



**International Covenant on  
Civil and Political Rights**

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**Human Rights Committee**

**Consideration of reports submitted by States  
parties under article 40 of the Covenant pursuant  
to the optional reporting procedure**

**Fifth periodic reports of States parties due in 2013**

**Cameroon\*, \*\***

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\* The present document is being issued without formal editing.

\*\* The annexes to the present report are on file with the Secretariat and are available for consultation.  
They may also be consulted online from the web page of the Human Rights Committee.

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## List of Acronyms and Abbreviations

ACHPR:	African Commission on Human and Peoples' Rights
ALVF:	Association for the Control of Violence against Women
BIR:	Rapid Intervention Unit
CPC:	Criminal Procedure Code
CPDM:	Cameroon People's Democratic Movement
CPF:	Centre for the Promotion of the Woman and the Family ( <i>Centre de Promotion de la Femme et de la Famille</i> )
CCD:	Common Core Document
DGSN:	General Delegation for National Security
ELECAM:	<i>Elections Cameroon</i>
ENAM:	National School of Administration and Magistracy
FGM:	Female Genital Mutilations
FNSC:	<i>Front pour le Salut National du Cameroun</i>
GBV:	Gender Based Violence
HC:	High Court
HRC:	Human Rights Committee
ICC:	International Coordinating Committee of National Human Rights Institutions
ICCPR:	International Covenant on Civil and Political Rights
MDR:	Democratic Movement for the Defence of the Republic
MINCOM:	Ministry of Communication
MINPROFF:	Ministry of Women's Empowerment and the Family
NCC:	National Communication Council
NCHRF:	National Commission on Human Rights and Freedoms
NUDP:	National Union for Democracy and Progress
PACDET:	Programme for the Improvement of Detention Conditions and Respect for Human Rights
PC:	Penal Code
RAPDDH:	African Network for the Promotion of Democracy and Human Rights ( <i>Réseau Africain de Promotion de la Démocratie et des Droits de l'Homme</i> )
RENALTTE:	Network for the Fight against the Trafficking and Exploitation of Children ( <i>Réseau de Lutte contre le Trafic et l'Exploitation des Enfants</i> )
SDF:	Social Democratic Front

## Introduction

1. After the review of the 4th Periodic Report of the State of Cameroon relating to the International Covenant on Civil and Political Rights (ICCPR) presented on 19 and 20 July 2010, the Human Rights Committee (HRC) noted both points of satisfaction and causes for concern, and made its Concluding Observations. Implementation of the recommendations contained therein was to constitute the focus of the 5th Periodic Report to be submitted not later than 30 July 2013.

2. At its 103rd Session, and in compliance with the optional procedure adopted at its 99th Session, the Committee adopted a List of Issues to be addressed. The List was transmitted to the State of Cameroon that agreed to provide answers to the questions contained therein. These answers constitute Cameroon's 5th Periodic Report.

3. These answers are consistent with the issues raised in the List. The List seeks general information on Human Rights in the country including new measures and new developments concerning implementation of the Covenant. It also requires information specifically on the implementation of Articles 1 to 27 of the Covenant relating to the Committee's previous recommendations.

## I. General Information on Human Rights in Cameroon

### A. Legal Framework for Human Rights Promotion and Protection at the National Level (§1)<sup>1</sup>

4. The following legal instruments were adopted and/or ratified between 2010 and 2013:

- Law No. 2011/24 of 14 December 2011 relating to the fight against trafficking in persons and slavery;
- Law No. 2012/1 of 19 April 2012 relating to the Electoral Code which introduced the gender approach in the electoral process with respect to the election of Members of Parliament, Municipal Councillors and Senators;
- Decree No. 2012/638 of 21 December 2012 to organize the Ministry of Women's Empowerment and the Family, and set up a new Department for the Promotion and Protection of the Family and Children's Rights; and
- The Central African Convention for the Control of Small Arms and Light Weapons, their Ammunition and all Parts and Components that can be used for their Manufacture, Repair and Assembly known as the Kinshasa Agreement, adopted on 30 April 2010 and signed on 22 September 2011 by Cameroon.

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<sup>1</sup> Paragraphs in brackets refer to the List of Issues to be dealt with that the Committee adopted.

## **B. Institutional Framework for Human Rights Promotion and Protection at the National Level (§1)**

5. Since the review of the previous Report, new developments, some of which already feature in the Common Core Document (CCD), were recorded with regard to the regulatory and institutional framework for the promotion and protection of Human Rights. The update of related data concerns essentially the institutional framework, with the effective functioning of the Senate as one of the institutions provided for by the Constitution, the restructuring of some existing institutions, and the setting up of coordination frameworks.

### **1. Senate**

6. The Senate has been effectively established with the election on 14 April 2013 of 70 Senators, with 56 for the CPDM, 14 for the SDF, and the appointment of 30 others by the President of the Republic on 8 May 2013. With this appointment, 4 other political parties including the NUDP, the ANDP, the MDR and the FNCS have a seat each in this Upper House, bringing to 6 the number of political parties represented at the Senate. This House, made up of 100 Senators amongst who are 20 women and 15 traditional rulers, went operational on 14 May 2013 during its Session as provided for by the law.

### **2. Restructuring of some institutions**

7. The organizational structure of Elections Cameroon (ELECAM) was amended, the right to vote was withdrawn from some members of the National Commission on Human Rights and Freedoms (NCHRF) and the missions of the National Communication Council (NCC) were redefined.

#### **(a) Restructuring of Elections Cameroon**

8. The organization chart of ELECAM was amended to obtain a broad based representation of its members. Thus, pursuant to Decree No. 2011/204 of 7 July 2011 to amend and supplement some provisions of Law No. 2006/11 of 29 December 2006 to set up and lay down the organization and functioning of Elections Cameroon (See Annexe I), its members increased from 12 to 18 bringing in personalities from the civil society, the clergy and political parties.<sup>2</sup>

#### **(b) Voting Rights of some NCHRF Members**

9. Section 15 of Law No. 2010/4 of 13 April 2010 to amend and supplement Law No. 2004/16 of 22 July 2004 to set up and lay down the organization and functioning of the NCHRF withdraws the right to vote from some members of the NCHRF representing public administrations. This amendment contributed to the re-accreditation of the NCHRF to status "A" by the International Coordinating Committee of National Human Rights Institutions (ICC/NHRI).

#### **(c) NCC's Missions**

10. Set up by Law No. 90/52 of 19 December 1990 relating to Freedom of Mass Communication, the NCC's missions were redefined in 2012 by Decree No. 2012/38 of 23 January 2012. Its status was raised from that of an advisory body to that of a regulatory board on the freedom of mass communication and consultation, with legal personality and

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<sup>2</sup> Members proposed by political parties represented at the National Assembly resigned from their respective parties prior to taking the oath of office.

financial autonomy. The Vice-Chair, Secretary-General and members of the institution were appointed on 22 February 2013 and commissioned on 6 March 2013.

### **3. Setting up of Coordination or Regulatory Bodies**

11. The coordination bodies include:

- The Inter-ministerial Steering Committee for the Prevention of and Combating Trafficking in Persons, set up by Order No. 163/CAB/PM of 2 November 2010;
- The Inter-ministerial Committee in charge of monitoring the implementation of the recommendations and/or decisions taken by international and regional human rights promotion and protection mechanisms set up by Order No. 81/CAB/PM of 15 April 2011;<sup>3</sup> and
- The Steering and Monitoring Committee for Migratory Flow set up by Order No. 103/CAB/PM of 13 September 2012.

### **C. Mechanisms for implementing the Committee's Final Remarks, and Information on the Implementation of the previous Concluding Observations (§2)**

12. The implementation of the Committee's Concluding Observations is part of the activities of State institutions. The innovation, since the presentation of the 4<sup>th</sup> Periodic Report, consists in setting up an Inter-ministerial Committee chaired by the Secretary General at the Prime Minister's Office, to monitor the implementation of recommendations and/or decisions taken by the international and regional Human Rights promotion and protection mechanisms mentioned above (§11).

13. The missions of the Inter-ministerial Committee, as contained in its organic law, a copy of which is hereto attached (Annexe 2), include proposing follow-up actions to the recommendations and/or decisions of the various mechanisms and ensuring the effective implementation of the said proposals. Apart from the Prime Minister's Office, the Committee comprises representatives from 10 Ministries or Government departments as well as the NCHRF.

14. Details on the implementation of the previous Concluding Observations are given in §17 et seq.

### **D. Procedures for implementing Views adopted by the HRC and Concrete Implementation Measures (§3)**

#### **1. Procedures**

15. As concerns the Concluding Observations, State institutions are responsible for the implementation of the findings adopted by the HRC after examination of Communications. The Views of the Committee are sent to the different administrations concerned. Their opinions are obtained and discussed by the above-mentioned Inter-ministerial Committee. The Committee then makes proposals on measures to be taken and monitors their implementation.

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<sup>3</sup> Decision No. 14/SG/PM of 9 August 2011 appointed members of the Technical Secretariat of the Committee. The Secretariat held its first meeting on 13 September 2011 and the 7<sup>th</sup> on 26 June 2013.

## 2. Implementation of Views

16. Following the review of certain Communications filed against the State of Cameroon, the Committee adopted Views whose implementation, since the presentation of the last periodic Report, is attached in the annexe (Annexe 3).

