

# **CAMEROON 2012 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Cameroon is a republic dominated by a strong presidency. The country has a multiparty system of government, but the Cameroon People's Democratic Movement (CPDM) has remained in power since it was created in 1985. In practice the president retains the power to control legislation. In October 2011 CPDM leader Paul Biya won reelection as president, a position he has held since 1982. The flawed election had irregularities, including the failure to properly distribute all voter cards, late opening of polling stations, multiple voting, ballot-box stuffing, the absence of indelible ink, and intimidation of voters. There were instances in which elements of the security forces acted independently of civilian control.

The most important human rights problems in the country were security force abuses, particularly of detainees and prisoners, denial of fair and speedy public trial, and restrictions on freedom of assembly.

Other major human rights abuses included life-threatening prison conditions, arbitrary arrest and detention, prolonged and sometimes incommunicado pretrial detention, and infringement on privacy rights. The government harassed and imprisoned journalists; restricted freedoms of speech, press, and association; and impeded freedom of movement. Corruption was pervasive at all levels of government. Societal violence and discrimination against women and girls, including female genital mutilation (FGM/C); trafficking in persons (primarily children); and discrimination against gays and lesbians occurred. Discrimination against persons with albinism occasionally occurred, although such incidents continued to decrease. The government restricted worker rights and the activities of independent labor organizations. Hereditary servitude; forced labor, including by children; and child labor were problems.

Although the government took some steps to punish and prosecute officials who committed abuses in the security forces and in the public service, impunity remained a problem.

### **Section 1. Respect for the Integrity of the Person, Including Freedom from:**

#### **a. Arbitrary or Unlawful Deprivation of Life**

The government or its agents did not commit any politically motivated killings; however, security forces killed persons during the year. The government generally investigated and sometimes disciplined those responsible for such killings.

On May 3, police inspector Armand Ebogo from the Mbalmayo police station, in Center Region, shot and killed Maurice Munjal, a Yaounde II-Soa University student, in Mbalmayo. Munjal was playing cards with friends in a bar when a police patrol stormed the establishment and ordered them to lie on the floor. Ebogo then shot and killed Munjal. The Center Regional Judicial Police Office investigation continued at year's end; however, Ebogo was not apprehended.

On May 24, five police officers from the immigration police office in Yaounde beat and killed Aboubacar Zaba, a tradesman from Niger, in the Yaounde neighborhood of Mokolo-Elobi, when Zaba refused to bribe them. The Yaounde judicial police were investigating the case at year's end.

There were no new developments in the July 2011 killing of Stephane Ewane by soldiers from the army regiment based in Nkongsamba.

#### **b. Disappearance**

There were no reports of politically motivated disappearances during the year.

#### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment**

The constitution and law prohibit such practices, but there were continued reports that security forces tortured, beat, harassed, and otherwise abused citizens, prisoners, and detainees. Security forces also reportedly subjected women, children, and elderly persons to abuse. According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2011*, focused primarily on government actions to address human rights issues such as judicial and disciplinary action against officials accused of corruption or other inappropriate conduct, authorities sanctioned or prosecuted for misconduct 19 police officers and 70 soldiers and gendarmes. In 2011 courts prosecuted 10 security force members (one police officer and nine soldiers) for alleged torture. Of the 10, courts convicted two, and kept the remaining pending. Courts also prosecuted and tried for murder nine officers in 2011. Of the nine, courts convicted two, with the rest of cases pending as of mid-year.

On January 1, in Ngaoundere, a soldier from the Fifth Rapid Intervention Battalion (BIR) shot at, beat, and threatened with his gun three civilians with whom he had argued the previous day. The Ngaoundere central police commissioner investigated the incident and reported it to the Adamawa Region Gendarmerie Legion, whose investigation continued at year's end.

On April 2, in Bafang, West Region, 15 soldiers from the Third BIR unit beat members of a mixed patrol of police and gendarmerie officers operating vehicle checks at a roadblock. The assault occurred after the patrol fined Jaibi Adamou at the checkpoint. Adamou called his brother, Lieutenant Ngoupayou Moustapha, a BIR officer, who appeared with his BIR unit and beat the mixed patrol. The Bafang gendarmerie company commander launched an investigation that continued at year's end.

On August 4, in Ngaoundere, 15 soldiers from the Fifth BIR unit beat and seriously injured female dancers, waiters, and customers from a bar because of a dispute several days earlier between the soldiers and the dancers. The bar owner, who recognized some of the assailants, reported the incident to the BIR headquarters and filed a complaint. The local military security office investigated the incident and filed a report with BIR officials in Yaounde. An investigation continued at year's end.

In early August the press released a report from the military security office in Ngaoundere revealing that, between April and July, businessmen and private citizens filed 50 complaints against the BIR in Ngaoundere on various misconduct charges.

