



Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

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Prevalence of arranged marriages.

Section 6 of the March 2010 *United States Department of State Country Report on Human rights Practices for Cameroon*, under the heading 'children', states:

"While the minimum legal age for a woman to marry is 15, many families facilitated the marriage of young girls by the age of 12. Early marriage was prevalent in the northern regions of Adamaoua, North, and particularly the remote Far North Region, where many girls as young as nine faced severe health risks from pregnancies. There were no statistics on the prevalence of child marriage." (United States Department of State (Bureau of Democracy, Human Rights and Labor) (11 March 2010) *2009 Human Rights Report: Cameroon*)

Under the heading 'Children', a March 2009 report from the *United Kingdom Home Office* states:

"...while the minimum legal age for a woman to marry is 15, many families facilitated the marriage of young girls by the age of 12. Early marriage was prevalent in the northern regions of Far North, Adamaoua, North, and particularly the remote Far North Region, where many girls as young as nine faced severe health risks from pregnancies. There were no statistics on the prevalence of child marriage." (United Kingdom Home Office (16 March 2009) *Country Of Origin Information Report Key Documents – Cameroon*)

A January 2009 report from the *Office of the UN High Commissioner for Human Rights* under the heading 'Questions by Experts' adds:

"Taking up articles fifteen and sixteen, Experts raised a number of questions and issues, including the persistence of the practice of bride price, and what the Government intended to do about it; the issue of the discriminatory age of marriage and some of the discriminatory provisions in the Civil Code and when would the new Code be adopted and passed; the need to adopt a unified age of majority and marriage at 18 to bring legislation into line with the Convention on the Rights of the Child, as well as the Convention on Elimination of Discrimination Against Women; the need to broadcast an interpretation of the Koran which said that polygamy was not allowed as wives could not be treated equally, in order to abolish this phenomenon; and the need to bolster equality in marriage between men and women, including with regards to divorce." (Office of the UN High Commissioner for Human Rights (28 January 2009) *Committee on elimination of discrimination against women considers report of Cameroon*)

This report continues under the heading 'Response by Delegation', stating:

“The delegation said for the time being, the dowry remained symbolic in regions where it was practiced. In the customary system, the dowry ceremony was representative of the marriage and the giving of the daughter from one family to the other. The Government could embark on the prohibition of dowry, as this was a practice linked to the family. The age provided for marriage in the new draft Code on the Family was 18. There had been cases of brides refusing marriage on the wedding day as the husband insisted on polygamy. No woman had to accept polygamy in the current conditions - this was a choice to be made by the spouses. If a woman was less than 18, then a marriage was not valid.” (Ibid)

A November 2008 report from the *UN Committee on the Elimination of Discrimination Against Women (CEDAW)* under the heading ‘Marriage and family relations’ states:

“The provisions of the draft legislation enacting the Personal and Family Code set the age of marriage for girls at 18. As regards early and forced marriages, campaigns are mounted to make parents aware of the need to send girls to school, and educational chats are organized with girls to encourage them to report any such cases to the relevant services. Other measures to combat early and forced marriages include a mentoring structure for girls in the Centres for the Advancement of Girls and Women. Forced marriages are punished by the Penal Code, as are early marriages under the draft legislation on the punishment of gender-based violence and discrimination.” (UN Committee on the Elimination of Discrimination Against Women (CEDAW) (10 November 2008) *Responses to the list of issues and questions with regard to the consideration of the combined 2nd and 3rd periodic reports : Cameroon, p 31*)

Regarding traditions relating to marriage, the 2008 *United States Department of State* annual human rights report for Cameroon, in a section titled ‘Women’, notes:

“Despite constitutional provisions recognizing women's rights, women did not enjoy the same rights and privileges as men. Some points of civil law were prejudicial to women.

The law allows a husband to oppose his wife's right to work in a separate profession if the protest is made in the interest of the household and the family; a husband may also end his wife's commercial activity by notifying the clerk of the commerce tribunal of his opposition based upon the family's interest.