## II. Specific information concerning the Implementation of Articles 1 to 27 of the Covenant

### A. Institutional and Legal Framework for the Implementation of the Covenant (art. 2) (§4)

#### 1. Functioning and Guarantees of the Independence of the NCHRF

17. The NCHRF enjoys greater independence because, as already mentioned, the voting right of members representing Government departments has been withdrawn, and its financial resources increased. In this regard, the State increased its recurrent budget from CFA 500 million<sup>4</sup> in 2008, 2009 and 2010 to CFA 700 million<sup>5</sup> in 2011. With an investment allocation of CFA 400 million<sup>6</sup>, the NCHRF received a total of CFA 1,100 million<sup>7</sup> in 2012. This recurrent budget was increased by CFA 20 million<sup>8</sup> taking the overall budget to CFA 720 million<sup>9</sup> in 2013, since the investment budget did not change.

#### 2. Activities of the NCHRF in the area of Civil and Political Rights and Achievements during the period 2010-2013

18. Significant activities by the NCHRF during the period 2010-2013 (See also Annexe 4) include:

- Continued implementation of the National Education Programme on Human Rights by its full spread to basic education after evaluation of the pilot phase started in 2008;
- Contribution to the drafting of the National Action Plan for the Promotion and Protection of Human Rights in Cameroon (NAPPPHRC) and the organization of awareness workshops on the draft Plan for officials responsible for planning and budgeting in public administrations, NCHRF Focal Points in public administrations, Members of Parliaments, and Journalists;
- Visits to detention places (see *infra* §97);
- Handling of complaints relating to Human Rights violation;
- Celebration of Human Rights and women rights commemorative days (each year on 10 December and on 8 March respectively) and women's rights;
- Implementation of the project on the promotion of women's civil and political rights with the support of UN Women. This project allowed the NCHRF to conduct a study on violence against women and girls in Cameroon and to organise awareness-

<sup>4</sup> About 763,368.77 Euros.

<sup>5</sup> About 1,068,702.29 Euros.

<sup>6</sup> About 610,687.022 Euros.

<sup>7</sup> About 1,679,389.31 Euros.

<sup>8</sup> About 30,534.35 Euros.

<sup>9</sup> About 1,099,236.64 Euros.

raising campaigns on women's rights. Educational talks were also organized in 5 Regions, namely: Adamawa, Centre, Littoral, North West and South West; and

- Organization of Human Rights activities consisting in awareness-raising on the right to vote, training of elections observers, and training in election observation during the presidential election of 9 October 2011 and the senatorial election of 14 April 2013.

### **3. Statistics on the Number and Type of Complaints received by the Commission and Follow-up of Complaints for Violation of Civil and Political Rights**

19. During the period 2010-2012, the NCHRF received 1,634 complaints on the violation of civil and political rights. They included the violation of the right to property, right to fair trial, right to moral integrity, right to freedom and security (arbitrary detention), right to physical integrity, and right to life (Annexe 5).

20. Horizontal violations are committed increasingly by individuals and businesses. Conversely, vertical violations are committed by administrative authorities, law enforcement officials, judicial, and traditional authorities.

## **B. Equality between men and women and non-discrimination (art. 2, 3 and 26) (§5-8)**

### **1. Equality between men and women**

21. In order to eliminate discrimination against women and promote equality between men and women, Government, in 2011, prepared the National Gender Policy Document which, leaning on the Growth and Employment Strategy Paper, will serve as a benchmark for gender mainstreaming in policies and programmes. In this vein, the Electoral Code adopted by Law No. 2012/1 of 19 April 2012 obliges political parties to take gender into account in drawing up electoral lists for the election of Parliamentarians, Municipal Councillors and Senators. In addition, capacity building seminars were organized in 2012 for judicial staff on the implementation of the International Convention on the Elimination of All Forms of Discrimination against Women. Similarly, during celebrations to mark the International Women's Day on 8 March 2012, women were, through leaflets, made aware of their Human Rights, especially succession rights and access to land.

#### **1.1 Women in the Political, Economic and Social Life of the Country (§5a)**

##### **(a) Political Life**

22. Women are represented in Parliament, the Senate and Councils (2007-2013) as follows:

- Senate: Substantive Members 20%; Alternate Members 33%; 5 women (1 Vice-President, 1 Questor and 3 Secretaries) are among the 17 Bureau Members;
- National Assembly: Substantive Members 13.9%; Alternate Members 21.1%; Bureau Members 30.4%; and
- Councils: Municipal Councillors 15.5%; Mayors 6.7%; Deputy Mayors 20%.

23. Two of the 23 candidates for the presidential election of October 2011 were women. They enjoyed all the facilities installed for the conduct of the electoral campaign. One of them was ranked 6<sup>th</sup> at the end of the election.



**(b) Economic Life**

24. Based on 2011 statistics, women represent about 4.1 per cent of the dynamic stakeholders in the formal sector against 11.9% of men. Overall, they constitute the majority in the informal sector and specifically in agriculture just like they are in great numbers in the primary sector and trade.

**(c) Social Life**

25. Women occupy an important position in the social life of the country. They are organized in associations. There are more than 20,000 women's associations in Cameroon which are grouped into networks based on their objectives. They run charity organizations such as orphanages, homes for the elderly or persons in distress.

**1.2 Employment Rate and proportion of women in senior positions in the public and private sectors (§5b)****(a) Employment Rate**

26. The number of women among permanent employees increases with the level of education. On the whole, female employees represent 8.2%. Conversely, the less educated they are, the more they are self-employed. They represent 63.6% in this sector. 93.5% of uneducated women are found in the agriculture and forestry sector as well as women of all educational levels. In all, women constitute 74.3% of workers in this sector. They are also present, all levels of education combined, in manufacturing, trade and catering (Annexes 6 and 7).

**(b) Women in Senior Positions**

27. According to available data in 2011, women are under-represented in managerial positions (design, management and decision-making) in both the public and private sectors, in formal activities and the industry. Their number is slightly higher in positions of preparation and execution, especially in the positions of sub-directors, service heads, and bureau heads. On the contrary, they are widely represented in the liberal professions. They even constitute a majority in the profession of Notary Public (Annexe 8).

28. The situation improved from 2010 to 2013. The Government formed on 9 December 2011 included 3 women who made maiden entries while incumbents were maintained. The number of women increased from 6 in 2010 to 9 in 2011 as against 54 men, giving an increase in relative value from 13.5% to 14.51%.

29. In the judicial sector, during the appointment of Judicial and Legal Officers on 18 April 2012, 2 women were promoted to positions of Directors in the Ministry of Justice. A 3rd woman was appointed President of a Court of Appeal, bringing the number of women to 2 out of the 10 Presidents available in similar positions. The gender sensitive analysis of these appointments is found in Annexe 9.

30. Another remarkable progress occurred in the area of territorial administration with the appointment of 2 women in positions previously reserved for men. These include the appointment of the first female Senior Divisional Officer out of 58; that is, 1.7%, and the first female Secretary General of a Region out of 10 Secretaries General; that is, 10%. The number of female Sub-divisional Officers increased from 6 in 2010 to 8 in 2013 out of 360; that is, 2.2%. A woman was equally appointed General Manager of the Mission for the Development and Equipment of Urban and Rural Land (MAETUR), and another as General Manager of the Debt Recovery Company (SRC).

**1.3 Guaranteeing Equal Pay for Equal Work (§5c)**

31. Pursuant to the provisions of the General Rules and Regulations governing the Public Service and the Labour Code, women and men with the same qualifications, in equivalent positions, receive the same salary. Variations may be noted in the private sector because of the possibility of free negotiation of the terms of employment between the employer and the applicant.

**1.4 Literacy and School Attendance (§5d)**

32. In 2011, the literacy rate of women aged 15 and over was 62.2% as against 78.9% for men.

33. School attendance rate for girls is on the increase at the levels of primary and secondary education and static at the level of higher education. In 2011, the following proportions were noted at different levels of education: 104% of girls attended primary school as against 117% for boys (6-14 years); 46.5% of girls as against 53.57% for boys in general secondary education; 43.5% of girls as against 56.3% for boys in technical secondary education; and 44.3% of women as against 55.7% for men in higher education.

**1.5 Measures to abolish Polygamy and determine Minimum Marriage Age for Girls and Boys (§6)****(a) Abolition of Polygamy**

34. Consultations of all social strata are ongoing to draw up the Code of Persons and the Family in order to consider whether or not polygamy should be kept as a form of marriage. However, spouses are free to choose between monogamy and polygamy when getting married and no marriage can be celebrated if the spouses do not agree on the form of marriage.

35. Moreover, Cameroon is party to the Protocol to the African Charter on Human and Peoples' Rights in respect of the Rights of Women in Africa. This regional legal instrument requires Member States to encourage monogamy as the preferred form of marriage while defending and preserving the rights of women in polygamous marriages.

**(b) Minimum Age for Marriage**

36. Pursuant to Ordinance No. 81-2 of 29 June 1981 on the organization of civil status, the minimum age for marriage is 15 years for girls and 18 years for boys. However, it is expected that the draft Code of Persons and the Family will harmonize the age of marriage to 18 years for both boys and girls.

**2. Prohibition of discrimination****2.1 Law on Protection and Promotion of Persons with Disabilities (§7)**

37. In accordance with Law No. 2010/2 of 13 April 2010 on the protection and promotion of persons with disabilities, several measures have been taken to integrate the concerns of this category of individuals in policies and programmes. Therefore, the disability approach was taken into account in the management of recent elections through

the implementation of the project “Accessible Election for People with Disabilities”<sup>10</sup>. A person with disability was appointed alternate Senator in the South Region.

