessed by its accessibility (verified through its cost, pace and human nature), independence (guaranteed by the Constitution) and impartiality (implying the absence of bias or prejudice of the judge)⁷,

Considering further that, according to the adage: "*la liberté est la règle, l'interdiction l'exception*" [freedom is the rule, and prohibition is the exception], the term **freedom** consists in doing what is not harmful to others, and concerns various areas such as opinion, thought, speech, information, communication or the press⁸,

Strongly affirming that human rights are recognised and protected at the national, regional and international levels given their universality, inalienability, indivisibility and interdependence,

Recalling that the People of Cameroon, in the Preamble to the Constitution of 18 January 1996, declaring that "*the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights*",

Stressing that in the Preamble to the aforementioned Constitution, the People of Cameroon also affirm their "*attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations*",

Considering that Article 2 of the African Charter on Human and Peoples' Rights (ACHPR) adopted on 27 June 1981 by the 18th Assembly of Heads of State and Government of the Organisation of African Unity (OAU) in Nairobi, Kenya, which entered into force on 21

³ *Ibidem*.

⁴ *Dictionnaire des Droits de l'homme*, Paris, PUF, 2012, p. 289.

⁵ *Ibid.*, p. 290.

⁶ www.dictionnaire.lerobert.com, accessed on 6 December 2022.

⁷ Henri OBERDOFF, *Droits de l'homme et libertés fondamentales*, 5^e édition, Paris, LGDJ, 2015, pp. 205-208.

⁸ *Ibidem*, p. 629.

October 1986 and was ratified by the State of Cameroon on 20 June 1989, provides that *"Every individual shall be entitled to the enjoyment of the rights and freedoms recognised and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or any status"*,

Considering that *"recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world"*⁹,

Recalling the Preamble and Article 22 of the aforementioned Declaration, in which the peoples of the world solemnly affirm *"the inherent dignity and of the equal and inalienable rights of all members of the human family"* and contribute *"through national effort and international co-operation and in accordance with the organization and resources of each State"*,

Recalling further that the UDHR promotes freedom in its Articles 3, 18, 19 and 20 which state that *"Everyone has the right ... to freedom"*, including *"freedom of thought, conscience and religion, ... freedom of opinion and expression"*, and *"freedom of peaceful assembly and association"*,

Bearing in mind the new challenges concerning respect for and safeguarding of human dignity, fundamental freedoms and justice for all, which countries such as Cameroon, encounter,

Concerning dignity, especially as per safeguarding the integrity of the individual, the **Commission notes** the following:

- the persistence of security conflicts in the Far North, North-West and South-West Regions, is marked by recurrent secessionist and terrorist attacks on schools.
- about 90 per cent of cases of sexual violence against children and infants of both sexes are committed at home or by friends¹⁰.

The Commission strongly condemns:

- acts of extreme violence, and reiterates constant calls to authorities for perpetrators of such heinous acts to be tracked down, arrested and brought before competent courts
- all acts of violence and abuse, which it considers dehumanising and disgraceful, and that cannot be justified under any circumstance.

⁹ The preamble to the Universal Declaration of Human Rights

¹⁰ <https://www.voaafrique.com/a/cameroun-la-justice-pour-les-enfants-victimes-de-violences-sexuelles>, accessed on 7 November 2022.

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Concerning the dignity of the individual, as per protecting them from all forms of loss of their necessities, *the Commission notes* the following:

- the State needs more support in managing refugees and IDPs
- the use of drugs and other psychotropic substances is becoming worrisome in our society, and therefore intensifies violence among students and against teachers in schools
- environmental degradation impedes the fulfilment of special rights, including the right to life, the right to peace, the right to health, the right to food, the right to water, the right to adequate housing, the right to participate in cultural life, the right to development, the right to property, and the right to respect for private and family life.

The Commission strongly condemns:

- any act aimed at violating the fundamental rights of children, the rights of persons detained and other vulnerable groups, including all forms of discrimination and violence or torture against such persons. The Commission reiterates its calls to authorities and families to actively track down and arrest perpetrators of such acts and bring them before competent courts
- the use of drugs and other psychotropic substances, especially by youths in schools
- the upsurge of violence in society, especially in households.

The Commission recommends that:

- families strive to provide their children with disabilities and able-bodied children with the same quality of education
- traditional rulers prohibit practices that support and encourage violence against women, such as widow abuse, female genital mutilation
- specialised centres providing free medical and psychosocial support to victims of torture are set up so that such victims would quickly recover from their suffering
- social norms are changed by mobilising various actors who play an influential role at different levels in communities, so that collective efforts inspire actions to combat evil practices at the local level
- civic responsibility is strengthened to better protect children by increasing awareness of child abuse and neglect, and engaging families and communities to work for their protection.

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Concerning justice, the Commission notes that:

- despite the continuous development of legislative and regulatory frameworks for the protection and promotion of human rights, especially the rights of persons with disabilities, appointed actors fail to fully implement their provisions
- in some circumstances, detention conditions contribute to the ill-treatment or even torture of detainees
- Cameroon prisons are overcrowded with detainees awaiting trial, and prisons generally display challenges concerning access to healthcare, food and decent sanitation for all.