Security forces reportedly detained and tortured persons at specific sites, including temporary holding cells within police or gendarme facilities and cells located at the Directorate General for External Intelligence (DGRE).

On December 6, the newspaper *Mutations Daily* reported an incident from September 4-5 regarding the arrest and detention by Yaounde's Second Police District of merchant Ngono Obia, who was put in a cell with men. On September 5, one of the men raped her and forced her to engage in oral sex. After leaving the police station, Obia began to suffer from pelvic and epigastria pains and vomiting. She was taken to the Cite Verte District Hospital, where the doctor issued a medical certificate with a 29-day medical rest. Obia filed a complaint against her assailant and police authorities, including the police commissioner in charge of the unit that issued the arrest warrant. The police commissioner denied that Obia was

raped, claiming it “was just her imagination.” No further investigation occurred by year’s end.

Security forces beat journalists and gay men during the year (see sections 2.a. and 6).

The government made efforts to prevent torture. On January 24-26, experts from government institutions involved in the fight against torture, including the Ministry of Justice and the National Commission on Human Rights and Freedoms (NCHRF), provided practical recommendations to implement international instruments against torture. The government collaborated with the African Commission on Human and People’s Rights, whose representative urged the government to implement the “Robben Island Guidelines on Fighting against Torture in the African Continent.” The Ministry of Justice continued to implement those guidelines, some of which would require new legislation, including the “National Preventive Mechanism for the Fight against Torture.”

### **Prison and Detention Center Conditions**

Prison conditions remained harsh and life-threatening. Numerous international human rights organizations, including Journalistes en Afrique pour le Developpement, Prison Fellowship, and Amnesty International, and some prison personnel reported that torture was widespread. In Douala’s New Bell Prison and other minimum-security detention centers, prison guards inflicted beatings, and authorities reportedly chained prisoners or at times flogged them in their cells. Overcrowding was pervasive. Officials held prisoners in dilapidated, colonial-era prisons, where the number of inmates was as much as four to five times the intended capacity.

Physical Conditions: During a July 16 visit to Yaounde’s Kondengui Central Prison, the NCHRF received grievances from detainees that included severe overcrowding and lack of beds. The commission reported that prison officials accepted bribes for beds and better living areas of up to 25,000 CRA francs (\$50), an amount prohibitively expensive for most detainees.

In December 2011 the country’s 74 prisons, with a capacity for 16,995 inmates, housed 24,000 prisoners and detainees, including 493 women and 916 juveniles. As of July the Yaounde Kondengui Central Prison, built to hold 1,000 persons, held 4,000 prisoners and detainees, of whom 211 were juveniles. The large

number of pretrial detainees, who constituted 70 percent of those incarcerated nationwide, exacerbated overcrowding.

In June *Le Messenger* newspaper reported that more than 1,000 detainees and prisoners slept on the ground or on pieces of cardboard in Douala's New Bell Prison. Guards and local nongovernmental organizations (NGOs) reported rapes among inmates. Individuals incarcerated in the New Bell Prison and Yaounde's Kondengui Central Prison for homosexual acts suffered discrimination by and violence from other inmates.

Deficiencies in health care and sanitation, which were common in all prisons, remained a significant problem. Disease and illness were widespread, and inmates did not receive adequate medical care.

Lack of adequate health care resulted in the death of prisoners. On April 29, Armand Tchuissei, a convict, died from an allergic reaction to a painkiller in the Nkongsamba (Littoral Region) Principal Prison, when prison authorities failed to transfer him to the hospital for treatment.

Potable water was inadequate, and officials expected prisoners' families to provide food for their family members. For example, New Bell Prison contained seven water taps for approximately 2,000 prisoners, contributing to poor hygiene, illness, and death.

The daily food allocation per prisoner was 228 CFA francs (approximately 45 cents). Corruption among prison personnel was widespread. Pretrial detainees reported that prison guards sometimes required them, under threat of abuse, to pay "cell fees," money paid to prevent further abuse. Prisoners bribed wardens for special favors or treatment, including temporary freedom, beds, and transfer to less-crowded areas of the prisons.

Due to their inability to pay fines, some prisoners remained in prison after completing their sentences or receiving court orders of release.

There were two separate prisons for women and a few pretrial detention centers for women; however, officials routinely held women in police and gendarmerie complexes with men, occasionally in the same cells. Mothers sometimes chose to be incarcerated with their children if the children were very young or if they had no other childcare options. Conditions for male and female inmates were equally poor. Authorities often incarcerated juvenile prisoners with adults, occasionally in

the same cells or wards. There were credible reports that adult inmates sexually abused juvenile prisoners. Officials routinely also held pretrial detainees in cells with convicted criminals.

