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REPUBLIC OF CAMEROON  
Peace – Work – Fatherland

**CAMEROON HUMAN  
RIGHTS COMMISSION**

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OF HUMAN RIGHTS PROMOTION**

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**STATEMENT BY THE CAMEROON HUMAN RIGHTS COMMISSION TO  
MARK THE FOURTH INTERNATIONAL DAY TO PROTECT EDUCATION  
FROM ATTACK**

**9 September 2023**

The Cameroon Human Rights Commission (hereinafter referred to as "the Commission") established by Law No. 2019/014 of 19 July 2019 following the swearing-in of the members before the Supreme Court sitting in combined chambers, *Bearing in mind* the United Nations General Assembly Resolution A/RES/74/275 of 28 May 2020 which proclaimed 9 September as the International Day to Protect Education, from Attack,

*Recalling* the Oslo Declaration, which led to the Safe Schools Conference in Oslo, Norway, in May 2015 at the initiative of the Global Coalition to Protect Education from Attack<sup>1</sup>, which is "a political commitment to better protect students, teachers, schools and universities during armed conflicts while ensuring the promotion of education in times of war and implementing concrete measures to avoid the use of schools for military purposes"<sup>2</sup>,

*Further recalling* the aim of developing a Framework for the Declaration is "to provide the government with a non-exhaustive list of suggestions, recommendations and examples likely to help them"<sup>3</sup> cover five main areas of implementation, namely:

<sup>1</sup>The Global Coalition to Protect Education from Attack (GCPEA) was created in 2010 by organisations' working in the field of education in emergency situations and in fragile states affected by conflict. See [https://protectingeducation.org/wp-content/uploads/documents/documents\\_framework\\_fr.pdf](https://protectingeducation.org/wp-content/uploads/documents/documents_framework_fr.pdf), accessed on 30 August 2023.

<sup>2</sup> See <https://www.unicef.org/fr/education-prise-pour-cible>, accessed on 30 August 2023

<sup>3</sup> The Global Coalition to Protect Education from Attack, the Safe Schools Declaration: A Framework for Action, New York, 2017, p. 8.

- the protection of Schools and Universities from Military Use during Armed Conflict
- the collection data relating to attacks on educational institutions, pupils and staff along with the solutions found to resolve them
- strengthening the educational role of protection in times of armed conflict
- fostering exchanges and strengthening political support for the protection of education during armed conflict in international spheres
- identifying and sanctioning those responsible for attacks on educational institutions, students and staff in times of armed conflict,

**Noting** that attacks on education include *all acts deliberately directed against civilians or civilian objects* in situations of armed conflict<sup>4</sup>, such as acts of violence against educational facilities, students and teaching staff. The use of educational institutions for military purposes and any act likely to increase the risk of recruitment and the use of children by armed actors or expose children and young people to sexual abuse or harassment,

**Recalling** the Minimum Standards for Education in Emergencies, Crises and Reconstruction and the Guidance Notes for Building Safe Schools of the Inter-Agency Network for Education in Emergencies,

**Recalling also** the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict that were adopted in 2014 to assist States avoid encroaching on the safety and education of students, as follows:

- 1.- *Functioning schools and universities should not be used in any way by fighting forces of parties to armed conflicts in any way in support of military effort,*
- 2.- *Schools and universities that have been abandoned or evacuated because of the dangers presented by armed conflict should not be used by the fighting forces of parties to armed conflict for any purpose in support of their military effort, except in extenuating circumstances when they are presented with no viable alternatives,*
- 3.- *Schools and universities must never be destroyed as a measure intended to deprive opposing parties to the armed conflict of the ability to use them in the future, given that schools and universities—be they in session, closed for the day or for holidays, evacuated, or abandoned—are ordinarily civilian objects,*
- 4.- *While the use of a school or university by the fighting forces of parties to armed conflict in support of their military effort may, depending on the circumstances, have the effect of turning it into a military objective subject to attack, parties to an armed conflict should consider all feasible alternative measures before attacking them,*
- 5.- *The fighting forces of parties to armed conflict should not be employed to provide security for schools and universities, except when alternative means of providing essential security are not available,*
- 6.- *All parties to armed conflict should, as far as appropriate, incorporate these Guidelines, for example, their doctrine, military manuals, rules of engagement,*