38. Positive measures in the field of education consisted in granting subvention to private institutions of special education, allocation of material and financial support to students with disabilities or born of parents with disabilities, adoption in January 2010 of a practical guide on the accessibility of young persons with disabilities to education.

39. With regard to employment, 450 persons with disabilities were selected as part of the special recruitment of 25,000 young graduates and 110 teachers as part of the operation of recruitment of contract teachers of general education. Other measures have been taken to promote self-employment, support the achievement of income-generating activities, draw up a monograph of occupations accessible to persons with disabilities, setting up a card-index of skills for persons with disabilities, developing work stations adapted to the functional abilities and performance capabilities of persons with disabilities.

40. As concerns the right to leisure, 4 new sporting federations dedicated to the visually impaired, the mentally retarded, the physically challenged and the hearing impaired respectively were set up following the adoption of Law No. 2011/18 of 15 July 2011 on the organization and promotion of physical and sporting activities, which renders the practice of physical and sporting activities compulsory, in particular in schools and institutions for the rehabilitation of persons with disabilities. A person with physical disabilities took part at the Paralympics in London in August 2012.

41. With respect to the strengthening of institutions for the promotion and protection of the rights of persons with disabilities, the skills of staff of the Cardinal Paul-Emile Léger’s National Centre for the Rehabilitation of Persons with Disabilities were reinforced and infrastructure renovated. Furthermore, construction works on the Centre for the Rehabilitation of Persons with disabilities of Maroua continued.

42. Pertaining to the mobility of persons with disabilities, a practical guide on accessibility to public buildings for contracting authorities, project owners, architectural firms and decision-makers was adopted<sup>11</sup>. To ensure its implementation, Government signed a Circular for core ministries, on 16 July 2013 to facilitate the movement of persons with disabilities or reduced mobility in buildings. In addition to these measures, persons with disabilities received, from 2008 to 2012, tricycles, wheelchairs, white canes, and hearing aids worth some CFA 100,000,000<sup>12</sup>.

<sup>10</sup> The implementation of this Project initiated by persons with disabilities during the presidential election of 9 October 2011 resulted in different specific measures taken at various phases of the process. Before the election, awareness campaigns for registration on the voters’ registers were conducted through the production of posters and guides in Braille, television and radio programmes with a window for interpretation into sign language, online articles relating to disability and the awareness of political leaders. During the election, 12 pilot polling stations with access drivers and appropriate booths and ballot boxes arranged on the floor were specifically prepared for persons with disabilities in 9 localities across the country. (See General Report by ELECAM on the conduct of the presidential election of 9 October 2011, pp. 23 and 46).

<sup>11</sup> This Guide is part of the execution of the legal provisions, regulations and terms of Circular No. 3/CAB/PM of 18 April 2008 relating to the rules governing tenders, the execution and monitoring of public contracts under which the Prime Minister, Head of Government instructed all project owners and project managers to ensure that technically, all construction projects for public buildings and roads include the “disability approach” so as to take into account specific concerns relating to the accessibility of persons with disabilities.

<sup>12</sup> About 152,671.755 Euros.

43. In 2010, facilitating access of persons with disabilities to social services resulted in the institutionalization of a new system of national disability card that gives right to tax exemptions, exemptions from tuition fees and initial vocational training costs, transport tariff reduction and reduction of medical care costs.

44. To encourage and support the efforts of Government in this respect, some Civil Society Organizations (CSOs) involved in the promotion and protection of the rights of persons with disabilities, grouped themselves under the Platform of “Inclusive Society for People with Disabilities.”

## **2.2 Conditions of Homosexuals in Cameroon (§8)**

45. The position of Cameroon on homosexuality is constant and was clearly expressed in the Human Rights Council. Government rejected the recommendation to decriminalize this behaviour during its intervention at the said Council during its Universal Periodic Review in 2009. In the same Council to which she belonged, during the June 2011 session, Cameroon voted against the resolution entitled “Human Rights, Sexual Orientation and Gender Identity.” The rationale for this position is that in the present state of morals, homosexuality is a practice that is contrary to the values accepted in the Cameroonian society.

46. Homosexuality remains an offence consisting of a material act of “sexual relations with a person of the same sex” (Section 347 *bis* of the Penal Code) to which must be added the criminal intent under Section 74 of the same. Therefore, it is not a question of prosecuting individuals on the basis of rumours or suspicions of homosexuality without the evidence of any physical act, or of denying them access to health care or any other right on the basis of such suspicions. Any proven act of physical violence brought before judicial authorities is punishable in accordance with the law regardless of its cause. However, where victims suffer such violence because of their sexual orientation they would not confess because they are conscious of the fact that homosexuality is punishable.

47. Persons detained for homosexuality enjoy the same detention conditions and protection against violence.

48. Since the offence of homosexuality is related to the secret side of sexual intimacy, the case law in respect thereof is not abundant. Therefore, in 2010, only 27 cases of homosexuality led to criminal investigations in all the courts in Cameroon. Out of these 27 cases, 7 were dismissed while proceedings were instituted for the other 20 cases. Such statistical data also revealed that 12 of the cases prosecuted involved children while the other suspects were men.

49. In 2011, the number of cases increased. Indeed, 36 preliminary investigation on homosexuality were registered in the various Legal Departments and as a result, 37 people were indicted. Out of 16 people who went on trial, 14 were convicted and two acquitted. There were 8 children victims, the remaining were men. In 2012, this offence continued to affect mainly men with 14 cases of them having sexual intercourse with men. There were also 4 cases involving women and 5 involving children.

## **C. Violence against Women (art. 3 and 7) (§9)**

### **1. Legal Framework (§9-a)**

50. See (§4) *supra* for general statutory and regulatory instruments adopted by the State to protect women.

## 2. Measures taken to curb Domestic Violence (§9-b)

51. The Penal Code does not specifically punish domestic violence, marital rape, sexual harassment, female genital mutilation (FGM) and breast ironing<sup>13</sup>. However, pending completion of the ongoing amendment of the Penal Code that takes into account all of these situations, the current general provisions may be applicable to such cases.

52. FGM can be considered a grievous harm. As such, it is punishable under Section 277 of the Penal Code “with imprisonment for from ten to twenty years”, “whoever permanently deprives another of the use of the whole or of any part of any member, organ or sense.”. Such penalties are increased to life imprisonment where the victim is aged 0 to 15 years (Section 350 of the Penal Code). Moreover, if the victim dies as a result of the excision, the sentence may go from life imprisonment to death penalty as the case may be (Sections 275 et seq. of the Penal Code). Furthermore, all sorts of violence causing death, partial or permanent incapacity (Sections 271-281) are punished by the Penal Code whereas rape is punished regardless of the status of the offender (Section 296).

## 3. Statistics on Prosecutions for Violence against Women (§9-c)

53. The statistical tables of the legal response to certain violations of Human Rights in the appendix show that from 2010 to 2012 (Annexe 10), physical violence suffered by women consisted mainly of capital murder, murder, harm with permanent disabilities, arrests and kidnapping, and abductions. But in the majority of cases, recurrent violence includes sexual assaults usually committed on girls. The number of convictions shows that most of these cases did not go unpunished. However, the data on compensations paid are not available.

## 4. Specific Assistance for Women Victims of Sexual Violence (§9-d)

### (a) Support to Victims

54. Generally, the following actions were taken:

- Rehabilitation of 3 public childcare institutions including the Reception Centre for Children in Distress;
- Establishment of a sponsorship system through the validation and popularization of a guide on the sponsorship of vulnerable children in Cameroon since December 2009;
- Drawing up in 2010 of 2 guides intended for social stakeholders, for purposes of giving psycho-social support to children in difficult situations and those in an emergency context;
- Setting up of 5 Centres for Women’s Lives, that are private supervision facilities for victims established by the “Association de Lutte contre les Violences faites aux Femmes” (ALVF) (Association to curb Violence against Women). Three of these facilities provided psycho-social support to victims and empowered, through different approaches, 646 women in 2010, 690 in 2011 and 667 in 2012;
- Establishment of 10 denunciation brigades (early warning systems of premature and/or forced marriages in schools) by ALVF in the Far North Region enabled the

<sup>13</sup> The appropriate term for breast ironing is breast massaging. See Common Core Document, p. 53, §221.

rescue and mentoring of 64 girl victims of early and/or forced marriage. Seventeen of these girls returned to school;

- 125 medical certificates were issued to victims;
- Setting up of listening, mediation, marriage and family therapy services in 50 Sub-divisional Delegations of MINPROFF and in 78 Centres for the promotion of women and the family (CPWF). These services treated 17,000 cases of domestic and family violence involving women in 2010 of which 3,668 were settled amicably; in 2011, 11,019 persons benefited from telephone reassuring services and 5,365 from matrimonial and family mediation;
- Updating of the National Action Plan for the eradication of FGM;
- Ongoing development and implementation of the National Strategy to fight against gender-based violence;
- Forming and installation of divisional committees to fight against FGM in the areas most affected by this phenomenon, especially in Mamfe and Kousseri in the Manyu, and Logone and Chari Divisions respectively;
- Psycho-social care of young girls who are victims of obstetric fistula caused by FGM;
- Public offering of baby clothing to over 500 girls and women victims of unwanted pregnancies and/or abandoned by their partners;
- Administrative and procedural support to widows by the central services of MINPROFF in the settlement of 58 cases since the last commemoration of the International Day of Widows involving 17 cases of the payment of reversionary pension, 13 land disputes, 8 probate cases, 11 legal aid cases, 5 bigamy cases and 5 cases on difficulties in executing court judgments; and
- Drawing up of the Women-Families Sector Plan for the Fight against HIV/AIDS and STIs.