In temporary holding cells within police or gendarmerie facilities, officials held together adult men, juveniles, and women. Detainees usually received no food, water, or medical care. Detainees whose families knew of their incarceration relied on their relatives for food and medicine. Overcrowding was common. Detention center guards accepted bribes from detainees in return for access to better conditions, including permission to stay in an office instead of a cell.

Many citizens in the North and Far North regions turned to traditional chiefs, or lamibe, for dispute resolution, and the government continued to permit lamibe to detain temporarily persons until they transferred them to the police or gendarmerie and the judicial system. Such detentions could last several weeks or months, depending on the gravity of the offense, the distance to the nearest security office, and the availability of lamibe, security officers, complainants, and transportation. According to human rights defense groups, including Defense des Droits de l'Homme et des Consommateurs du Sahel, the Movement for the Defense of Human Rights and Liberties, and SOS Droits de l'Homme, allegations continued of private prisons that had reputations for serious abuse within the palaces of the traditional chiefdoms of Rey Bouba, Gashiga, Bibemi, and Tcheboa. For example, jailors in these private prisons allegedly often tied some prisoners to a post with chains attached to their wrists and ankles.

Administration: Recordkeeping on prisoners was inadequate, although the Ministry of Justice had begun to computerize case files. Catholic Relief Services' Pride Project continued to implement a program to improve recordkeeping in prisons. While authorities did not use alternatives to sentencing for nonviolent offenders, the Pride Project worked on alternatives to sentencing and made proposals to the government. Authorities allowed prisoners access to visitors and religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship. The country had no prison ombudsman. However, the NCHRF conducted investigations in 2011 and during the year.

Monitoring: The government permitted international humanitarian organizations access to prisoners. Both the local Red Cross and the NCHRF made infrequent, unannounced prison visits during the year. The government continued to allow the

International Committee of the Red Cross (ICRC) to visit prisons, and the ICRC conducted visits during the year in accordance with standard modalities.

Improvements: The government continued its efforts to improve prison conditions. In March 2011 the penitentiary administration presented an assessment of the modernization of prisons that the government launched in 2008. According to the report, the government's initiative resulted in the total renovation of 47 prisons, the construction of 27 wells, and the purchase of 10 vehicles to transport prisoners, two pick-ups, one minibus, and two trucks. The administration also acquired more beds and mattresses.

In early August Lawyers without Borders organized a workshop to train penitentiary administrators in the Douala New Bell Prison. The training focused on communication in the cells and in the prison as a whole and on providing special attention to vulnerable groups such as women.

#### **d. Arbitrary Arrest or Detention**

Although the constitution and law prohibit arbitrary arrest and detention, security forces continued to arrest and detain citizens arbitrarily.

#### **Role of the Police and Security Apparatus**

The national police, DGRE, Ministry of Defense, Ministry of Territorial Administration, and, to a lesser extent Presidential Guard, are responsible for internal security. The Ministry of Defense, which includes the gendarmerie, the army, the army's military security unit, and the DGRE, reports to an office of the presidency, resulting in strong presidential control of security forces. The national police and the gendarmerie have primary responsibility for law enforcement, although the gendarmerie alone has responsibility in rural areas. The national police, which includes the public security force, judicial police, territorial security forces, and frontier police, report to the General Delegation for National Security (DGSN), which is under the direct authority of the presidency.

Police were ineffective, poorly trained, and corrupt (see section 4). Impunity was a problem. Citizens often resorted to vigilante violence rather than calling police (see section 6).

On December 6, according to *Mutations*, the Bamoun Sultan's security guards assaulted Ibrahim Fouata, the third deputy mayor of the Fouban Urban Council,

for not standing when the sultan arrived. Police and gendarmes were present but did not act immediately to stop the aggression, although they eventually intervened.

The DGSN investigates reports of abuse and forwards cases that merit prosecution and trial to the courts. Lesser sanctions are handled internally. According to press reports, the DGSN and the Ministry of Defense sanctioned or prosecuted 22 police officers and seven soldiers for misconduct during the year. Offenses included harassment of citizens, corruption, extortion, disregard of orders, forgery, and dangerous use of firearms.

The national gendarmerie and the army also have special offices to investigate abuse. The secretary of state for defense and the minister-delegate at the presidency in charge of defense sanction abusers. However, the minister-delegate of defense refers cases involving aggravated theft, criminal complicity, murder, and other major offenses to the military courts for trial.

The BIR, an elite unit earning twice the pay of the regular army, reportedly dismissed from its ranks officers implicated in violence against civilians during the year. Those dismissed received demotions to the regular army and a 50 percent cut in pay.

According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2011*, authorities took disciplinary measures against 19 national security staff members, including one assistant superintendent of police, three police inspectors second scale, two inspectors of police first scale, one senior police constable, and 12 police constable second scale. Infractions included brutality, assault, abuse, and threats against a magistrate in training and extortion of money on the highway. Sanctions ranged from warnings to three-month suspensions of six officers without pay. In addition, 70 proceedings concerning defense and security forces were pending before the military tribunal and civil courts, on offenses ranging from violation of instructions to abusive use of a service weapon and murder.