The Commission recommends that the Government takes concrete measures to enable victims of human rights violations to seek justice through the speedy handling of their cases, to enable them to rebuild their families, and academic, professional and social lives.

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Concerning freedom, the Commission notes that:

- some citizens exercise their freedom in violation of the principle stated in the third indent of the Preamble to the 18 January 1996 Constitution, which provides that: *“freedom and security shall be guaranteed each individual, subject to respect for the rights of others and the higher interests of the State”*.
- at the national level, some Cameroonians violate national institutions and symbols, through attacks and violence against Defence and Security Forces, other agents or State representatives and civilians, especially women and children.

The Commission strongly condemns all forms of religious, political and ethnic intolerance, and attacks on minority communities during inter-community conflicts.

The Commission commends Government efforts. They include:

- inserting in the General Tax Code amended on 1 January 2022, of the list of specialised materials and equipment for persons with disabilities benefiting from the exemption from value-added tax, under the provisions of Section 128 (21) of the same Code, a list which had been adopted by Decision No 0000034/MINFI/LRI/L of 7 May 2019
- the signing of Order No. 040/PM of 19 May 2022 to lay down terms and conditions for granting age exemption to persons with disabilities during competitive examinations and recruitment into public service
- organising about 20 dialogues to tackle the situation in the Far North, North-West and South-West Regions between 2017 and 2022¹¹

¹¹ <https://www.spm.gov.cm/site/?q=fr/content/grand-dialogue-national-le-bal-des-consultations-se-poursuit>, accessed on 10 October 2022.

- the Ministry of Women's Empowerment and the Family (MINPROFF), ongoing validation of the National Strategy to Combat Gender-Based Violence 2021-2026¹²
- the development and validation of the National Action Plan for UN Resolution 1325 and related resolutions for women, peace and security, in August 2022, to be implemented by the Ministry of Women's Empowerment and the Family.

The Commission calls on:

- all communities, the Defence and Security Forces to respect the dignity of the human person and promote the values of peace, tolerance and living together in all circumstances within families and society
- the population as a whole to contribute more to protecting our planet, through daily gestures and actions that protect the environment, in the interest of everyone
- all stakeholders, especially educators, traditional and religious authorities, the media and Civil Society Organisations, in collective and sustained efforts to promote the entrenchment of the culture of peace in Cameroon.

The Commission encourages:

- the Government in the campaign of issuing birth certificates because this document enshrines the legal birth right of a child and guarantees him access to the basic social services to which he is entitled, and effective protection if he is a victim of harmful practices
- traditional leaders, religious leaders, media professionals, parents, families and communities, to contribute more to combat female genital mutilation and eliminate the stereotypes that legitimize them
- other actors to provide material, medical, legal and psychological assistance to victims of human rights violations.

The Commission further recommends to the State of Cameroon to:

- increase the human, financial and material resources of the structures (the Cameroon Human Rights Commission and the Commission for the recording of and compensation for abuses of police custody and pre-trial detention) responsible for the protection of the rights of victims of human rights violations

The Commission calls on the Government to accelerate the adoption of policies and ratify instruments and national laws concerning the implementation of programmes to promote and protect human rights, such as:

- the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment signed on 18 December 2002

¹² <https://www.mission-21.org/en/fight-against-sexual-violence-and-for-gender-equality/>, accessed on 15 November 2022.

- the new national strategy to combat Gender-Based Violence for the period 2020-2030
- the establishment of sign language assistance or information systems in schools, hospitals, markets and cultural and leisure spaces
- the Minister of Public Health's launch of the National Community Health Strategic Plan in Bikok, Mefou-et-Akono Division, Centre Region, on 27 July 2022
- the National Strategic Plan for Digital Health 2020-2024, which aims at ensuring universal access to quality health services for all social groups by 2035, with the full participation of communities
- the National Development Plan for Indigenous Peoples of the Country by 2035 (PNDPA) which aims at promoting the fundamental rights of this category of communities, to preserve their ancestral lands, and culture, facilitate their access to basic social services and actively involve them in Cameroon's development actions
- register all domestic staff at the National Social Insurance Fund, to enable them to benefit from their economic and social rights
- intensify the national birth certificate campaign launched on 1 April 2022 by the Minister of Decentralisation and Local Development, in collaboration with the regional councils and local authorities
- the 2016-2025 Strategic Response Plan on gender equality.

The Commission believes that a prosperous, inclusive and emerging society requires a combination of values of living together, tolerance, peaceful coexistence and patriotism,

The Commission for its part **will spare no effort** to continue promoting and protecting human rights, especially through training workshops, awareness-raising campaigns, advocacy, investigations, handling complaints, self-initiated investigations and the prevention of torture through visits to all detention facilities, and the use of the **toll-free number 1523**.

Yaoundé, on..... = 9 DEC 2022

