

COMMISSION DES DROITS  
DE L'HOMME DU CAMEROUN

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

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CAMEROON HUMAN  
RIGHTS COMMISSION

SUB-COMMISSION IN CHARGE  
OF HUMAN RIGHTS PROMOTION

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STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION  
TO MARK THE 33<sup>rd</sup> DAY OF THE AFRICAN CHILD

On the theme: *Children's rights in the digital environment*

16 June 2023

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 Assembled Chambers,

*Bearing in mind* Resolution CMRes-1290 (XL) of 18 July 1990 adopted by the Assembly of Heads of State and Government of the Organisation of African Unity (OAU), now the African Union (AU), which proclaims 16 June as the *Day of the African Child*,

*Considering* that the Resolution calls upon States, political actors and civil society to remember the tragic events that took place in Soweto, South Africa, on 16 June 1976, which led to the death of 23 persons, including 21 black school children, who were killed during a demonstration in protest against the introduction of *Afrikaans* as a second official language of instruction on an equal footing with English, which excluded the other most widely spoken indigenous languages (*Zulu, Xhosa, Sepedi, Sesotho, Setswana, Xitsonga, Siswati, Tshivenda and Ndebele*), while they were demanding the same treatment as that given to white pupils, who were entitled to learn in their mother tongue (*Afrikaans*) in addition to English,

*Considering* the theme chosen this year by the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) to mark this celebration, i.e., *Children's rights in the digital environment*<sup>1</sup>,

*Recalling* that the African Charter on the Rights and Welfare of the Child<sup>2</sup> (ACRWC) defines the term child as "every human being below the age of 18 years",

<sup>1</sup> Concept note of activities marking the celebration of the Day of the African Child (DAC), 16 June 2023, MINAS, published on 1 June 2023, and ACERWC concept note on the DAC 2023, published on 22 May 2023.

<sup>2</sup> Adopted on 1 July 1990, entered into force on 29 November 1999 and ratified by Cameroon on 5 September 1997.



**Bearing in mind** that the Preamble to the same Charter states that *"the child, due to the needs of his physical and mental development requires particular care with regards to health, physical, mental, moral and social development, and requires legal protection in conditions of freedom, dignity and security"*,

**Considering** that a digital environment is an environment provided by a computer<sup>3</sup> which *"is constantly evolving and expanding, encompassing information and communication technologies, including digital media platforms, content, services and applications, connected devices and environments, virtual and augmented reality, artificial intelligence, robotics, automated systems, algorithms and data analysis, biometrics and implant technology"*<sup>4</sup>,

**Noting** that *"[digital rights is that part of the law specific to new technology which governs the problems arising from the emergence of the information society]"*<sup>5</sup> and that those rights are mainly aimed at:

- the protection of privacy, which is undermined by computerized data collection
- the protection of intellectual property, as works can easily be copied illegally in their digital form
- digital accessibility, as opposed to the digital divide,<sup>6</sup>

**Considering** that *"[t]he digital environment is becoming increasingly important across most aspects of children's lives, including during times of crisis, as societal functions, including education, government services and commerce, progressively come to rely upon digital technologies"* and that this environment *"affords new opportunities for the realization of children's rights, but also poses the risks of their violation or abuse"*<sup>7</sup>,

**Bearing in mind** the Message of the Head of State, His Excellency Paul Biya, to the youth to mark the 57<sup>th</sup> Youth Day on 11 February 2023, in which the President of the Republic encouraged his young compatriots *"to keep up with the times and use digital and technological advancements to improve [their] living conditions and those of [their] fellow citizens in the real world"*, while urging them to *"resist the temptation to seek refuge in the virtual world through misuse of the Internet and digital platforms, with the risk of losing touch with reality"*,

**Confirming with ACERWC** that *"the internet has provided invaluable opportunities for the realisation of children's fundamental rights and freedoms such as the right to education, freedom of expression, and freedom of association, among others [...] internet has also ensured that some children still have access to these rights in the event of emergencies, such as the COVID-19 pandemic"*, however, *"lack of access to the internet still remains a primary challenge to children meaningfully participating in the digital sphere [as these] digital divides mirror broader socio-economic divides – between rich and poor, men and women, cities and rural areas, and between those with education and those without"*; meanwhile *"lack of access*

<sup>3</sup> Bernard Blandin, *Traité des sciences et des techniques de la formation*, Dunod, Malakoff, 2017, 661 pp., p. 519.

<sup>4</sup> Committee on the Rights of the Child, *General comment No. 25 (2021) on children's rights in relation to the digital environment*, Introduction, p.1.