The report also noted that in 2011 military tribunals tried 44 cases involving 70 soldiers and gendarmes for offenses ranging from corruption to manslaughter; such tribunals convicted 21 soldiers and gendarmes for offenses including manslaughter, torture, violation of instructions, false arrest, oppression, and attempted manslaughter. Preliminary administrative punishments--actions taken soon after the offense--ranged from written warnings to suspensions of up to three



months. The tribunals transferred more serious cases to the judiciary for prosecution and sentencing, which could take months or years.

During the year foreign military personnel provided training to security forces on civil-military relations, including rules of engagement and escalation of force.

### **Arrest Procedures and Treatment While in Detention**

The law requires that police obtain a warrant for an arrest, except when a person is caught in the act of committing a crime; however, police often did not respect this requirement. The law provides that detainees be brought promptly before a magistrate, although this frequently did not occur. Police may legally detain a person in connection with a common crime for up to 48 hours, renewable once. This period may, with the written approval of the state counsel, be extended twice before bringing charges. Nevertheless, police often exceeded these detention periods. The law permits detention without charge--for renewable periods of 15 days--by administrative authorities such as governors and civilian government officials serving in territorial command. The law also provides for access to legal counsel and family members, although police frequently denied detainees access to both. The law permits bail, allows citizens the right to appeal, and provides the right to sue for unlawful arrest, but these rights were seldom respected.

Arbitrary Arrest: Although the law provides for judicial review of an arrest within 24 hours, the courts did not convene on weekends, so individuals arrested on a Friday typically remained in detention until at least Monday. According to some reports, police and gendarmes occasionally made such “Friday arrests” on spurious charges after accepting bribes from persons who had private grievances, although the number of such cases decreased during the year, according to NGOs and legal practitioners. Security forces and government authorities reportedly continued to arrest and detain persons arbitrarily, often holding them for prolonged periods without charge or trial and, at times, incommunicado.

Police arbitrarily arrested persons without warrants during neighborhood sweeps for criminals and stolen goods. Authorities required citizens and foreigners, including undocumented immigrants, to carry identification with them at all times, and police frequently arrested persons without identification during sweeps. In May and July such sweeps took place in the Yaounde neighborhood of Nkolndongo and in the border town of Kye-Ossi, in the South Region. While security forces subsequently released some detainees, others were transferred to the

Prosecutor's Office and remained in detention at year's end on various charges, including theft, aggression, evasion, and illegal immigration.

The DGSN claimed a policy of zero tolerance for police harassment, but police and gendarmes subjected undocumented immigrants--primarily from Nigeria and Chad--to harassment and imprisonment. During raids members of the security forces extorted money from those who did not have regular residence permits or valid receipts for store merchandise. Some members of the country's large community of Nigerian immigrants complained of discrimination and abuse by government officials.

The government arrested Southern Cameroons National Council (SCNC) activists for participating in SCNC activities (see section 3).

Security forces also arrested journalists and a human rights activist during the year (see sections 2.a. and 5).

In the North and Far North regions, the government continued to permit traditional chiefs, or lamibe, temporarily to detain persons outside the government penitentiary system, in effect creating private prisons, until they transferred them to the police or gendarmerie and the judicial system (see section 1.c.).

Pretrial Detention: The law provides for a maximum of 18 months' detention before trial, but many detainees waited up to 10 years before trial. According to the Pride project and the NCHRF, more than 70 percent of inmates were pretrial detainees. Although the law precludes holding juvenile detainees more than three months after the conclusion of an investigation, they sometimes were held for more than a year without trial. Judicial inefficiency, a shortage of lawyers, corruption, and lost files due to an inadequate tracking system contributed to lengthy pretrial detention.

#### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, but the judiciary remained corrupt, inefficient, and subject to political influence. The court system is subordinate to the Ministry of Justice. The constitution names the president as "first magistrate," thus "chief" of the judiciary and the theoretical arbiter of any sanctions against the judiciary, although the president has not played this role publicly. The constitution specifies that the president is the guarantor of the legal

system's independence. He also appoints all judges with the advice of the Higher Judicial Council.

Despite such executive influence, the judiciary occasionally demonstrated independence. In May the Mfoundi Yaounde High Court in Yaounde issued a not-guilty verdict in the high-profile corruption case of a former secretary general of the presidency, Jean Marie Atangana Mebara. The acquittal was unusual in that all previous high-profile cases had resulted in convictions. However, authorities did not release Mebara but instead prosecuted and convicted him on new charges.

The legal system includes national and customary law, and many criminal and civil cases can be tried using either one. Criminal cases generally were tried in statutory courts.