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<sup>4</sup> Resolution 64/290 adopted by the General Assembly on 9 July 2010 on the right to education in emergency situations, p. 2

*operational orders, and other means of dissemination, to encourage appropriate practice throughout the chain of command,*

**Recalling further** that the United Nations Security Council, in its Resolution No. S/RES/1612 of 26 July 2005, identified six grave violations that States should put an end to "on the basis of which information is collected to report violations against children, namely:

- i) *killing and maiming of children*
- ii) *recruitment and use of children by armed forces and groups*
- iii) *attacks against schools or hospitals*
- iv) *sexual violence against children*
- v) *abduction of children*
- vi) *denial of humanitarian access for children.*"<sup>5</sup>

**Emphasising** the UN Secretary-General's message<sup>6</sup> on the need for States to "ensure the continued protection of schools, children and teachers" and to "endorse the Safe Schools Declaration in support of the Global Coalition to Protect Education from Attack",

**Recalling** the five facts mentioned by the Ituri Military Court in the Democratic Republic of Congo in its decision against Ives KAHWA PANGA MANDRO in August 2006 to establish his responsibility, as a perpetrator of war crime for attacks against schools committed in October 2002, as follows:

1. *The perpetrators launched the attack*
2. *The target of the attack was one or more buildings dedicated to education or other protected activities listed in the Statement*
3. *The perpetrator had intended to target the building, which was not a military objective*
4. *The act took place in the context of an international armed conflict*
5. *The perpetrator was aware of the circumstances that resulted to the armed conflict*<sup>7</sup>,

**Recalling** also certain provisions of the legal framework for the protection of education against attacks mentioned in the CHRC<sup>8</sup> statement on the occasion of the celebration of the 2022 edition of the International Day for the Protection of Education against Attacks in Cameroon, includes:

- the Preamble of the Cameroon Constitution on the 18 January 1996 which provides that "The State ensures to the child the right to education, primary education is

<sup>5</sup> See <https://childrenandarmedconflict.un.org/fr/six-grave-violations/> et <https://www.unicef.org/fr/recits/enfants-pris-pour-cible-six-violations-graves-des-droits-des-enfants-en-temps-de-guerre>, on 29 August 2023

<sup>6</sup> The UN secretary-general message, António GUTERRES, published on the occasion of the celebration of the 2023 edition of the International Day for the Protection of Education against Attack, <https://www.un.org/fr/observances/protect-education-day/message>, on 30 August 2023

<sup>7</sup> The Global Coalition to Protect Education from Attack, op. cit, p. 32.

<sup>8</sup> Statement by the Cameroon Human Rights Commission (CHRC), on the international day to protect education from attack on 9 September 2022, published on 8 September 2022, Yaoundé Cameroon, p. <https://www.cdhc.cm/admin/fichiers/Declarations2022-09-0905-17-51.pdf>, accessed on 18 August 2023

*compulsory, the organization and control of education at all levels are imperative duties of the State",*

- Article 14 of the African Charter on Human and Peoples' Rights, which states that *"The right to property shall be guaranteed. It may only be encroached upon in the interest of public need or in the general interest of the community and in accordance with the provisions of appropriate laws".*
- the African Charter on the Rights and Welfare of the Child ratified by Cameroon on 5 September 1997 and was entered into force on 29 November 1999, Articles 11 (1) and 22 (1) of which state respectively that *"every child has the right to education"* and that *"the States Parties to this Charter undertake to respect and to ensure respect for the rules of international humanitarian law applicable in the event of armed conflict which particularly affects children"*,
- the United Nations Convention on the Rights of the Child adopted on 20 November 1989 and ratified by Cameroon on 11 January 1993, article 19 (1) of which provides that *"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of violence, physical or mental abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the custody of his or her parents or one of them, his or her legal guardian (s) or any other person to whom he or she is entrusted"*,