<sup>5</sup> *"Le droit numérique"*, [https://fr.wikipedia.org/wiki/Droit\\_num%C3%A9rique](https://fr.wikipedia.org/wiki/Droit_num%C3%A9rique), accessed on 10 May 2023 (translated).

<sup>6</sup> *Ibid.*

<sup>7</sup> Committee on the Rights of the Child, *General comment No. 25 (2021)*, *op. cit.*



to the internet impedes on children's rights such as education, freedom of expression, freedom of association and the right to play, among others"<sup>8</sup>,

**Agreeing with ACERWC** that "the internet also presents risks for the infringement of children's rights[, that an] increase in internet usage comes with a bigger risk of children being susceptible to [...] Online Child Sexual Exploitation and Abuse (OCSEA) [which] includes the use of children in pornographic activities, performances and materials (Child Sexual Abuse Material [CSAM]), sexual extortion, online grooming, and exposure of children to adult pornography"<sup>9</sup> for example through:

- conversations of a sexual nature
- sending suggestive photos
- requests for videos and video calls of a sexual nature
- blackmail, cyber-harassment (inappropriate or offensive messages, editing of indecent images or videos), intimidation and threats, etc.,

**Noting** that "[c]hildren's privacy can also be compromised in the online environment due to a number of practices such as the sharing of children's personal information by children or adults; data collection and processing by public institutions, businesses and other organizations; and criminal activities such as identity theft [...] cyberbullying and exposure to harmful content and advice"<sup>10</sup>,

**Considering** that "[c]hildren and adolescents under 18 account for an estimated one in three internet users around the world"<sup>11</sup>,

**Noting** that in Cameroon, almost 50 per cent of young people aged 15 to 24 living in urban areas are Internet users, while less than 10 per cent of their peers in rural areas have access to the Internet<sup>12</sup> and that more than two-thirds (67 per cent) of all these young Internet users log on for video games and online lotteries<sup>13</sup>,

**Noting** with United Nations Children's Fund (UNICEF) that "[c]hildren who rely on mobile phones rather than computers may get only a second-best online experience [as will] those who lack digital skills or speak minority languages" and that "[p]redators can more easily make contact with unsuspecting children through anonymous and unprotected social media profiles and game forums", while "[s]martphones are fuelling a 'bedroom culture', with online access for many children becoming more personal, more private and less supervised" and "[r]esearchers acknowledge that excessive use of digital technology can contribute to childhood depression and anxiety"<sup>14</sup>,

<sup>8</sup> ACERWC Concept Note on the 2023 DAC theme, p. 4.

<sup>9</sup> *Ibid*, p. 5.

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

<sup>11</sup> *The State of the World's Children 2017 - Children in a digital world*, UNICEF Report 2017, p. 1.

<sup>12</sup> *Ibid*, p. 48.

<sup>13</sup> Speech by Ms Pierrette EVINA, Director of Network Security and Information Systems at Minpostel, referring to the results of the prior study to the Draft Charter for the protection of children online in Cameroon carried out by Minpostel, at the Roundtable on the fight against OCSEA organized by the CSO Community Action Scheme Africa (Casaf) in partnership with the international NGO Inhope, on 2 March 2023.

<sup>14</sup> 2017 UNICEF Report, *op. cit.*, pp. 1-2.



**Also noting** that other effects of leaving children on their own in the digital environment include:

- misuse of learning data due to misguided research
- misinformation due to 'fake news' and 'deep fake' (information of uncertain and questionable veracity) propagated on the Internet
- growing laziness, due to the illusion that everything can be found on the Internet via artificial intelligence, which has taken off in leaps and bounds in recent years
- the loss of enthusiasm for reading in favour of games and social media
- the rise in anti-social behaviour and indiscipline due to misuse of ICT tools (ringing mobile phones during school hours, forming gangs whose activities are facilitated by ICTs, etc.)
- cyberaddiction, which can lead to a child becoming de-socialised and have an impact on their school performance and family life
- cyber-espionage
- exposure to violent or hate content online, based on membership in a community, ethnic group or tribe
- the rise of intolerance, discrimination and violent extremisms, etc.,

*Even so, with the same Fund, "[i]f leveraged in the right way and made universally accessible, digital technology can be a game changer for children being left behind – whether because of poverty, race, ethnicity, gender, disability, displacement or geographic isolation – connecting them to a world of opportunity and providing them with the skills they need to succeed in a digital world"; but "unless we expand access, digital technology may create new divides that prevent children from fulfilling their potential"<sup>15</sup>,*

**Considering** the normative framework applicable to the protection and promotion of Child Rights in the digital environment in Cameroon, which includes:

- the Constitution of Cameroon<sup>16</sup>, which states in its Preamble that "*the Nation shall protect [...] the young*"
- the African Charter on the Rights and Welfare of the Child, particularly Articles 7, 8, 10, 11, 12 and 27
- the UN Convention on the Rights of the Child<sup>17</sup>, in Articles 8, 12, 13, 15, 16, 17, 23, 28, 29, 31, 34 and 36
- the Cameroon Penal Code<sup>18</sup> (Sections 346 and 347)
- Law No. 2010-12 of 12 December 2010 on cybersecurity and cybercrime in Cameroon (Sections 76, 80, 81 and 82)
- Law 2010/013 of 21 December 2010 governing electronic communications in Cameroon (Sections 4, 27, 28, 32)
- Law 2010/021 of 21 December 2010 governing e-commerce in Cameroon (Sections 44 and 45)

<sup>15</sup> 2017 UNICEF Report, *op. cit.*, p. 6.

<sup>16</sup> Law No. 96/06 of 18 January 1996 revising the Constitution of 2 June 1972, amended and supplemented by Law No. 3008/001 of 14 April 2008.

<sup>17</sup> Adopted on 20 November 1989 and ratified by Cameroon on 11 January 1993.

<sup>18</sup> Law No. 2016/007 of 12 July 2016 on the Penal Code.



- the Declaration of Principles of Freedom of Expression and Access to Information in Africa<sup>19</sup>
- General Comment 7 on Article 27 of the ACRWC (sexual exploitation)<sup>20</sup>
- General Comment 25 of the UN Committee on the Rights of the Child on the Rights of the Child concerning the digital environment<sup>21</sup>
- the International Telecommunication Union (ITU) 2020 Guidelines on Child Online Protection<sup>22</sup>

**The Commission commends** the political will of the public authorities, expressed at the highest level and efforts invested to complete and strengthen the legal arsenal for the protection of children, in this case in the digital environment, as follows:

- the instruction given by the Head of State to the Government to draw up a Child Online Protection Charter<sup>23</sup>
- the tabling of the Bill relating to the said Charter during the ongoing session of the Parliament (June 2023) in keeping with this instruction
- the signing of Decree No. 2022/169 of 23 May 2022 relating to Cameroon's accession to the Budapest Convention on Cybercrime, adopted in Budapest, Hungary, on 23 November 2021
- the signing of Decree No 2020/02 of 6 January 2019 to ratify the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution, and Child Pornography;

**The Commission also applauds** the actions taken by public authorities and their partners to promote and protect child rights in general and particularly in the digital world, including:

- the official launch on 1 June 2023, at the *Cercle Municipal* in Yaoundé, of a series of activities marking the 3<sup>rd</sup> Cameroon Children's Month, the celebration of the 33<sup>rd</sup> Day of the African Child and the opening of the 1<sup>st</sup> session for the year 2023, of the National Commission for Juvenile Delinquents, Abandoned Children or those in Moral Danger, by the Minister of Social Affairs
- the visit by the Minister of Posts and Telecommunications, on 10 May 2023, to the Littoral Region, of the mobile telephone and Internet access operators, CAMTEL, Orange Cameroun and MTN, to see first-hand, the progress made by the various operators in improving the quality of electronic communications<sup>24</sup>
- the education talk organised on 2 May 2023 by the North Regional Office of the National Agency for Information and Communication Technologies (ANTIC) to mark the International Girls in ICT Day, to encourage young girls to pursue studies

<sup>19</sup> Adopted by the African Commission on Human and Peoples' Rights at its 65<sup>th</sup> Ordinary Session held from 21 October to 10 November 2019 in Banjul, The Gambia. The Declaration calls on States to adopt laws, policies and other measures to promote affordable Internet access for children that equips them with digital skills for education and online safety, protects them from online harm, safeguards their privacy and identity, and provides for the duty of Internet intermediaries to promptly remove online content that is harmful or potentially harmful. The Declaration also prohibits the harmful sharing of personal information such as child sexual abuse material.

<sup>20</sup> ACERWC, July 2021, paragraph 132.

<sup>21</sup> *Op. cit.*

<sup>22</sup> Available at <https://www.itu-cop-guidelines.com/>, accessed on 11 June 2023.

<sup>23</sup> An instruction mentioned in his last Message to the Youth cited above, as follows "Aware of these threats, I have instructed the Government to draw up a charter to ensure the protection of children on the Internet in our country".