Customary courts served as a primary means for settling domestic cases, such as succession, inheritance, and child custody. Customary courts may exercise jurisdiction in a civil case only with the consent of both parties. Either party has the right to have a case heard by a statutory court and to appeal an adverse decision by a customary court to the statutory courts.

Customary court convictions involving witchcraft are automatically transferred to the statutory courts, which act as the court of first instance. The law provides for sentences of between two and 10 years' imprisonment and fines of between 5,000 CFA francs (\$10) and 100,000 CFA francs (\$200) to "whoever commits any act of witchcraft, magic or divination liable to disturb public order or tranquility, or to harm another in his person, property or substance, whether by the taking of a reward or otherwise." In adjudicating such cases, courts relied on the testimony of witnesses and sorcerers, as well as confessions from the accused. Trials for alleged witchcraft occurred infrequently. In August the Abong-Mbang court of first instance, in the Upper Nyong Division, East Region, acquitted a man who had been accused of killing his brother using witchcraft. In delivering its verdict, the court said the facts could not be established beyond reasonable doubt.

Customary law is deemed valid only when it is not "repugnant to natural justice, equity, and good conscience." However, many citizens in rural areas remained unaware of their rights under civil law and were taught they must abide by customary laws. Customary law ostensibly provides for equal rights and status, although men may limit women's rights regarding inheritance and employment. Some traditional legal systems regard wives as the legal property of their husbands. Customary law practiced in rural areas is based upon the traditions of the ethnic

group predominant in the region and adjudicated by traditional authorities of that group.

Military tribunals may exercise jurisdiction over civilians when the president declares martial law and in cases involving civil unrest or organized armed violence. Military tribunals also have jurisdiction over gang crimes, banditry, and highway robbery if such crimes are committed with firearms.

### **Trial Procedures**

The law provides for a fair public hearing in which the defendant is presumed innocent. There is no jury system. Defendants have the right to be present and to consult with an attorney in a timely manner, and the government generally respected this right. Authorities generally allowed defendants to question witnesses and to present witnesses and evidence on their own behalf. Defendants had access to government-held evidence relevant to their cases and could appeal a conviction, although in some cases, the government did not make the evidence available in a timely fashion. Because appointed attorneys received little compensation, the quality of legal representation for indigent clients was often poor. The bar association and some voluntary organizations such as the Cameroonian Association of Female Jurists and Lawyers without Borders offered free assistance in some cases. A program funded by the EU to improve the human rights and conditions of detainees also allowed lawyers to continue to offer free assistance to 3,000 detainees.

Despite a 2009 law to provide attorneys to indigent defendants at public expense, in many cases lawyers refused to defend such clients because they considered the government's compensation inadequate.

### **Political Prisoners and Detainees**

Two high-profile arrests of former government officials took place during year, and while the former prime minister and former minister of state were charged with corruption, many NGOs considered the arrests politically motivated and labeled them political detainees. In addition, there were other reports of political detainees, Titus Edzoa and Michel Thierry Atangana, but all were charged with other crimes.

On September 21, the Mfoundi High Court delivered a guilty verdict in the trial of Marafa Hamidou Yaya, former secretary general of the presidency and former

minister of state for territorial administration and decentralization, on embezzlement charges stemming from the purchase of a presidential plane in 2001. The presiding judge read a 1,156-page judgment that contained mostly allegations and insinuations, but little evidence, and sentenced Marafa to 25 years' imprisonment. Observers noted that many aspects of the case pointed to executive interference.

Police arrested Marafa four months after being dismissed from government in December 2011. Authorities held him in harsh conditions and denied him access to his counsel and family before moving him to a detention center under the control of the minister of defense, where officials held him in isolation. While access to his family and lawyers was eventually restored, he was not allowed paper or writing utensils after several letters published early in his incarceration embarrassed the ruling party, including current ministers. Officials also denied Marafa's lawyers timely access to the state's evidence against their client.

On October 4, despite reports of trial irregularities and restricted access to counsel, the Mfoundi High Court convicted Titus Edzoa, former minister of health and longtime aide to President Biya, and Michel Thierry Atangana, Edzoa's 1997 campaign manager, of embezzlement of public funds and sentenced them to 15 years' imprisonment. Both were already serving 15 years on charges of embezzling public funds, but in 2009 the prosecutor filed new charges against them.

### **Civil Judicial Procedures and Remedies**

Citizens have the right to seek redress for alleged wrongs through administrative procedures or through the legal system, although both options involved lengthy delays. There were problems enforcing civil court orders due to bureaucratic inefficiency.

#### **f. Arbitrary Interference with Privacy, Family, Home, or Correspondence**

Although the constitution and law prohibit arbitrary interference with privacy, family, home, or correspondence, these rights were subject to restriction for the "higher interests of the state," and there were credible reports that police and gendarmes harassed citizens, conducted searches without warrants, and opened or seized mail with impunity. Police sometimes detained family members and neighbors of criminal suspects.