55. It is worthy of note that on the occasion of activities to mark the commemoration of the 4<sup>th</sup> edition of the International Day for the Fight against FGM on 5 February 2013, the Council of Imams and Muslim Dignitaries of Cameroon made a Declaration to prevent and fight against FGM.

**(b) Rehabilitation of Victims**

56. Measures taken include:

- Socio-economic conversion of sex workers, notably training them to take up respectful trades and organize a Common Initiative Group so as to facilitate their access to funding available for such structures. In 2013, 35 girls were converted. In the same vein, these services permanently create awareness among women, girls and families on the dangers of marriage through the internet, considered as a new form of trafficking in women. Some religious organizations offer sex workers free training in undertaking income-generating activities, processing and preserving food products;
- Training of 50 single mothers who are sex workers on curbing early and/or unwanted pregnancy;
- Issuing of National Identity Cards and Birth Certificates to 394 and 684 survivors of violence respectively;

- Assisting 120 young girls and women to resume schooling, vocational training, setting up and management of income-generating activities; and
- Organization of 300 mediations after which 217 disputes were settled and 15 others ended up in a signed undertaking.

**(c) Number of Institutions that can accommodate Victims of Domestic Violence**

57. There is a pilot centre for assistance to women who are victims of violence, at the Women's Empowerment Centre, Yaounde. They are received, listened to, advised for not more than 72 hours, as part of their psycho-social care. Then, they are reintegrated into their respective living environments. Difficulties identified relate to insufficient intake capacity, lack of material resources and logistics.

58. Centres for Women's Lives established by the AVLF in Yaounde, Maroua, Kousseri, Bafoussam and Douala provide temporary homes in the community to women who are victims of violence.

**(d) Special Training and Awareness-raising Programmes for law enforcement officials to attend to Women Victims of Violence**

59. Courses in Human Rights included in the training curricula of law enforcement officials provide them with the tools they need to attend to women who are victims of violence. This concern is also integrated in continued training. The training seminar of Judicial Police Officers on "Equal Right for all to Justice and Fair Trial" and "The Protection of Victims," held on 15 and 16 November 2012 in Yaounde.

**D. Right to Life (art. 6) (§10-12)**

**1. Extrajudicial Executions and Mob Justice (§10)**

**1.1 Detailed statistics on cases of extrajudicial executions by the military, security forces and law enforcement officials**

60. Extrajudicial executions are not a specific type of offence under Cameroon criminal law. They cover acts that undermine the right to life committed by law enforcement officials in the discharge of or during service and in blatant violation of the laws and procedures in force. Apart from the cases alleged in this report, Government has not recorded other cases of extrajudicial execution.

**1.2 Results of Investigations, Disciplinary and Criminal Proceedings opened in some cases**

**(a) Murder in February 2010 in Bandjoun of Francine Laure KAMDEM KAMGA, a bilingual high school student, who is alleged to have been shot by two gendarme officers**

61. After this incident, measures were taken and both gendarme officers involved were placed under close arrest for 60 days. Staff Sergeant TAMBOUE aboard the taxi was automatically placed on retirement. The two gendarme officers and the taxi driver were prosecuted. Staff Sergeant WAKA Plesentus and the taxi driver are still remanded in custody at the Central Prison, Bafoussam while Senior Gendarme ANYOUZOA was released. The matter is pending before the Military Tribunal, Bafoussam.

(b) **Alleged murder in October 2009 of Jean Baptiste KAMGAING by a gendarme officer**

62. By judgment of 27 June 2013, the Military Tribunal, Bafoussam charged and convicted the accused for unintentional killing and ordered him to pay a fine of CFA 300,000<sup>14</sup> and damages assessed at CFA 29, 500,000<sup>15</sup>.

**1.3 Measures taken by the State to stop mob justice and other traditional practices contrary to the Covenant**

63. Radio programmes by the State and private media, the NCHRF, or by individuals supported by Government, help to raise awareness on Human Rights issues and to warn people against mob justice and traditional practices contrary to the Covenant. The NCHRF, for instance, organised on 27 July and 5 August 2010 information days on mob justice for quarter heads in Yaounde, accompanied by youth representatives. The main recommendations focused on educating families on harm caused by mob justice and frequent organizations of educational talks in neighbourhoods. Programmes such as “You and the Law” or “Mirror of Justice” are organized to disseminate the law.

64. Where acts are committed despite such measures, investigations are carried out and legal proceedings instituted.

**2. Investigations, Prosecutions, and Sanctions against Security Operatives suspected of Violence during the events of February 2008 (§11)**

65. During the social unrest of February 2008, the forces of law and order acted in accordance with the regulations on the maintenance of law and order, in particular Section 4 (1) of Law No. 90/54 of 19 December 1990 relating to the maintenance of law and order, which provides that “notwithstanding the provisions of Section 3(1) above, the use of arms may be authorized by the administrative authority in the following cases: “(a) use of force and assault and battery against the forces of law and order; (b) use of fire arms against the forces of law and order ...”. Accordingly, the forces of law and order acted in self-defence.

**3. Death Penalty (§12)**

**3.1 Number of persons sentenced to death and commutations of death penalty**

66. Prison statistics as at 31 January 2012 reported 102 men sentenced to death. In 2012, out of 7 death sentences delivered by ordinary law courts, 2 were commuted to life imprisonment by the President of the Republic and 1 person acquitted by the Court of Appeal (Annexe 11). No execution was recorded. In the reference period, the Military Tribunal, Yaounde delivered two death sentences.

**3.2 Special Regime for Persons sentenced to Death**

67. In prisons that have a higher capacity, condemned persons have a separate section but are not subject to a special regime in terms of obligations.

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<sup>14</sup> About 458.01 Euros.

<sup>15</sup> About 45,038.16 Euros.



### 3.3 Ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the Abolition of the Death Penalty (§14)

68. The State of Cameroon has not yet ratified the Second Optional Protocol to the ICCPR, aimed at the abolition of the death penalty, a commitment which must logically be preceded by the cancellation in the Penal Code of death penalty as a principal penalty.

## E. Prohibition of torture and other cruel, inhuman or degrading treatment or punishment (art. 7) (§13)

### 1. Number of registered complaints, investigations and prosecutions conducted, penalties and compensation measures imposed during the 2010-2013 period

69. In 2010, judicial services recorded 8 investigations for 8 prosecutions and 2 convictions for torture. In military tribunals, 17 cases involving 41 persons on charges of assault, torture, tolerance of violation of individual rights, abuse of office, arrest and detention were pending. For the same period, 21 cases were settled involving 37 people for murder, arrest and detention, assault, torture, attempted murder, oppression and dangerous carriage of arms.

70. In 2011, at the National Gendarmerie, disciplinary measures were taken against a gendarme officer who was sentenced to 15 days of suspension for acts of torture. The courts prosecuted 14 cases and convicted 6 persons. Statistics obtained from Military Tribunals indicate that 22 cases were filed against military officers out of which 2 judgments were rendered. Some military and gendarme officers received suspended sentences of 10, 5 and 2 years respectively for torture.

71. In 2012, judicial services opened 5 investigations which resulted in 5 prosecutions and 1 acquittal. At the National Gendarmerie, 12 law enforcement officials were investigated for torture, assault, threat of life or arbitrary detention. In Judgment No. 42/CRIM of 13 March 2012, the Military Tribunal, Yaounde sentenced a gendarme officer to 8 years imprisonment with a fine of CFA 200,000<sup>16</sup> for torture, assault and false arrest. The Military Tribunal, Maroua delivered 5 convictions and 1 no case on matters of torture and poor treatment.

72. At the National Security, 64 Police officers of all ranks received disciplinary measures ranging from written warning to 3 months suspension for torture, assault or other inhuman treatment. During the period 2012-2013, the DGSN received complaints on torture and poor treatment. Investigations resulted in the following:

- 2 prosecutions for torture 1 of which resulted in acquittal for want of evidence;
- 15 prosecutions for poor treatment broken down as follows: 4 cases of false arrest, 2 cases of oppression, 4 cases of slight harm, 3 cases of simple harm, and 2 cases of murder. 80 Police officers, be they convicted or acquitted, were punished for proven cases of torture or poor treatment.

73. At the Penitentiary Administration, 2 prison staff were tried and sentenced for assault occasioning death and torture committed against inmates as indicated in the following judgments:

- Judgment No. 135/CRIM of 28 June 2011 by the High Court, Mifi: The People and the Civil Claimants: TAGNE Jean Michel and YIENDE Salifou vs. KOM Georges, WAFO Stephane, MINKALA MINKALA and YENGO Goldfred;

<sup>16</sup> About 305.34 Euros.

- Judgment No. 29/CRIM of 12 July 2012 by the High Court, Upper Sanaga, Nanga Eboko: The People vs. Prison Warder, NKOUMA SINDEL Roger Constant, who was sentenced to 1 year imprisonment and ordered to pay a fine of CFA 100,000<sup>17</sup> for assault occasioning death.<sup>18</sup>

74. At the Rapid Intervention Battalion (BIR), 16 members received disciplinary measures from 2010 to 2012 for torture and manslaughter. Five of them were dismissed from service and all of them were brought before military tribunals and 5 of them were dismissed from the Corps.

**2. Independent and external monitoring mechanism for the examination of allegations of illegal acts committed by members of the public security**

75. The current organization of the duties of officers of the security force has provided for a structure responsible for investigating allegations of illegal acts committed by them. The establishment of independent and external monitoring bodies shall be examined by the State Party.

