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DE L'HOMME DU CAMEROUN**

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REPUBLIC OF CAMEROON  
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**CAMEROON HUMAN  
RIGHTS COMMISSION**

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**STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION  
TO MARK THE 6th AFRICAN CIVIL REGISTRATION AND VITAL  
STATISTICS DAY**

**Theme.- *The opportunity to increase national coverage and improve data quality  
and timelines through the digitisation of civil registration systems.***

**10 August 2023**

The Cameroon Human Rights Commission (hereinafter referred to as "the Commission"), created by Law No. 2019/014 of 19 July 2019 and inaugurated on 29 April 2021, following the swearing in of its members before the Supreme Court sitting in combined chambers,

*Bearing in mind* that, in the Declaration of the Fourth Conference of African Ministers responsible for Civil Registration, held in Nouakchott, Islamic Republic of Mauritania, from 7 to 8 December 2017, the African Union Commission "Recommends that August 10 should be declared Civil Registration and Vital Statistics Day, and calls upon African Union member States to observe the day"<sup>1</sup>,

*Bearing in mind also* that the purpose of the celebration of this African Day is to implement the recommendations of all previous Ministerial Conferences, especially the recommendation to "develop results-based monitoring and evaluation systems and tools to monitor and report on progress on civil registration and vital statistics"<sup>2</sup>,

*Recalling* that the aforementioned Fourth Conference, held in December 2017, welcomed "the beginning of the computerisation of civil registration and vital statistics systems, [with a view to] improving these systems, thanks to the possibility thus offered of

<sup>1</sup> Déclaration de Nouakchott à l'issue de la quatrième Conférence des ministres africains en charge de l'enregistrement des faits d'état civil, article 18, p. 4.

<sup>2</sup> *Ibid.*, para. 9 du Preamble, p. 2.



*extending the coverage of registration, of standardising and rationalising registration procedures, of consolidating data coming from several systems, and of storing data on a large scale, securely and economically"*<sup>3</sup>,

*Considering, therefore, that it is to optimise this favourable reception that the 6th African Civil Registration and Vital Statistics Day is being celebrated this year under the theme "The opportunity to increase national coverage and improve data quality and timelines through the digitisation of civil registration systems"*

*Considering that a "vital event is a live birth, death, fetal death, marriage, divorce, annulment of marriage, legal separation, adoption, legitimation or acknowledgment of parentage"*<sup>4</sup>,

*Further considering that civil registration is considered as "the compulsory, permanent, continuous and universal recording in government records of events in the lives of persons as they occur and constitute characteristics of vital events relating to the population, in accordance with the legislative and regulatory provisions of each country, in full respect of the rules relating to the protection and confidentiality of individual information"*<sup>5</sup>,

*Considering also that the Principles and Recommendations on the responsibilities of states to ensure compliance with civil registration criteria call for:*

- *the guarantee<sup>6</sup> of the binding nature, through*
  - o *the existence of a legal basis, especially a law on the registration of vital events, which provides for penalties for a wilful failure to register a vital event notified by a duly authorised registrar*
  - o *the establishment of control and inspection systems for civil registry offices and identity management<sup>7</sup> and redress systems and procedures<sup>8</sup>,*
- *that the universal nature of civil registration services is guaranteed to the entire public, without discrimination on the basis of sex, race, nationality, etc.<sup>9</sup>*
- *that continuity is guaranteed by continuous recording, meaning that the data collected must be stored permanently*

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<sup>3</sup>See Press Release No. 198/2017 of 8 December 2017 of the African Union Commission on the deliberations of the Fourth Conference of African Ministers in charge of Civil Registration, published on the page <https://au.int/en/pressreleases/20171208/nouakchott-accueil-la-quatrieme-conference-des-ministres-africains-en>, accessed on 2023.

<sup>4</sup>See United Nations, *Principles and Recommendations for a Vital Statistics System*, Third Revision, 2015, para. 210.

<sup>5</sup>See Statistics Division of the Department of Economic and Social Affairs of the United Nations Secretariat, *Manuel des systèmes d'enregistrement des faits d'état civil et de statistiques de l'état civil. - gestion, fonctionnement et tenue*, première révision, New York, 2022, p. 2.

<sup>6</sup>Statistics Division, Department of Economic and Social Affairs, United Nations Secretariat, *Lignes directrices sur le cadre juridique de l'enregistrement des faits d'état civil, des statistiques de l'état civil et de la gestion de l'identité*, New York, 2023, p. 9.

<sup>7</sup> *Ibid.*, p. 37.

<sup>8</sup> *Ibid.*, p. 39.

<sup>9</sup> *Ibid.*, p. 11.