The law permits a police officer to enter a private home during daylight hours without a warrant if he is pursuing a criminal suspect. A police officer may enter a private home at any time in pursuit of a person observed committing a crime.

An administrative authority, including a governor or prefect, may authorize police to conduct neighborhood sweeps without warrants. Such sweeps at times involved forced entry into homes in search of suspected criminals or stolen or illegal goods. Security forces sometimes sealed off a neighborhood, systematically searched homes, arrested persons, sometimes arbitrarily, and seized suspicious or illegal articles (see section 1.d.). Police detained citizens without identification cards until identity could be established. There were several complaints that police arbitrarily confiscated electronic devices, including cell phones.

Unlike in the previous year, human rights organizations did not report any arbitrary eviction of persons from their land.

## **Section 2. Respect for Civil Liberties, Including:**

### **a. Freedom of Speech and Press**

Freedom of Speech: Although the law provides for freedom of speech and press, it also criminalizes media offenses, and the government restricted freedoms of speech and press during the year. Government officials threatened, harassed, arrested, and denied equal treatment to individuals or organizations that criticized government policies or expressed views at odds with government policy. Individuals who criticized the government publicly or privately sometimes faced reprisals. The government increasingly abused the law requiring notification of public protests to stifle discourse before it could begin. The government attempted to impede criticism by monitoring political meetings.

On August 4, in Bamenda, Northwest Region, police disrupted a Southern Cameroons Liberation Movement (SOCALIM) meeting in a private residence. SOCALIM is critical of the government and considers it an occupying power on Anglophone soil. Police arrested six activists and charged them with disturbing public order. The trial continued at year's end, with the last hearing on November 30.

On August 13, police officers from the Yaounde Central Police Precinct I disrupted a press conference in which a coalition of opposition parties announced the imminent rebirth of the Cameroon Renaissance Movement (CRM). As guests

gathered for the scheduled press conference, police entered the room, demanding to see the permission letter authorizing the event. When organizers produced the certified letter, police locked the door and cut off electricity to the room. The following day police blocked access to the CRM's headquarters when journalists tried to interview the CRM interim president.

Freedom of Press: Approximately 400 privately owned newspapers published during the year, but only an estimated 25 had sufficient funds to publish regularly. The government enforced media regulations irregularly, often implementing arduous requirements selectively for regime critics. The government continued to disburse official funds to support private press outlets, although it disbursed funds selectively to outlets less critical of the government and with instructions to provide reporting favorable to the government. Government officials used expansive libel laws to arraign journalists who criticized them and to suspend newspapers. The authorities did not accredit privately owned media with the president's or prime minister's offices, and did not give private media permission to accompany the president on official trips.

On January 23, the president signed a decree reorganizing the National Communication Council (NCC) and empowering it with sanction capabilities. Sanctions could range from warnings to temporary suspension no longer than six months to complete bans. On June 27, the prosecutor general at the center court of appeal issued a reminder requesting the NCC ensure that all printed media comply with the 1990 Law on Social Communication (article 13) requirement that editors in chief deposit copies of each newspaper edition with the Prosecutor's Office for scrutiny two hours prior to publication. On June 28, the National Union of Cameroonian Journalists characterized the prosecutor's injunction as "new intimidation maneuvers" and reminded them that the legal requirement is submission two hours after publication.

On February 23, the police, led by a subdivisional officer from Yaounde V police station, raided and then cancelled an event at the Yaounde Hilton Hotel to launch a book concerning former Ivorian president Laurent Gbagbo. The police officer alleged that the author, a Franco-Cameroonian journalist, had not followed the law governing such events, the book amounted to interference in the internal affairs of a friendly nation, and its circulation in the country would bring about a breach in public order.

Violence and Harassment: Security forces detained, arrested, and abused journalists during the year, although no journalists died in custody as in previous years.

On January 24, police officers from the Yaounde VI police station arrested and detained two journalists, Stephanie Goembang from *La Nouvelle Expression* and Josephine Abiala from *Mutations* newspapers, who were trying to interview a politician about his investigation of a possible baby theft ring at the Yaounde Gynecologic and Obstetrics Hospital. The police confiscated the journalists' equipment and erased all the information recorded. The police released the journalists without charge after several hours of detention.

Security forces also arrested and detained Cameroonian journalists representing foreign media outlets.

On October 1, Baature Edua Mvochou, a Nigerian national and editor of *African Drum* magazine published in Nigeria, and Martin Yembe Fon, editor of local newspaper *The Frontier Telegraph*, were arrested while covering a secessionist gathering at a church in Buea. After 10 hours of detention, police took them to court and charged them with unlawful assembly under section 231(a) of the penal code. At year's end both were free on bail but faced a fine and up to six months in jail.