<sup>24</sup> <https://www.minpostel.gov.cm/index.php/fr/actualites/453-amelioration-de-la-qualite-des-communications-electroniques-le-minpostel-joint-l-acte-a-la-parole>, accessed on 31 May 2023.



in science, engineering, technology and mathematics, and consider a career in the ICT sector, thereby making a significant contribution to bridging the digital divide between men and women,<sup>25</sup>

- the prize for Digital Excellence awarded to six groups of young girls on Saturday 29 April 2023 by the Minister of Posts and Telecommunications in her ministry's premises in Yaoundé, after two days of competition on the theme: "*Digital innovation on the sexual and reproductive health of adolescents*"
- the conference on women's entrepreneurship in information and communication technologies, organised on 31 March 2023 at the Protestant University of Central Africa by the Women and Youth Leaders Empowerment Forum (WYLEF)<sup>26</sup>, under the patronage of the Minister of Posts and Telecommunications
- the signing, on Tuesday 28 March 2023 in Yaoundé, of two partnership agreements to promote cybersecurity, with the Digital Access organisation and the Department of Women and Social Affairs of the Protestant Churches of Cameroon;

***The Commission especially welcomes*** the mobilisation of public authorities to clean up the ICT sphere in Cameroon in the face of the proliferation of hate speech likely to corrupt and radicalize Cameroonian youth in the digital space, following the whistle blowing by the Commission in its Press Release of 21 April 2023<sup>27</sup> on the issue, in which the Commission pointed out that "*the fight against hate speech is the business of all*"; thus, ***the Commission was pleased to note:***

- the relevant press conference given by the Government on 18 May 2023 titled "Hate speech, the Government in action", through the Minister of Communication, Government spokesperson, the President of the National Commission for the Promotion of Bilingualism and Multiculturalism, and the Minister of Territorial Administration
- the radio-press release of the Minister of Territorial Administration of 22 May 2023 in which the Minister in question recalls the sanctions provided for by law against the authors and propagators of hate speech in the media and social media and indicates that the administrative authorities have received instructions to take precautionary measures if necessary
- the poster campaign of the Civil Cabinet of the Presidency of the Republic on the same topic launched at the beginning of June 2023
- the sanctions taken by the National Communication Council, meeting in its 38<sup>th</sup> Ordinary Session on 2 June 2023, against four press organs and their journalists who were found guilty of disseminating hate speech;

***The Commission acknowledges*** the contribution of development partners and civil society actors in the fight to safeguard children from the dangers of digital technology, in particular:

- the online workshop on the theme '*Protecting and promoting human rights online in Cameroon: challenges and issues*', organised by the Promotion of Technologies

<sup>25</sup> <https://www.antic.cm/index.php/fr/component/k2/item/465-l-antic-encourage-la-jeune-fille-du-nord-a-une-carriere-dans-les-tic.html>, accessed on 29 May 2023.

<sup>26</sup> <https://www.minpostel.gov.cm/index.php/fr/actualites/444-entrepreneuriat-feminin-dans-les-tics-le-digital-comme-niche-d-opportunités>, accessed on 31 May 2023.

<sup>27</sup> Communiqué de presse de la CDHC sur la banalisation du discours de haine dans les médias, 21 avril 2023.



that Guarantee Environment and Quality of Life (*Protège QV*) Association, in which the CDHC took an active part, on 24 May 2023

- the second edition of the Youth Internet Governance Forum 2023, organised by the Multi-Stakeholder Advisory Group as part of structuring and implementing the Cameroon Internet Governance Forum (*MAG-FGI Jeunes CM*), during which the CHRC presented on the theme '*Internet governance and the challenges of protecting online users*', on 12 May 2023 at the National Advanced School of Posts and Telecommunications (*SUP'PTIC*)
- the Roundtable on Fighting Online Child Sexual Exploitation and Abuse organized by the CSO Community Action Scheme Africa (Casaf) in partnership with the international NGO "*Inhope*", in which the CHRC took part among other institutional and private sector actors, on 1 and 2 March 2023 in Yaounde;

However, the *Commission regrets*:

- the low investment of human and financial resources in child protection systems;
- the low participation of children in developing and implementing the measures taken in their favour which are generally more focused on response than on prevention<sup>28</sup>,

**The Commission therefore recommends** in-depth scrutiny and adoption by Parliament of the Bill relating to the *Child Online Protection Charter* announced by the President of the Republic, Head of State, so he can promulgate it to enable better regulation of the online presence and activities of children in Cameroon and protecting them from potential dangers on the Internet, while enabling the prosecution and sanction of predators who set traps to children and exploit them through the digital space;