**3. Allegations of violation of physical integrity by officers of the Delta Unit of the BIR at the Down Beach neighbourhood in Limbe in February 2010**

76. In this matter, the offending soldiers were identified, sanctioned, and dismissed from the BIR corps. Their 3 superiors each incurred a disciplinary measure of 20 days close arrest on 17 March 2010 for intentional breach of military regulation or instruction under Article 302 of the General Disciplinary Rules of Defence Forces. Besides, the victims were taken care of and compensated by competent military authorities.

**F. Prohibition of slavery and forced labour (art. 8) (§14)**

**1. Existing legal framework for the fight against human trafficking, especially women and children (§14-a)**

77. Some information on the legal framework for the fight against human trafficking, especially women and children have been provided in the CCD as regards international instruments of general application (§64) or specific application (§65), the ILO Conventions (§65-2) or sub-regional instruments (§65-3). Some information on domestic legislation can be added to this. In this regard, it should be noted that the Penal Code<sup>19</sup> already contained provisions relating thereto. These include Sections 292 (forced labour), 293 (slavery) and 342 (slavery and giving in security).

78. To internalize new commitments taken by the State, Law No. 2005/15 of 29 December 2005 relating to the fight against child trafficking and slavery was adopted. To take into account all victims, not just children, this law was replaced by Law No. 2011/24 of 14 December 2011 relating to the fight against trafficking in persons and slavery.

79. The following legal instruments also form part of this fight:

- Law No. 92/7 of 12 August 1992 on the Labour Code. Section 86 (1) and (3) prohibit the employment of children under 14. Sections 86 and 87 of the said Code

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<sup>17</sup> About 152.67 Euros.

<sup>18</sup> See decision in Annexe.

<sup>19</sup> Law No. 65/LF/24 of 12 November 1965 and Law No. 67/LF/1 of 24 June 1967 on the Penal Code.

prohibit dangerous work for children while Section 167 provides for sanctions against employers;

- Order No. 17/MTLS/DEGRE of 27 May 1969 relating to the employment of children.

80. To this legal instruments could be added, at the institutional level, the establishment on 17 September 2010 of the Network for the Fight against the Trafficking and Exploitation of Children (RENALTTE)<sup>20</sup> with the objectives of ensuring prevention, through the organization of campaigns for raising awareness among various partners (religious communities, trade unions of employers and employees of the civil society), identification and removal of children from chains of exploitation and the prevention of the scourge as a whole.

81. Mention can also be made of the setting up in November 2010 of a coordinating body, the Inter-ministerial Committee for the Prevention and Fight against Human Trafficking. This Committee is responsible for:

- Causing administrative services to implement the policy of the fight against human trafficking;
- Initiating and supervising training;
- Ensuring the internalization of international treaties to which Cameroon is party and which relate to human trafficking; and
- Initiating any discussion on the subject.<sup>21</sup>

## **2. Scope of the phenomenon by providing statistical data on sex, age and country of origin (§14-b)**

82. Though no comprehensive study exists which provides detailed statistics on the issue, it can be argued, with regard to certain sources, that the phenomenon is not of great magnitude. The Report of the Department of State of the United States in particular ranks Cameroon in Tier 2. As a result of this, the most exposed category consists of minors who moved to the cities for domestic jobs. Women are also victims and are exploited through prostitution.

## **3. Number of investigations and prosecutions conducted; number of sentences delivered by the courts against the authors of human trafficking (§14c)**

83. The courts registered several cases since 2010. The following cases are worth mentioning:

- In *The People vs. GASHU MANKAH Angelina*, the High Court of Mezam, Bamenda in the North West Region, by Judgment of 26 October 2010, found the accused guilty of trafficking two women from Nigeria and sentenced her to 5 years imprisonment;

<sup>20</sup> RENALTTE is a body comprising the administration (Ministry of Labour and Social Security, Ministry of Agriculture and Rural Development, Ministry of Social Affairs, the General Delegation for National Security, the National Gendarmerie), social partners (trade unions), the civil society (NGOs, associations, traditional rulers, religious leaders).

<sup>21</sup> The Committee has identified five priority areas of action for increased efforts in the prosecution and punishment of authors of trafficking, capacity building of law enforcement staff as well as social workers, adoption of laws on trafficking in adults, training of law enforcement officials in the use of electronic databases as a tool to fight against the phenomenon, and investigating allegations of abuse in practices of hereditary serfdom in the northern Regions of the country.

- In *the People vs. BELINGA EYENDEA, MANGA ITOUNGUE Martin and EBOA NJOKE*: the High Court of Nkambe in the North West Region, on 7 July 2011, found the first two accused guilty of abduction of minors and sentenced them each to 3 years imprisonment suspended for 3 years;
- In *The People vs. EYONG Robert AGBOR, NJOCK Caroline and MOLUA Francis alias OKADA*, preliminary inquiry was opened in 2012 against the defendants who were indicted for trafficking in children aged from 10 to 16 years. The matter is pending hearing and determination before the High Court, Mundemba; and
- In *The People vs. Lucia NGWE MBUNSON*, judicial inquiry has been opened in 2013 against the defendant by the High Court, Buea for child trafficking.

#### **4. Programme for the training of law enforcement officials, Judicial and Legal Officers and Social Workers in the fight against trafficking in persons (§14-d)**

84. Following the adoption of Law No. 2005/15 of 29 December 2005 relating to the fight against child trafficking and slavery, training seminars on the application of this law were organized in collaboration with UNICEF in Ebolowa, South Region in January 2009; in Bamenda, North West Region in September 2010; in Maroua, Far North Region in September and October 2010 and in Garoua, North Region from 26-28 October 2010.

85. The following training courses were also organized:

- Seminar on the fight against human trafficking in Central Africa based on the Human Rights approach from 11-13 January 2012 by the United Nations Centre for Human Rights and Democracy in Central Africa (CNUDHD-AC);
- Training workshop for stakeholders in the fight against trafficking in persons, by the NCHRF on 2 August 2012; and
- Three workshops organized by Government in collaboration with the American NGO “VITAL VOICES” and its local partner “Nkumu Fed Fed” to enhance application of the law relating to trafficking in persons broken down as follows:
  - 2 national workshops organized from 15-18 March 2011 and from 24-25 July 2012 in Yaounde for Judges, Prosecutors, law enforcement officials, social workers, and members of the civil society; and
  - 1 regional workshop organized from 6-8 May 2013 in Bamenda bringing together 50 participants. At the end of the workshop, a Temporary Regional Intervention Task Force on trafficking in persons was set up in the North West Region. It is under the authority of the Governor’s Office and comprises representatives from the Legal Department, the Bench, Criminal Investigation Department, Gendarmerie, Tourism Department, social workers, and Civil Society Organizations.<sup>22</sup>

86. The National Gendarmerie organizes training seminars in the form of conferences on child trafficking and slavery for all Judicial Police Officers, and Investigators in their training centres.

87. In the same vein, the Cameroon Chapter of the American Bar Association has, since 2008, organized 3 seminars in Yaounde, Bamenda and Bafoussam on the fight against human trafficking for law enforcement officials and civil society organizations.

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<sup>22</sup> In collaboration with “Vital Voices”, preparations are ongoing for the organization in 2013 of 2 additional regional workshops on trafficking in persons in Douala and Buea. Other regional Task Forces will be set up therefrom.

## **5. Protection of the fundamental rights of victims of trafficking (§14-e)**

88. As part of support to the victims of trafficking, the following actions were taken:

- Rehabilitation of 3 public childcare institutions;
- Establishment of a sponsorship system through the validation and popularization of a guide on the sponsorship of vulnerable children in Cameroon since December 2009;
- Drawing up in 2010 of 2 guides intended for social workers, for psycho-social support of children in difficult circumstances and those in emergency situations; and
- “Nkumu Fed Fed”, an NGO and Government partner undertook infrastructural development of a Reception Centre for victims. Since 2009, the Centre has been admitting children rescued from trafficking networks.

## **G. Right to Freedom and Security of Persons and the Treatment of Detainees (art. 9 and 10) (§15-19)**

### **1. Guarantees against illegal and arbitrary arrest (§15)**

#### **1.1 Measures taken by the State Party for the effective enforcement of guarantees contained in the CPC against illegal and arbitrary arrest (§15a)**

89. Training and monitoring of detentions are measures taken to ensure the effective enforcement of the guarantees contained in the CPC against illegal and arbitrary arrest. Activities with regard to training are summarized in the appendix (Annexe 12). Sanctions are imposed for violation of the right to freedom and security (Annexe 13).

#### **1.2 Commission to consider claims for arbitrary detention (§15b)**

90. The Commission to consider claims for arbitrary detention is not yet operational.

### **2. Treatment of Prisoners (§16-19)**

#### **2.1 Measures taken to ensure effective compliance with the CPC and, in particular, to reduce lengthy judicial proceedings (§16-a)**

91. Measures are taken to ensure compliance with the provisions of the CPC by both the judicial and penitentiary authorities. Mastering the provisions of the CPC is the central concern of the annual meeting of Heads of Court of Appeal which allows an evaluation of its application and discussions on the difficulties of its implementation. Seminars for capacity building are also organized at the initiative of Government and civil society, with the support of public authorities (See Annexe 12). Besides, it worthy of note that Law No. 2012/11 of 16 July 2012 to amend and supplement some provisions of Law No. 2011/28 of 14 December 2011 to set up the Special Criminal Court has fixed the period of preliminary inquiries at 30 days renewable once, and judicial inquiries at a maximum 180 days; that is, 6 months after filing the motion on notice.