There were no developments in the January 2011 case where Mvila Division, South Region Police Commissioner Evina assaulted Rodrigue Tongue, a journalist working for *Le Messenger* newspaper.

Approximately 375 privately owned radio stations operated in the country, three-fourths of them in Yaounde and Douala. The government required nonprofit rural radio stations to submit applications to broadcast, but they were exempt from licensing fees. Commercial radio and television broadcasters must submit a licensing application and pay an application fee and thereafter pay a high annual licensing fee. Although the government did not issue new broadcast licenses during the year, companies operated without them under a government policy of administrative tolerance.

Several rural community radio stations functioned with foreign funding. The government prohibited these stations from discussing politics.



The 19 independent television stations avoided criticism of the government, although their news broadcasts sometimes focused on poverty, unemployment, and poor education, pointing to the role of government neglect and corruption. The state-owned Cameroon Radio and Television (CRTV) broadcast on both television and radio. The government levied taxes to finance CRTV programming, which gave the station an advantage over independent broadcasters.

The government was the largest advertiser in the country. Some private media enterprises reported government officials used the promise of advertising (or the threat of withholding it) to influence reporting of the government's activities.

Censorship or Content Restrictions: Some observers alleged that journalists and media outlets practiced self-censorship.

Libel Laws/National Security: Press freedom is constrained by strict libel laws that suppress criticism. These laws authorize the government, at its discretion and the request of the plaintiff, to criminalize a civil libel suit or to initiate a criminal libel suit in cases of alleged libel against the president and other high government officials. Such crimes are punishable by prison terms and heavy fines. The libel law places the burden of proof on the defendant. Government officials abused this law to keep local journalists from reporting on corruption and abusive behavior.

On July 4, the Batcham gendarmerie, in the West Region, arrested and detained Justin Yemeli Talatadji, the general manager of Batcham FM, a private radio station that broadcasts programs in French and local languages. The arrest and detention followed a libel suit that the mayor of Batcham filed against Talatadji. Talatadji was released after two days of detention and interrogation. At year's end his case was pending further court action.

## **Internet Freedom**

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. The International Telecommunication Union reported that 5 percent of individuals used the Internet and 3 percent of households had access to the Internet in 2011.

## **Academic Freedom and Cultural Events**

Although there were no legal restrictions on academic freedom, state security informants reportedly operated on university campuses. Professors said that

participation in opposition political parties or public criticism of the government could affect their professional opportunities.

On June 29, Soa police preemptively arrested and detained four students from the University of Yaounde II-Soa on allegations that they planned an illegal protest march on the campus. They were released later (see section 2.b.).

## **b. Freedom of Peaceful Assembly and Association**

### **Freedom of Assembly**

Although the law provides for freedom of assembly, the government restricted this right in practice. The law requires organizers of public meetings, demonstrations, and processions to notify officials in advance but does not require prior government approval of public assemblies and does not authorize the government to suppress public assemblies that it has not approved in advance. However, officials routinely asserted that the law implicitly authorizes the government to grant or deny permission for public assembly. Consequently, the government often refused to grant permits for assemblies organized by persons or groups critical of the government and used force to suppress public assemblies for which it had not issued permits. The government also prevented civil society organizations and political parties from holding press conferences where criticism of the presidential election, corruption, and abuse of power were expected.

On January 25, the subdivisional officer of Yaounde V banned a press conference that Maurice Kamto, a former minister-delegate for justice, had scheduled for the same day to explain the reasons for his November 2011 resignation. The subdivisional officer argued that the former minister's written communique announcing the resignation was sufficiently informative.

Kamto and his CRM party continued to be the victims of harassment. On September 29, shortly after the start of a CRM meeting that had been duly declared to authorities, the subdivisional officer of Yaounde I appeared with gendarmes and police officers at the Complexe Scolaire La Gaite and canceled the meeting, stating that it was not authorized. Despite the organizers' protests, the territorial command officer maintained his decision. The participants then drove to party headquarters in Odza to resume their work without further disruption.

Authorities refused to grant the SCNC permission to hold rallies and meetings, and security forces arrested and detained SCNC activists (see section 3).

The government also continued to keep some opposition activists and dissidents under surveillance.

On September 30, in Tiko, Molyko, and Limbe, and on October 1, in Buea and Bamenda, police put the houses of SCNC officials and activists under surveillance to monitor preparations for protests on Unification Day. The SCNC is an Anglophone group the government considers illegal because it advocates secession. The group does not have legal status, as it has never filed an application to become either a political party or other legally recognized organization.

Security forces forcibly disrupted demonstrations, meetings, and rallies of citizens, trade unions, and political activists throughout the year. The use of excessive force by security forces resulted in numerous injuries to demonstrators.