- that confidentiality is guaranteed when the persons who provide information are assured that it will be used only for the purposes provided for by law or the regulations in force so that individuals are not identifiable<sup>10</sup>,

**Recognising** that the registration of a civil status takes place through the following steps :

- First, *notification*, where a registrant or process server reports or notifies a vital happening to the registrar
- Second, *registration*, where the Registrar verifies the details of a vital happening and records it in the official register of vital events (which is the official registration of the happening)
- and third, *certification*, where the registrar issues an official copy containing all or part of the information on the vital event contained in the register.

**Recognising further** that vital statistics, which are an essential set of data for policy formulation, "*represent the collection of data on vital events occurring during the lifetime of an individual, as well as on the characteristics of those events themselves and of the individuals involved*"<sup>11</sup>,

**Emphasizing** that the term " digitalisation" refers to a process that "*consists in transforming a paper document, or any other physical medium, into an electronic document*", thus making it possible "*to create a coherent system from copies of paper documents*"<sup>12</sup>,

**Emphasizing**, therefore, that the digitalisation of civil registry systems which is highlighted in the theme of this year's celebration applies only after certification, which is the final stage of civil registration, that is, the digitalisation of copies of the facts of civil status that have already been recorded,

**Noting** that the United Nations Principles and Recommendations for a Vital Statistic System state that the management of this system can be:

- centralised, where responsibility for civil registration and vital statistics lies with a single government agency
- decentralised, where the functions of civil registration and vital statistics are separated,

**Aware** that the effective functioning of the digitisation of these registration systems depends on cooperation between the actors involved in the chain of their establishment, in order to ensure the interoperability of these registers, anything that will facilitate the transfer of information and the timely production of statistics<sup>13</sup>,

<sup>10</sup>*Ibid.*, p. 16.

<sup>11</sup>*Ibid.*, p. 1.

<sup>12</sup>*Qu'est-ce-que la numérisation des documents*, <https://www.scancenter.fr/actualites/du-format-papier-au-numerique-les-differentes-etapes-de-la-numerisation/>, consulted on the 1<sup>st</sup> August 2023.

<sup>13</sup>*Lignes directrices sur le cadre juridique*, *Ibid.*, p. 33.



**Bearing in mind** that the civil status registration system in Cameroon is semi-decentralised<sup>14</sup>, in the sense that information is collected, stored and transferred between several registers maintained by different bodies<sup>15</sup>,

**Considering also** that the Cameroonian people, in the preamble to the Constitution of 18 January 1996, reaffirms its attachment to the fundamental freedoms enshrined in the instruments duly ratified or otherwise acceded to by Cameroon for the promotion and protection of the right to identity<sup>16</sup>,

**Considering also** that the Cameroonian civil registration system is based on the:

- Law No. 2011/011 of 06 May 2011 to amend and supplement certain provisions of ordinance n°81/02 of 29 June 1981 to organize civil status registration and various provisions relating to the status of natural persons
- Law No. 2000/010 of 19 December 2000 to regulate archives
- Law No. 69/LF/3 of the 14th June 1969 regulating the use of name, first names and pseudonyms
- Law No. 1968-LF-3 of the 11th June 1968 to set up the Cameroon Nationality Code

**Recognizing further:**

- the adoption of the material computerisation plan for the national vital statistics system for the period 2019-2023, on 12 September 2018,
- the adoption of the Decade of Repositioning Civil Registration and Vital Statistics in Africa 2017-2026
- the adoption on 25 September 2015 of Target 16.9 of the 2030 Sustainable Development Goals, which aims to ensure legal identity for all, especially through birth registration, and particularly the related indicator 16.9.1, according to which "*birth registration should be the primary means of ensuring legal identity for all and civil registration remains the "standard of reference" for maintaining legal identity*"<sup>17</sup>;

**Considering**, finally, that all the above-mentioned enactments and policies for the promotion and protection of the right to identity highlight two categories of human rights related to the registration of civil status events, such as:

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<sup>14</sup> Centre of Excellence for Civil Registration and Vital Statistics (CoE-CRVS), in partnership with the Economic Commission for Africa (ECA), *Aperçu des systèmes d'enregistrement et de statistiques de l'état civil au Cameroun*, Ottawa, Canada, 2019, p. 5.

<sup>15</sup> *Ibid.*, p. 5.