Customary law is far more discriminatory against women, since in many regions a woman traditionally was regarded as the property of her husband. Because of the importance attached to customs and traditions, civil laws protecting women often are not respected. In the customary law of some ethnic groups, husbands not only maintain complete control over family property, but also can divorce their wives in a traditional court without being required to provide either verifiable justification or alimony. Polygyny is permitted by law and tradition. In cases of divorce, the husband's wishes determine the custody of children over the age of

six. While a man may be convicted of adultery only if the sexual act takes place in his home, a woman may be convicted without respect to venue.

Traditional law normally governs the extent to which a woman may inherit from her husband in the absence of a will, and traditions varied from group to group. In many traditional societies, customs grant greater authority and benefit to male heirs than to female heirs. Women were also forced to marry and in some regions parents could, and did, give girls away in marriage without the bride's consent. Once a husband, who could be many years older than his bride, paid his wife's parents a dowry, the girl was considered the husband's property. When a married man died, his widow often was unable to collect any inheritance, since she herself was considered part of the man's property. Often the widow was forced to marry one of the deceased husband's brothers. If she refused, she had to repay the bride price in full and leave the family compound. In the northern provinces, some Lamibe reportedly prevented their wives and concubines from leaving the palace. The lack of a national legal code covering such family issues often left women defenseless against these male-oriented customs." (United States Department of State (Bureau of Democracy, Human Rights and Labor) (11 March 2008) *Cameroon: Country Reports on Human Rights Practices – 2007*)

A May 2005 *Immigration and Refugee Board of Canada* response reports:

"Several other sources indicated that forced or early marriages are still practised, particularly in rural regions and in the northern part of the country. In some regions, parents force their daughter to marry men who are much older and who, once the dowry is paid, consider the woman to be their property." (Immigration and Refugee Board of Canada (5 May 2005) *CMR43544.FE – Cameroon: Situation and treatment of young women, including the existence of forced or arranged marriages...*)

A *United Kingdom Border Agency (Home Office)* fact-finding mission report, in a section titled "Forced Marriages" (paragraph 9.16), states:

"A diplomatic source within Cameroon informed the delegation that forced marriages are considered a big problem in Cameroon. Such marriages are traditional and not civil and occur for females between the ages of 14 and 18. The marriages tend not to be civil because the birth certificate and marriage certificate has to be paid for. In addition to being too young to get married, the girls are not protected through the family law and have few rights. Such marriages usually occur in the north and far north, although the practice may occur throughout the country." (United Kingdom Border Agency (Home Office) (25 January 2004) *Report of fact-finding mission to Cameroon*)

A 2003 report published by the *Center for Reproductive Rights*, in a section titled "Early Marriage", states:

"In Cameroon, very early marriage still occurs in certain tribes (in Adamaoua and the Northwest, and in the Extreme-North between eight and nine years of age). Some customs call for pre-pubescent girls to leave their homes and live with their

husbands. Most of the time, the husband is a friend of the girl's father, and the marriage has been arranged without her being consulted. It is in the house of this "stranger-husband" that she will experience her entire sexual and domestic life. The harmful consequences of this type of marriage are obvious: these "little-girl wives" must make motherhood their sole occupation to the exclusion of formal education, training, employment, work experience, and personal development. This early marriage custom should start giving way to first marriage at an older age." (Center for Reproductive Rights (2003) *Women of the World: Laws and Policies affecting Their Reproductive Lives: Francophone Africa – 4. Cameroon*, p.83)

An October 2002 document issued by the *United States Citizenship and Immigration Services* notes:

"Under Cameroon law, a girl must be 15 years old to marry and a boy must be 18. However, forced and arranged marriages of girls and boys below these ages is common in northern and rural areas of Cameroon, according to sources consulted by the Resource Information Center." (United States Citizenship and Immigration Services (Resource Information Center) (16 October 2002) *Cameroon: Information on Forced or Arranged Marriage*)

References

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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