## 2.2 Prison Statistics (§16-b)

92. In 2012, Cameroon had 88 prisons, 77 of which are functional<sup>23</sup>, consisting of 10 central prisons, 49 main prisons and 18 secondary prisons for an intake capacity of about 17,000 inmates. As at 31 December 2012, the prison population stood at 25,337 detainees (15,756 awaiting trial and 9,581 convicts) as against 24,000 detainees in 2011. Prisoners comprise 515 women and 865 minors.

## 2.3 Number of detainees admitted in psychiatric hospitals or in institutions for the mentally or physically disabled persons (§16-c)

93. Regarding the above-mentioned persons, only one of them was admitted at *Hôpital Jamot*, Yaounde during the reference period.

## 2.4 Progress made in Phase 2 of the Programme to Improve Detention Conditions and the Respect for Human Rights (PACDET II) (§17)

94. The second phase of PACDET helped improve detention conditions at various levels. For the transport of prisoners, 8 prison vans and 10 supply trucks were acquired. With regard to health, infirmaries were either built (Bertoua, Ebolowa, Bamenda), renovated (Maroua) or equipped (Yaounde and Douala with the acquisition of CD4s metres). In addition, 1 borehole was built in each of the 10 central prisons in the country.

95. The second phase also allowed for the rehabilitation of all 10 central prisons, as well as the extension of the Central Prison, Ngaoundere. Regional Delegations of Penitentiary Administration, prisons and military tribunals were provided with computers and photocopiers. Beddings for women, minors and prison staff, as well as kitchen equipment were acquired.

96. Some detainees received legal aid for the follow-up of proceedings.

## 2.5 Effective separation of different categories of prisoners

97. The separation of Men from Women, Minors from Adults and Convicts from Awaiting trials is generally respected in Cameroon's prisons. In this regard, 51 out of the 77 prisons that were functional in 2010 have a section for women and a section for minors. Only prisons situated in the localities with courts may receive women and minors.

98. The low number of juvenile detainees, the architectural configuration of certain detention centres do not always make it possible to strictly respect all legal requirements for the protection of minors in particular.

99. Where minors are victims of abuses from adult inmates, the internal rules and regulations provide that such adults be placed in punishment cells for a period of 15 days maximum in groups of 5 days. In other places of detention such as the police or gendarmerie, separating men from women is a strict principle. Regulations in new detention facilities scrupulously uphold this principle to avoid any deviance that may undermine the rights of detainees.

## 2.6 Visits to detention places by representatives of the NCHRF and human rights non-governmental organizations

100. The NCHRF is authorized by law to visit detention places at will and depending on a frequency that it deems necessary. In 2012, the NCHRF visited 19 prisons in the country.

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<sup>23</sup> In the same year, 9 new prisons were opened comprising the secondary prisons of Douala, Yaounde, Bali, Batibo and Touboro; the Main prisons of Bandjoun, Mbankomo, Menji and Tombel.

By Message No. 988/4-LE/GL/247 of 2 May 2013, SED instructed Gendarmerie Legion Commanders to welcome members of the NCHRF on their routine visits to detention places.

101. Visits by human rights non-governmental organizations are subject to prior authorization for security reasons. In 2012, the National Commission for Justice and Peace visited all the prisons in the North West Region. Civil society organizations paid 5 visits to the Buea Prison in the South West Region. The Bamenda Prison and the Secondary Prison, Yaounde were visited by representatives from the Red Cross.<sup>24</sup> Representatives from *Amnesty International* visited the Secondary Prison, Yaounde in December 2012. The Red Cross also visits the Secondary Prison, Yaounde at least once a year.

## **2.7 Ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (§19)**

102. Cameroon ratified the Protocol by Decree No. 2010/347 of 19 November 2010.

## **H. Prohibition of Imprisonment for Civil Debt (art. 11) (§20)**

103. The PC does not provide for imprisonment for non-payment of a civil debt. A person cannot be imprisoned for a civil debt. Nevertheless, where a convict is ordered by a judge to pay damages, the creditor may, in default of payment and where the decision is final, move the Court for imprisonment for debt that will result in the issuance of an imprisonment warrant against the debtor as provided for by the CPC.

## **I. Right to Freedom of Movement (art. 12) (§21)**

104. There is no restriction to freedom of movement between the various regions of the country. Measures have been taken to reduce police harassment on major highways. On 5 November 2010, Government prescribed the end of routine checks on vehicles and the lifting of police checkpoints on roads. However, the rise of crime wave coupled with increased incivility on the roads led Government to reconsider the decision. Sanctions are also taken when obstacles to freedom of movement are identified. In this connection, from 2010 to 2013, disciplinary measures ranging from a written warning to 3 months of suspension were taken against 113 police officers of all ranks for various violations including extortion. In order to strengthen these measures, the President of the Republic signed Decree No. 2012/546 of 19 November 2012 to lay down the Code of Ethics for Police Officers. Besides, a hotline “1500” was installed for users to report cases of extortion.

## **J. Expulsion of foreigners (art. 13) (§22)**

105. Information on the establishment of the commissions in charge of determining the status of refugee is given in the CCD (§26-29). Their members were sworn-in on 24 September 2012 and their capacity was built through training sessions.<sup>25</sup>

<sup>24</sup> This prison was also visited by the Special Rapporteurs of the African Commission on Human and Peoples Rights.

<sup>25</sup> A first training seminar on the right of refugees was organized, in partnership with the High Commission for Refugees, from 18-20 December 2012 in Yaounde.

**K. Right to Fair Trial and Equality before the Law (art. 14 and 26) (§23-24)****1. Measures taken to safeguard and protect the independence and impartiality of the Judiciary (§23)**

106. Measures taken to safeguard and protect the independence of the Judiciary include the allocation of resources to the judicial system, recruitment and training of personnel and penalties in case of breach of this requirement.

107. The budget allocated to judicial services through the budgets of the Ministry of Justice and the Supreme Court, which represented 1.22% of the overall State budget in 2010, dropped to 0.70% in 2011, then increased to 0.8% in 2012. This increase was consolidated in 2013, reaching 1.15% (Annexe 14). Human resources also increased somehow, as the number of Judicial and Legal Officers increased from 994 in 2010 to 1,167 in 2012. The revaluation of the salaries and allowances of the judicial and penitentiary staff was also identified as a thrust for the priority action of the sector strategy of the judicial sub-sector.

108. The tendency towards specialization was confirmed at the initial training of Judicial and Legal Officers with the admission for the first time in 2012 at the National School of Administration and Magistracy, of pupil magistrates for the judicial courts, administrative courts and audit courts.

109. Emphasis was also laid on continued staff training. Thus, a three-year training plan for 2013-2015 was drawn up and includes economic and commercial litigations, human rights and criminal law as priority areas of training for Magistrates.

110. With regard to penalties, except for cases of disqualification due to reasonable suspicion filed before the courts, disciplinary measures were imposed against Judicial and Legal Officers. Therefore, 2 reductions in incremental position, 1 delayed promotion and 1 warning were pronounced in 2010 while 1 dismissal, 1 reduction in incremental position and 1 delayed promotion were pronounced in 2012.

**2. Prosecution of some cases****(a) Titus EDZOA & Michel Thierry ATANGANA**

111. On 4 October 2012, the High Court, Mfoundi, Yaounde, gave its judgment in this case. The accused, Titus EDZOA and Michel Thierry ATANGANA, were sentenced to 20 years imprisonment each, while their co-accused, NJIEMOUN Isaac, was sentenced to 10 years imprisonment. Pursuant to Section 11 (new) of Law No. 2012/11 of 16 July 2012 to amend and supplement some provisions of Law No. 2011/28 of 14 December 2011 to establish a Special Criminal Court, the convicts went on appeal to the Supreme Court against the judgment. Counsel for Michel Thierry ATANGANA were notified on 6 June 2013 and requested to file their pleadings within a period of 30 days.

**(b) FON DOH GAH GWANYIN**

112. On 25 January 2011, by Judgment No. BCA/5C/2006 of 25 January 2011, *Fon DOH GAH GWANYIN & Others. vs. The People of Cameroon*, the Court of Appeal, North West Region set aside the judgment of the High Court of Ngoketunja, sitting in Ndop for irregular composition of the court.<sup>26</sup>

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<sup>26</sup> The accused died and his death brought an end to the matter against him.



**3. Specific measures adopted in accordance with the Law of April 2009 relating to legal aid to facilitate access by all citizens to justice**

113. Implementation of Law No. 2009/4 of 14 April 2009 on legal aid is guaranteed in all courts and even at the Supreme Court.

114. However, statistics from the period 2010-2012 (Annexe 15) show that there is a drop in the number of applications for legal aid. Thus, although 396 applications for legal aid were filed in 2012 and 432 applications in 2011, only 220 applications were filed in 2012. This is the outcome of especially the apathy of the target audience and the operational difficulties of commissions for legal aid, as particularly characterized by the existence of multiple constraints in the appointment of members representing the various administrations, their convening and participation in the sessions.

115. To address these problems, an activity on access to justice is envisaged as part of the programme for the consolidation of the rule of law conducted by the Ministry of Justice. Other activities will include reduction of the amount of deposits, costs of reproducing case files and registration fees, institution of reception offices in the courts or organization of information days for the Judiciary.