<sup>16</sup> See Sections 6 and 15 of the Universal Declaration of Human Rights (1948), Sections 25 and 27 of the Convention on the Status of Refugees (1951), Sections 25 and 27 of the Convention relating to the status of Stateless Persons (1954), Sections 1 to 4 of the Convention on the Reduction of Statelessness (1961), Section 5 (d) iii of the International Convention on the Elimination of all Forms of Racial Discrimination (1965), Section 24 of the International Pact on Civil and Political Rights (1966), Section 15 of the Convention on the Elimination of all Forms of Discrimination towards Women (1979), Sections 7 and 8 on the Rights of the Child (1989), Section 18 of the Convention on the Rights of Persons with Disabilities (2006).

<sup>17</sup> Fifth Conference of African Ministers Responsible for Civil Registration, Vital Statistics from Vital Records and their Relevance for the Follow-up to Agenda 2063, Lusaka, 14-18 October 2019, p. 3.



1. *Human rights, which require states to ensure the registration of civil status, including the right to register birth, marriage, divorce, death, the right to report a stillbirth*
2. *Human rights whose exercise may depend on civil status registration, namely:*
  - *Civil and political rights* (the right to one's own identity, the right of the child to a name, the right to a nationality, the right of the child to know their parents, the right of the family to protection, the right of spouses to custody of children, the right to non-discrimination on grounds of birth, the right to investigate suspicious and unnatural deaths, the right to migrate)
  - *Economic, social and cultural rights* (the right to property and inheritance, the right to a standard of living sufficient to ensure one's health, well-being and that of the family, the right to work (access to employment), the right to social security)
  - *Protection of vulnerable groups* (the rights of children born out of wedlock, the rights of indigenous peoples, the rights of refugees and internally displaced persons),

*The Commission commends* the Government's efforts to modernise the national civil registration system in Cameroon, particularly by:

- actions implemented and managed by the Ministry of Decentralisation and Local Development (MINDDEVEL)<sup>18</sup> at the strategic level, such as:
  - o signing on the 22<sup>nd</sup> of June 2023 in Yaoundé<sup>19</sup> of an agreement with the German Technical Cooperation (GIZ) to build the capacity of mayors and civil status secretaries,
  - o the awareness-raising campaign on access to civil status documents (including birth certificates) for IDPs and the local population, organised in Bafoussam from 22 to 24 November 2022<sup>20</sup> with technical and financial support from UNWOMEN
  - o the launch of the second phase of the programme to support the modernisation of civil status (PAMEC II) in Yaoundé on 15 September 2022, through two pilot projects, one in Mfoundi Division, Centre Region, and the other in eight municipal councils of the Far North Region (Maroua 1, Maroua 2, Gazawa, Mokolo, Kaélé, Touloum, Tokombéré and the Maroua city hall), with the support of the European Union and the United Nations Development Programme (UNDP)<sup>21</sup>;
- the distribution of 1,000 birth certificates and 50 national identity cards to IDPs in Maroua by the United Nations High Commissioner for Refugees and this

<sup>18</sup> Contribution of MINDDEVEL towards the elaboration of the *CHRC's Report on the State on Human Rights in Cameroon 2022*, p. 3.

<sup>19</sup> *Ibid.*, p. 3.

<sup>20</sup> <https://cameroon.un.org/fr/213649-campagne-de-sensibilisation-sur-l%E2%80%99acc%C3%A8s-aux-documents-d%E2%80%99%C3%A9tat-civil-pour-les-d%C3%A9plac%C3%A9s> consulted on the 3<sup>rd</sup> of August 2023.

<sup>21</sup> <https://www.crtv.cm/2022/09/etat-civil-bientot-un-fichier-national-numerise/> consulted on the 3<sup>rd</sup> of August 2023.



specialised United Nations body at the Domayo Sports Complex in Maroua, on 21 July 2022,

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***However, the Commission remains concerned about:***

- The postponement of the launch of the major national campaign to produce birth certificates, scheduled for 1 April 2022
- The non-implementation of some of its recommendations<sup>22</sup> on civil status registration, in particular :
  - o covering the full cost of issuing or restoring birth certificates for disaster victims and IDPs in particular;
  - o providing adequate funding for the acquisition of necessary equipment for civil registry offices and support civil registration and vital statistics initiatives in line with the African Charter on Statistics and the Strategy for Harmonisation of Statistics in Africa (SHaSA);
  - o involving the administrative authorities in monitoring birth registration by organising regular awareness raising campaigns for those involved in the civil registration chain and for the general public;
  - o publicising the provisions of Decree No. 81/002 of 29 June 1981 on the organisation of civil status and various provisions on personal status and Decree No. 87/1115 of 17 August 1987 laying down the conditions for the creation and operation of special civil status centres;
  - o creating the conditions and procedures necessary for the opening of secondary civil status centres and the multiplication of such centres throughout the country in order to solve the problem of the remoteness and isolation of certain localities;
  - o considering in the municipal budget the salaries of municipal employees and the remuneration of civil registrars in secondary civil registry centres, and making salary costs a priority expenditure within the municipalities to stop corruption;
  - o involving the directors of public and private schools in identifying cases of pupils without birth certificates and referring them to the competent courts for an accelerated supplementary judgment procedure;
  - o reducing the fees for issuing civil status certificates (supplementary judgments, judgments recognising children or correcting civil status);
  - o streamlining procedures, harmonising and reducing the costs associated with supplementary judgment procedures by encouraging testimony and affidavits to establish parentage;
  - o strengthening advocacy for the implementation of the United Nations Legal Identity Program, for which a delegation of experts from the Economic Commission for Africa (ECA) visited Cameroon from 11 to 15 January 2020 to chart the way forward and define a roadmap for the