**Determined once again** to further promote and protect the right to education in emergencies by encouraging the State and its partners to take further concrete steps towards a safe and protective learning environment<sup>9</sup>, post-emergency reconstruction<sup>10</sup> and monitoring of the implementation of related public policies,

**The Commission once more salute** the combined efforts of the Government, the army, local authorities, certain CSOs/NGOs and local communities have gradually reduced attacks on education in the Far North, North-West and South-West Regions, particularly:

- the adoption by the Follow-up Committee of the Implementation of the Recommendations of the Major National Dialogue at its 5th Session held on 11 August 2023 in Buéa, of "Admittedly, this Committee adopted a total of 12 resolutions but not all of them concerned the protection of education against attacks, including:
  - Increased budgetary allocations for education in the implementation of social and economic development projects in the North-West and South-West regions, to complete the rehabilitation and ongoing construction of infrastructure dedicated to education
  - The security presence around schools to facilitate the opening and operation of educational institutions during the 2023-2024 school year

<sup>9</sup> Resolution 64/290 adopted by the General Assembly on 9 July 2010 on the right to education in emergency situations, p. 4.

<sup>10</sup> *Ibid.*, p. 5.

- Encouraging people to systematically report any plan to attack on students, teachers, non-teaching staff or schools and universities to the security services
- the financing by the President of the Republic of the Presidential Plan for the Reconstruction and Development of the North-West and South-West Regions, through the signature of:
  - Decree No. 2023/330 of 4 August 2023 ratifying the loan agreement to the tune of 21.115 billion CFA francs, signed on 10 May 2023 between the Republic of Cameroon and the Islamic Development Bank (IDB)
  - Decree No. 2023/076 of 6 February 2023 authorising the Minister of the Economy, Planning and Regional Development to sign a loan agreement with the Islamic Development Bank (IDB) to the tune of 21.155 billion CFA francs,
- the bravery of the defence and security forces in protecting educational institutions in areas prone to insecurity, but also in their work to gradually restore a climate of security, pushing terrorists and other criminals back to their last strongholds
- the gradual increase in the number of functional secondary schools that has passed:
  - from 70 (2019/2020 school year) to 204 (2021/2022 school year) out of a total of 570 in the North-West Region
  - and from 189 (2020/2021 school year) to 233 (2021/2022 school year) out of a total of 427 in the South-West Region.
- the organisation of a conference on violence in schools by the Ministry of Secondary Education on 20 and 21 December 2022 at the Hilton hotel in Yaoundé,

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**The Commission nevertheless remains concerned** that “the attacks on students, teachers, educational staff and schools, which have become commonplace [given that] 224 million children and young people [worldwide] are in urgent need of educational assistance due to crises such as armed conflict, 72 million of whom are completely out of school”<sup>11</sup>,

**The Commission is further concerned about** the persistence of attacks by terrorist against students, teachers and schools registered in the Far North, North-West and South-West Regions;

**The Commission condemns** the 14-day lockdown imposed on 4 September 2023 to prevent the opening of schools and the movement of persons, including pupils, students and teachers in the North-West and South-West Regions, which led to the killing of two taxi drivers and a passenger, one of whom was burnt alive in his vehicle, on 7 September 2023 in Muea, Buea Sub-division, for resisting such a retrograde order,

<sup>11</sup> The UN Secretary-General message, António GUTERRES, published on the occasion of the celebration of the 2023 edition of the International Day for the Protection of Education against Attack op. cit.