**The Commission also recommends**, to the public authorities:

- to speed up the process of depositing the instruments of ratification and accession to the Optional Protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution, and Child Pornography as well as that of the Budapest Convention on Cybercrime;
- to ratify the African Union Convention on Cybersecurity and Personal Data Protection adopted on 23 June 2014, in Malabo, Equatorial Guinea;
- to establish a hotline for rapid removal of OCSEA and CSAM contents which also enable a synergy of action of the actors at the national level as well as international level (in the areas of cooperation, investigations, judicial proceedings and appropriate sanctions) to curb the phenomenon of online child sexual exploitation and abuse,

**Specifically, the Commission recommends:**

- to the Ministry of Posts and Telecommunications in partnership with public and private structures and companies in the ICT sector (*ANTIC, ART, CAMTEL, Orange, MTN, NEXTTEL, etc.*)

<sup>28</sup> [https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/2021/violence\\_against\\_childre\\_n\\_in\\_africa\\_a\\_report\\_on\\_progress\\_and\\_challenges\\_-\\_french.pdf](https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/2021/violence_against_childre_n_in_africa_a_report_on_progress_and_challenges_-_french.pdf), accessed 22 May 2023.



- to revitalize, continue and extend its awareness and popularization campaign through ICT (SMS for instance) of the legal provisions in force which protect users of ICT and particularly children;
  - to increase training, education and awareness actions for all stakeholders, including children and parents, on the dangers and harmful consequences of the misuse of the Internet and social media especially for children;
  - to ensure access to the Internet and ICTs in general, that is inclusive, of excellent quality and at an affordable price for everyone throughout the national territory, including children of all social conditions (which includes the poorest, those with disabilities, those internally displaced or refugees, those from minority groups and indigenous communities, etc.), by contributing, for example, to equipping schools with computers and Internet connection (for example through the foundations of the aforementioned private telecommunications companies as part of their sustainable development or corporate social responsibility initiatives);
  - to popularise the toll-free numbers of the National Agency for Information and Communication Technologies (ANTIC), namely 8202 and 8206, as well as their use for reporting child abuse on the Internet;
- *to the Ministry of Women Empowerment and the Family* to speed up the full and effective implementation of the child helpline with the toll-free number 116, as well as its widest possible popularization so that all Cameroonian children can have access, as soon as possible, to an adapted and uninterrupted service (24 hours a day) of denunciation, reporting, orientation of children faced with all forms of abuse and violations of their rights (especially gender based violence) in all spaces, including the digital space – which would also enable the rapid intervention of competent actors to promptly stop such violations;
  - *to the Ministries of Basic Education and Secondary Education* to generalize and systematize computer courses in all primary and secondary schools in the country, including training in the responsible use of the Internet and awareness of the dangers of its misuse;
  - *to the Ministry of Decentralization and Local Development and the National Civil Status Registration Office* to explore the mechanisms by which the digital environment can be used to improve the realization of children's right to identity, nationality and citizenship through for example online birth registration services
  - *to the General Delegation for National Security as well as the Secretariat of State for Defence in charge of the National Gendarmerie* to strengthen and best equip their units for the fight against cybercrime in terms of handling cases of infringements of child rights online;

*To all stakeholders* (public authorities, telecommunications industry, educators, parents and children), **the Commission recommends** the appropriation, each as far as they are



concerned, of the *International Telecommunications Union Guidelines on Child Online Protection*<sup>29</sup>;

**The Commission recommends** that all actors redouble their efforts and vigilance to ensure that the digital environment remains a niche of opportunities from which every child in Cameroon can benefit for the realization of their rights while being protected from dangers that would harm their development and well-being;

**The Commission also recommends** a redoubled synergy of actions by all and *appeals to parents in particular for the appropriation and respect of all the rights of the child enshrined in the instruments in force, including their fundamental rights to life and physical and moral integrity frequently jeopardized by all kinds of physical and moral violence, including excessive punishments.*

For its part, **the Commission will spare no effort** to continue to promote and protect human rights and especially the rights of the child, including in the digital environment, through *the creation of human rights clubs in schools in the 10 Regions of the country, education talks, training workshops, awareness campaigns, advocacy, prison visits and visits of all other places of detention, fact-finding missions, and as part of handling complaints, self-initiated investigations and prevention of torture;*

**The Commission, therefore, urges** any victim or witness of violations of human rights and especially child rights, including online, to report to it immediately, including via its **toll-free number 1523**.

Yaounde,

14 JUIN 2023

Pour le Président  
et par Ordre  
  
Dr. Gèlega Gana Raphaël  
Ministre Plénipotentiaire Hors Echelle



<sup>29</sup> 2020 Guidelines on Child Online Protection (COP), *op. cit.* Electronic versions available for each category of actors at <https://www.itu-cop-guidelines.com>.