**4. Training of judges in the application of the provisions of the Covenant**

116. The training of magistrates at ENAM includes a module on Human Rights in which the provisions of the Covenant are studied. Moreover, as part of continued training, and in particular of seminars on human rights, modules on the application of international conventions including the ICCPR are taught. The information presented on such occasions is relevant to the provisions of the Covenant. The list of seminars held from 2009 to 2012 is attached hereto (Annexe 12). Besides, the Ministry of Justice has produced collections of national, regional, and international Human Rights instruments for Magistrates.

**5. Jurisdiction of military tribunals restricted to military offences (§24)**

117. Since the review of the last periodic Report, the jurisdiction of Military Tribunals resulting from Law No. 2008/15 of 29 December 2008 relating to military justice and establishing the rules of procedure applicable before military tribunals has not changed. Military Tribunals in Cameroon are neither court martials nor courts of exception. They are courts of special jurisdiction. Therefore, with regard to jurisdiction *rationae personae*, military tribunals have jurisdiction over offences committed by both the military, as well as civilians.

118. With regard to civilians, only adults are brought before these tribunals when they are perpetrators or accomplices in cases of theft by use of fire arms; when they infringe laws on war; when they commit offences within a military establishment that injures military personnel and destroys military equipment and installations; when they commit offences in times of war or in a region under a state of emergency or siege; and when they commit offences relating to military belongings and insignia. Military Judicial and Legal Officers receive the same training as their civilian counterparts at the National School of Administration and Magistracy. Civil Judicial and Legal Officers work in Military Tribunals. Furthermore, judgments rendered by Military Tribunals are appealed upon before the ordinary Courts of Appeal, with a military assessor as a member of the panel of judges.

## **L. Freedom of expression and association and peaceful assembly (art. 19, 21 and 22) (§25)**

### **1. Measures to safeguard freedom of expression, assembly and association**

119. Laws Nos. 90/52, 90/53/ and 90/55 all of 9 December 1990 as amended lay down the framework for freedom of expression, association, assembly and demonstration respectively.

120. Administrative censorship was abolished. However, ordinary law offences committed through the press are still sanctioned under criminal law, in order to promote accountability and ethical behaviour among journalists and to protect the rights of other citizens and public order. More so, the Communication Forum organized from 5 to 7 December 2012 facilitated dialogue between the various stakeholders and defined major strategic thrusts in this area. Issues relating to the decriminalization of press offences and the protection of journalists and their sources of information were discussed.

121. It should be noted that ongoing proceedings against journalists are conducted in accordance with the CPC and the laws in force. The persons concerned benefit from the presumption of innocence and the guarantees of the rights of defence are accorded to them at public hearings.

122. Freedom of association, assemblies and demonstrations are governed by a specific legal regime which is that of making a declaration against a receipt issued by the competent administrative authorities, except where there is threat to public disorder.

123. Admittedly, cases of abuse recorded result in reprimands. The Minister of Territorial Administration and Decentralization found that some Administrative Authorities were over-zealous. He called for the promotion of dialogue in granting authorizations for assemblies and public events. For example, in September 2012, following the cancellation of the authorization granted for the holding of the convention of the “Mouvement pour la Renaissance du Cameroun”, the Divisional Officer of Yaounde I was instructed by his superiors to withdraw his decision to annul the holding of the convention of that party.

### **2. Harassment and intimidation of journalists and political opponents**

#### **2.1 General situation**

124. Journalists and political opponents are not subject to intimidation, threats or legal harassment by public authorities. The State guarantees the exercise of their activities as long as they do not violate criminal law.

#### **2.2 Outcomes of investigations in some cases**

##### **(a) Death of Germain Cyrille NGOTA (alias Bibi NGOTA) editor of the bi-monthly Cameroon Express**

125. Investigations into the circumstances of the death in prison of Germain Cyrille NGOTA led to the conclusion of natural death, following a forensic expert-appraisal.

##### **(b) Alleged torture and poor treatment of Robert MINTYA, editor of the magazine “Le Devoir”, Serge SABOUANG, Editor of the bi-monthly “La Nation”, and Hervé NKO’O, a journalist of “Bebela”, in February 2010**

126. The Government has not received allegations of torture or poor treatment suffered by other media officials involved in the case that caused the death in prison of Bibi NGOTA.

### 2.3 State of proceedings in some cases

#### (a) Paul Eric KINGUÉ

127. Paul Eric KINGUÉ was involved in three cases: the first for complicity in depredation by band, the second for embezzlement of public property, forgery of public and authentic documents and extortion, and the third for embezzlement of public property following a complaint by the Penja Rural Council.

128. With regard to the first case, by Judgment No. 10/CRIM of 19 January 2009, the High Court, Mungo in Nkongsamba found Paul Eric KINGUE guilty of unlawful assembly, arranging a meeting and a demonstration, of obstructing a public highway contrary to sections 74, 230, 231, 232 of the Penal Code, as well as accessory in depredation by band, contrary to sections 74, 97 and 236 of the same Code. He was granted mitigating circumstances in his capacity as first offender and sentenced to 6 years imprisonment and ordered to pay a fine of CFA 800 million<sup>27</sup>, jointly and severally, with 11 other co-accused to the Company “Plantations du Haut-Penja”. He was equally ordered to pay the sum of CFA 4 million<sup>28</sup> as damages to one SONGA. By Judgment of 23 March 2011, the Court of Appeal for the Littoral Region discharged and acquitted Paul Eric KINGUÉ on the count of unlawful assembly, arranging a meeting and a demonstration, of obstructing a public highway. The court confirmed his conviction on the count of accessory in depredation of band and sentenced him to 3 years imprisonment and ordered him to pay damages in the sum of CFA 100 million<sup>29</sup>.

129. The second case followed a report by the Senior Divisional Officer for the Mungo. On 14 January 2011, the High Court, Mungo delivered its judgment. It found the accused guilty of embezzlement of public property and accessory in forgery and indulgence. He was sentenced to 10 years imprisonment. Following an appeal by the accused, the Court of Appeal for the Littoral Region acquitted him for lack of evidence on 26 March 2012.

130. The third case was instituted following a complaint by the Rural Council, Penja. On 29 February 2012, the High Court, Mungo delivered its judgment in which it found Paul Eric KINGUE guilty of embezzlement of public property. He was sentenced to life imprisonment and to pay the sum of CFA 10 296 840<sup>30</sup> as damages.

131. Paul Eric KINGUE is facing other charges (misappropriation of public property) for which warrants of arrests were issued. These facts and procedures are unrelated to his activities as Human Rights defender.

#### (b) Pierre Roger LAMBO SANDJO (alias Lapiro de Mbanga)

132. Lapiro de Mbanga was arrested after investigations into the social unrest in February 2008 and was charged on 29 April 2008 with accessory in unlawful assembly, riot, obstruction of the highway, arson, damage to public or protected property, destruction of property and depredation by band, punishable under Sections 74, 97, 232, 187, 227, 230, 236 and 316 of the Penal Code. He was remanded in custody on 9 April 2008. By Judgment No. 137/Crim of 24 September 2008, the High Court, Mungo in Nkongsamba sentenced him to 3 years imprisonment and to pay the sum of CFA 200 million<sup>31</sup> as damages to the “Société des Plantations de Mbang” a company. He equally had to pay the sum of CFA

<sup>27</sup> About 122,374.04 Euros.

<sup>28</sup> About 6,106.87 Euros.

<sup>29</sup> About 152,671.75 Euros.

<sup>30</sup> About 15,720.36 Euros.

<sup>31</sup> About 305,343.51 Euros.

80 million<sup>32</sup> to the Ministry of Finance as damages and CFA 359 488<sup>33</sup> as costs. The duration of imprisonment for debt was fixed at 12 months in case of default of payment of these court costs.

133. LAMBO Pierre Roger and the prosecution appealed against the judgment on 24 September 2008. By Judgment No. 39/Crim of 24 June 2009, the Court of Appeal for the Littoral Region in Douala confirmed the contested judgment on grounds of mitigating circumstances and set the period of imprisonment in default of payment at 18 months. LAMBO Pierre Roger went on appeal to the Supreme Court against the judgment on 26 June 2009. He was released on 8 April 2011 after serving his sentence. By Judgment No. 111P of 17 March 2011, the Supreme Court accepted the application based on its form, declared it unfounded and rejected it. On the merits, by Judgment No. 37/P of 20 June 2013, the Supreme Court quashed Judgment No. 39/CRIM above, and Judgment No. 137/CRIM delivered on 24 September 2008 by the High Court, Mungo. It referred the matter and the parties before the same court, with a different panel, for re-trial in application of Sections 417 (1) and 418 of the CPC.

**(c) Zéphérin TEYOUN**

134. On 19 November 2010, Zéphérin TEYOUN was convicted by the CFI Douala, Bonanjo for illegal assembly, defamation, insults and contempt of constituted corps. He was convicted and ordered to pay a fine of CFA 2,030,150<sup>34</sup>. The judgment was not appealed against. He was released on 29 August 2011.

**(d) Roland FUBE FONWI TITA**

135. Roland FUBE FONWI was imprisoned on 4 February 2009 for contempt of the President of the Republic and constituted corps. He was released on 6 March 2009.

**2.4 Measures taken to recognize the legitimacy of Human Rights defenders and their work and to ensure their safety**

136. Cameroon, like other countries, celebrates on 10 December, the anniversary of the adoption of the Universal Declaration of Human Rights. Apart from the establishment of a legal framework for the deployment of Human Rights defenders, in 2010, for example, a session for the sensitization of Members of Parliament was held at the National Assembly, under the aegis of the CNUDHD-AC, NCHRF and the African Network for the Promotion of Democracy and Human Rights (RAPDDH).