*The Commission once again firmly condemns* the attacks perpetrated by secessionist terrorists who target civilians, especially pupils, students, teaching and non-teaching staff of educational institutions, as well as civilian property, including the premises of educational institutions,

*The Commission expresses its sincere condolences* to the bereaved families who have lost their loved ones and its best wishes for a speedy recovery to those injured in such attacks, which cannot be justified under any circumstances and which violate the right to life, the right to security, the right to physical and moral integrity and the right to property of the victims, including those in charge of educational institutions

*The Commission commends* the arrest, prosecution and conviction by the United States of America of the instigators and supporters of terrorist acts in Cameroon, particularly:

- Eric TATAW's arrest in Maryland on 4 September 2023
- The conviction, on 17 and 18 April 2023, respectively, of the following persons:
  - o Édith NGANG, aged 57, in St. Louis Park, Minnesota
  - o TSE Ernst BANGARIE, aged 47, in Hyattsville, Maryland,
- The sentencing, on 21 March 2023, of the persons mentioned below:
  - o St Michel TAMUFOR, aged 42, of Rosedale, Maryland
  - o Wilson CHE FONGUH, aged 41, of Bowie, Maryland, and five other supporters of terrorism
  - o Éric FRU NJI, aged 42, of Fort Washington, Maryland
  - o Wilson NUYILA TITA, aged 47, of Owings Mills, Maryland,
- The sentencing, on 28 November 2022, of the persons mentioned below:
  - o Claude N. CHI, 40 years old, in the city of Lee's Summit in Missouri
  - o Francis CHENYI, 49 years old, city of St. Paul in Minnesota
  - o LAH Nestor LANGMI, 46 years old, in the city of Buffalo,

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*The Commission reiterates* some of its previous recommendations of last year<sup>12</sup> particularly those addressed to:

- *the Government*, to lay emphasis on the systematic application of the measure taken to ensure "*free and priority access to schools for children of displaced families*" by all school heads throughout the national territory to effectively allow all internally displaced children to benefit from it without hindrance,
- *the Ministry of Social Affairs*, to emphasise the dissemination through the Social Action department housed in its general delegations of the measures to waive school fees for the benefit of the families of IDPs or displaced children in the same way as the children of indigent parents or parents with disabilities,
- *the Ministry of Defence*, to continue ensuring that no school, secondary or higher education institution is used by the military forces in the Regions prone to insecurity

<sup>12</sup> Statement by the Cameroon Human Rights Commission (CHRC), on the international day to protect education from attack on 9 September 2022, published on 8 September 2022, Yaoundé Cameroon, p. 7-9,

for any military purpose at the risk that armed terrorist groups take such use of schools as a pretext to target, attack or destroy them,

- actors *in the judicial chain*, to pursue the perpetrators and sponsors of any act constituting an attack on education more and relentlessly, wherever they are hiding, and to punish them with all the utmost of the law,
- the *Ministry of Public Health*, calls upon the latter to take appropriate measures to implement a strategy for the systematic, physical and psychological care of survivors as well as the relatives of survivors of armed attacks in general and attacks against education in particular,
- the *Ministries of Basic Education, Secondary Education and Higher Education*, to ensure that education and teaching policies do not exacerbate conflicts but are conducive to the physical and psychosocial protection of learners as well as their teachers and brings forth a conducive return of peace,

***The Commission once again calls upon*** the secessionist terrorists and Boko Haram terrorists to:

- immediately and definitively cease all forms of attacks against civilians and civilian objects and to work for the definitive return of peace for the development of the Far North, North-West and South-West regions and for their rapid reconstruction
- join disarmament, demobilisation and reintegration centres where they can receive appropriate training and develop new skills,

***The Commission reiterates that*** it will spare no effort to continue raising awareness for the protection of education from attacks, under self-initiated investigation or awareness-raising campaigns, fact-finding missions, advocacy and training workshops,

***The Commission also encourages*** any person to denounce or report any case of violation of human rights and any case of violation of human rights arising from terrorist attacks against pupils, students, teachers, staff of non-teaching educational institutions and school infrastructure of which they are victims or witnesses by contacting the CHRC at its Head Office or in its branch offices through its **toll-free number 1523**.

Yaounde, 8 September 2023

 James MOUANGUE KOBILA