<sup>22</sup> Cameroon Human Rights Commission, Statement by the CHRC to mark the 5<sup>th</sup> african civil registration and vital statistics day, 10<sup>th</sup> of August 2022, pg. 7 to 9, Yaoundé, Cameroon, published on the website <https://cdhc.cm/admin/fichiers/Declarations2022-08-2913-19-25.pdf>, consulted on 1<sup>st</sup> of August 2023.



operationalisation of the holistic, interoperable and sustainable United Nations Legal Identity approach in Cameroon:

- the negligence of certain parents and citizens in registering their civil status within the legal deadlines, as soon as they occur preferring to actively contribute for death celebration which have no influence on the fate of the deceased;
- the laxity of certain civil status officials in mobilising the communities within their territorial jurisdiction to take an interest in registering civil status ;
- the payment of civil status registration fees and use of document fraud practices to establish these facts by certain corrupt civil status officials<sup>23</sup> ;
- the prohibitive cost of the procedures for establishing or reconstituting birth certificates through the supplementary judgment procedure, which, depending on the case, involves costs such as search costs, costs of establishing the existence of the record on the counterfoil, costs of judicial transport, costs of establishing certificates of non-objection, costs of registering the judgment, etc., which are borne exclusively by the applicants, for amounts that vary between 40,000 and 150,000 FCFA or even more per child ;
- inadequate funding for the implementation of the Strategic Plan for the Improvement of the Civil Registry System<sup>24</sup> ;
- difficulties due to the remoteness of certain centres from the target population in accessing civil registration services<sup>25</sup>;
- the lack of coordination between national actors, characterised by
  - o a civil registration system that does not take the need for coordination on board between the National Institute of Statistics and the ECREC to produce reliable vital statistics from the civil registration system<sup>26</sup>;
  - o Registration of civil status events, which does not take into account the need for coordination between the National Institute of Statistics and BUNEC in order to produce reliable civil status statistics based on the registration of civil status events<sup>27</sup>;

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**The Commission** makes recommendations to those involved in registering

- the implementation of all its previous recommendations;
- ensure the interoperability of information on vital events between the services producing the information and the user services;
- strengthen the synergy of action between municipalities and other public institutions responsible for producing birth certificates and national identity cards
- to all city councils to raise awareness:
  - o *the general public*, especially women, internally displaced persons, refugees, indigenous peoples and any other vulnerable groups, on the

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<sup>23</sup> *Ibid.*, p. 5.

<sup>24</sup> *Ibid.*, p. 11.

<sup>25</sup> Aperçu des systèmes d'enregistrement et de statistiques de l'état civil au Cameroun, *op. cit.*, p. 5.

<sup>26</sup> *Ibid.*; p. 7.

<sup>27</sup> *Ibid.*, p. 7.



importance of civil status documents, especially birth certificates and national identity cards;

- *parents* and all citizens on the importance of registering vital events as soon as they occur and to abandon the habit of using their registration only when necessary;
- *officers* to monitor compliance with civil status registration standards in the services that provide information on civil status (civil registry offices, hospitals, prisons, courts), to increase their raids and to sanction any violation of the regulations in force, particularly Articles 20 and 7 of Order No 81/002 of 29 June 1981 and Decree No 87/1115 of 17 August 1987, referred to above;

**The Commission reaffirms**, for its part, that it will spare no effort to continue to raise awareness of the right to identity of all persons through training workshops, awareness campaigns, complaints, fact-finding missions and as part of handling complaints or self-initiated investigations,

**The Commission once again calls upon** any person to report any case of violation of human rights and cases of violation of rights resulting from the registration of civil status data in particular, of which they have been victims or witnesses, by contacting the CHRC at its Head Office or at branch offices, including through its **toll-free number 1523**.

Yaounde, 09. AOÛT 2023



James MOUANGUE KOBILA