137. The Constitution, Law No. 90/53 of 19 December 1990 relating to freedom of association and Law No. 99/14 of 22 December 1999 governing NGOs guarantee the work of Human Rights defenders. These texts have promoted within the civil society, the emergence of many organizations dedicated to the defence of Human Rights. This community of defenders is diverse and includes independent administrative institutions like the NCHRF, the ordinary citizen who denounces infringements of the dignity of the human person and ensures the respect of fundamental rights.

138. The State ensures that these stakeholders freely exercise their duties. They are guaranteed protection when exercising under the laws and regulations of the Republic. In order to discuss the challenges related to the activities of Human Rights defenders, the Special Rapporteur of the African Commission on Human and Peoples' Rights (ACHPR)

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<sup>32</sup> About 122,137. 40 Euros.

<sup>33</sup> About 548.32 Euros.

<sup>34</sup> About 3,099.46 Euros.

visited Cameroon from 7 to 11 February 2011. The Special Rapporteur of the ACHPR on the Rights of Women in Africa and the Chairperson of the Committee on the Rights of Persons living with HIV, persons at risk, vulnerable persons and persons affected by HIV/AIDS also paid a visit from 4 to 14 September 2012. Invitations were sent to special procedures of the Human Rights Council in particular, the Special Rapporteur on freedom of expression and the Independent Expert on issues relating to the minorities.

## **M. Participation in public life (art. 25) (§26)**

### **1. Existing mechanisms in the State Party to ensure transparent and fair elections (§26-a)**

139. To better ensure transparent and fair elections, Law No. 2006/11 of 29 December 2006 to set up and lay down the organization and functioning of ELECAM (Sections 7 and 40) was amended and supplemented by Law No. 2010/5 of 13 April 2010. The amendment clearly stated, on the one hand, the principle of consultation between ELECAM and other stakeholders in the electoral process, and on the other hand, the principle of collaboration and support of the Administration in electoral matters.

140. In this regard, the important role of political parties was recognized through the participation of their representatives in various commissions, in particular the commission for the revision of voter's registers, the commission for the control of the establishment and distribution of voters cards, the Divisional Supervisory Commission, the National Commission for the final counting of votes, and the local election commissions. Moreover, the amendment has provided for a sound involvement of State departments, judicial services, and civil society.

141. At a purely institutional level, the effective establishment of ELECAM was confirmed by Decree No. 2010/319 of 13 October 2010. The Decree was passed in application of the provisions of Section 42 (3) of the above-mentioned Law of 29 December 2006 and was implemented after the installation of all the operating structures of the institution, including its territorial divisions and joint election commissions. The composition of the Electoral Board was revised as noted in §8.

142. To make the laws applicable to elections more consistent and accessible, an Electoral Code was adopted under Law No. 2012/1 of 19 April 2012. The law sets up a unified legal framework for the management of elections which till then were governed by various texts. It was revised by Law No. 2012/17 of 21 December 2012 to amend and supplement some of its provisions. The innovation of the Electoral Code strengthens the security of votes through a wider flexibility of eligibility conditions of candidates and a better readability of the electoral process.

143. The institutional framework was enhanced in 2012 with the reappointment of the 12 members of ELECAM by Decree No. 2008/463 of 30 December 2008<sup>35</sup> and the appointment of a new member to fill the vacancy following the dismissal of a member of the Electoral Board in 2011.<sup>36</sup> With regard to this dismissal, it is worthy of note that the impartiality and neutrality of Mrs. BIYONG Pauline were questioned during the electoral campaign of a candidate. As punishment, she was dismissed from the Electoral Board by Decree No. 2011/335 of 7 October 2011 for gross negligence and violation of oath duly established by the Electoral Board, in application of Decree No. 2008/372 of 11 November 2008 to lay down the conditions for the application of some provisions of Law No. 2006/11

<sup>35</sup> See Decree No. 2012/658 of 30 December 2012.

<sup>36</sup> Mr. AHMADOU GOUROUDJA who was appointed by Decree No. 2012/659 of 30 December 2012 for a term of office of 4 years renewable died on 12 June 2013.

of 29 December 2006 to set up and lay down the organization and functioning of Elections Cameroon.

144. The operational framework was strengthened through the biometric registration of voters on registers. ELECAM decided on 7 February 2012 to revise the electoral registers by biometric registration. The biometric technology is a means of combating fraud by curbing double registration. As such, the revision of the electoral register aims at producing voters' cards that contain the voters' personal information comprising their fingerprints, colour and shape of eyes. Another advantage of this technology is the centralization of all information in a single server so as to quickly identify each individual. Its security system is based on the principles governing the issuance of the computerized National Identity Card.

145. In the same vein, the setting up of the Constitutional Council was in progress with the adoption and promulgation of Law No. 2012/15 and Law No. 2012/16 of 21 December 2012 to respectively amend Law No. 2004/4 and Law No. 2004/5 of 21 April 2004 to lay down the organization and functioning of the Constitutional Council, and the status of its members.

146. Following provisions amending the 2004 instruments, members of the Constitutional Council are appointed for a term of 6 years renewable instead of the former term of office of 9 years non-renewable. Moreover, the conditions for termination of office have been extended to the case of incompatibility with this institution.

**2. Measures taken to secure the independence, including financial, of ELECAM, with regard to the Executive Power (§26b)**

147. Pursuant to the provisions of Law No. 2012/1 of 19 April 2012 relating to the Electoral Code, ELECAM is an independent body responsible for the organization, management and supervision of the entire electoral and referendum process. It has a legal personality and enjoys management autonomy. In the exercise of their duties, members of ELECAM shall not seek or receive instructions or orders from any public or private authority. The status as a member of the Electoral Board of ELECAM is incompatible with any other public office such as a member of the Government and persons ranking as such.

148. From the financial point of view, ELECAM has an annual budget and a budget for any elections planned in the course of that year. These budgets prepared by the Director General of Elections, who is the vote holder, are voted by the Parliament under the Finance Law of the State. The Director General of Elections is assisted by a Treasury Accountant and an Auditor.

**N. Rights of persons belonging to minorities (art. 2 and 27) (§27)**

**1. The right to enjoy their own cultural life, profess and practice their own religious faith, or to use their own language**

149. In Cameroon, no community is prohibited from enjoying its culture, using its language and practising its religion. To this end, indigenous peoples can freely express their cultural values. Specific actions for vulnerable groups and in particular Pygmies and Mbororos were continued. Since the right to culture and religion of marginalized indigenous people is highly dependent on their living space, measures to ensure access to land facilitate the enjoyment of these rights. This guarantee is reflected by the recognition of their traditional land, the creation of traditional chiefdoms, the imposition of a land tax for the benefit of the residents of major project areas, the payment of fair and equitable compensation for crops, plants, buildings and undeveloped areas, and all other assets affected by projects, as well as facilitating the acquisition of land certificates.

150. With particular regard to language, the teaching of national languages is a key aspect for linking the educational system to cultural realities. In this regard, the Operational Research Project for the Teaching of Languages in Cameroon started an experimental phase from 2010 in some localities of the 10 Regions of the country, with 22 national languages that have a standardized writing system in conformity with the general alphabet of Cameroonian languages. As from the 2013-2014 school year, the teaching of national languages shall be launched in 150 selected pilot schools across the country.

**2. Measures taken to improve the representation of vulnerable indigenous populations in the management of public affairs**

151. The participation of marginal indigenous populations in the management of public affairs is reflected in the accession of a Mbororo at the head of the Ngaoui Council in the Mbéré Division. Four Deputy Mayors and several Municipal Councilors are also Mbororos; a Mbororo who is *Chargé de Mission* at the Presidency of the Republic was appointed as alternate Senator.<sup>37</sup>

**O. Dissemination of information on the Covenant and its Optional Protocol (§28)**

152. Information on the Covenant and its Optional Protocol is disseminated through the awareness-raising and training activities mentioned above.

153. With regard to periodic Reports, it should be noted that following the presentation of the 4<sup>th</sup> Periodic Report, the Government informed the national community through a press and radio release which stated the major directives of the Concluding Observations, as well as detailed sources for access to this information, in particular the Ministry of External Relations (Department of the United Nations and Decentralized Cooperation) and the Website of the United Nations High Commission for Human Rights (Annexe 16).

154. In view of the drawing up of the Fifth Periodic Report, another press release was made public on 10 December 2012 through which the civil society and citizens of good will were invited to send their contributions to the Drafting Committee operating at the Department of Human Rights and International Cooperation of the Ministry of Justice (Annexe 17).

155. This call for contributions was reiterated through letters addressed to various stakeholders, including ministries and administrative institutions, the NCHRF and civil society organizations.

156. The draft Report was written on the basis of contributions received. It was submitted for consultation of the civil society at a Workshop held under the auspices of the NCHRF in July 2013. It was finally validated during another Workshop organized on 23 July 2013 in the presence of all stakeholders (Annexe 18).

<sup>37</sup> Decree No. 2013/149 of 8 May 2013.

## **Conclusion**

157. The recommendations made by the Committee after reviewing the last Periodic Report guided Government in its quest for all citizens to enjoy their civil and political rights.

158. Information contained in the 5th Periodic Report renders account of measures taken and activities carried out to enforce both the said recommendations and all the articles of the Covenant.

159. However, the determination by Government to increasingly comply with regional and international standards relating to civil and political rights encounters challenges and difficulties especially insufficient necessary resources for the development and/or the strengthening of capacity and structures.

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