On June 29, the Soa police preemptively arrested and detained four students from the University of Yaounde II-Soa, on allegations that they planned an illegal protest march on the campus. The students were beaten and harassed. On July 31, a court sentenced them to time served and three years' probation.

On September 30, security forces used tear gas to disrupt demonstrations by SCNC activists in Tiko and Buea. Also in September police violently dispersed vendors in Yaounde's Mokolo Market.

### **Freedom of Association**

The law provides for freedom of association, but the government limited this right in practice. The law prohibits organizations that advocate any type of secession, resulting in the disruption of SCNC meetings on the grounds that the purpose of the organization rendered any meetings illegal.

On August 4, police arrested members of SOCALIM in a private home and charged them with holding an unlawful meeting in a public place to disturb the peace. A hearing was held in Bamenda on November 30 (see section 3).

Security officials also detained other SOCALIM and SCNC members to prevent them from holding meetings in October (see section 3).

The conditions for government recognition of political parties, NGOs, or associations were complicated, involved long delays, and unevenly enforced. The

process resulted in associations operating in legal uncertainty in which their activities were tolerated but not formally approved. However, 282 registered political parties were registered.

### **c. Freedom of Religion**

See the Department of State's *International Religious Freedom Report* at [www.state.gov/j/drl/irf/rpt](http://www.state.gov/j/drl/irf/rpt).

### **d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons**

Although the constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, these rights sometimes were impeded. The government cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, and asylum seekers.

In-country Movement: Security forces at roadblocks and checkpoints in cities and on most highways often extorted bribes and harassed travelers. Police frequently stopped travelers to check identification documents, vehicle registrations, and tax receipts as security and immigration control measures. There were credible reports that police arrested and beat individuals who failed to carry their identification cards as required by law (see section 1.d.).

Exile: The law prohibits forced exile, and the government did not use it; however, some human rights monitors and political opponents remained in self-imposed exile because they felt threatened by the government.

### **Protection of Refugees**

Access to Asylum: The country's laws provide for the granting of asylum or refugee status, and the government has established a system of providing protection to refugees.

The country continued to host approximately 101,000 refugees, the vast majority of whom were from the Central African Republic (CAR). The government provided refugees the same rights to basic services as the host population. While there were reports of discrimination and mistreatment of refugees, these were mainly isolated incidents related to corruption and neighborhood disputes.

Refugees, usually employed informally, were also vulnerable to arbitrary dismissal without financial compensation. Refugee access to legal remedies, as with the general population, remained limited.

Durable Solutions: Late in the year, following a tripartite agreement with the government and Chad, the UNHCR began repatriation of approximately 3,200 Chadians. Security concerns in CAR prevented large-scale, organized returns.

Temporary Protection: The government provided temporary protection to individuals who may not qualify as refugees as well as recognized refugees. The totals included 110,000 from CAR, 7,500 from Chad, and 4,000 from Nigeria. Most Chadians departed during the year.

### **Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government**

The law provides citizens with the right to change their government peacefully; however, President Biya and CPDM members controlled key aspects of the political process, including the judiciary.

#### **Elections and Political Participation**

Recent Elections: In October 2011 CPDM leader Paul Biya, who garnered more than 77 percent of the vote, won reelection as president, a position he has held since 1982. The election was peaceful but marred by irregularities, including polls that opened late, a voter list that contained numerous duplicate entries, insufficient time to distribute registration cards, inadequate training of polling officials, and the absence of indelible ink. These shortcomings effectively disfranchised an unknown number of voters and created opportunities for multiple voting and ballot box stuffing. Domestic and international observers concluded that the irregularities did not significantly affect the election outcome. Citizens residing overseas registered and voted.

The opposition vote was divided among 22 candidates. The large number of opposition candidates reportedly contributed to voter apathy and cynicism. According to the Centre for Human Rights and Peace Advocacy, an organization with special consultative status at the UN, less than 30 percent of the population voted. The government claimed that 66 percent of the population cast ballots.

On April 19, President Biya promulgated a new electoral code that combines previously disparate electoral laws into a single electoral code. Despite the high registration fees and prohibition against anyone with ties to a foreign power from running, the law provides for some improvements, including biometric voter registration, acceptance of independent candidacies, and the proclamation of results right after the elections.

Political Parties: The country has 282 registered political parties. Membership in the ruling political party conferred significant advantages, including in the allocation of key jobs in state-owned entities and the civil service. The president appoints all ministers, including the prime minister, and also directly appoints the governors of each of the 10 regions, who also serve as CPDM officials. The president has the power to appoint important lower-level members of the 58 regional administrative structures as well. The government pays the salaries of (primarily nonelected) traditional leaders, which creates a system of patronage.

Residents of the Anglophone Northwest and Southwest regions tended to support the opposition Social Democratic Front party and consequently claimed to suffer disproportionately from human rights abuses committed by the government and its security forces. Many residents of the Anglophone regions sought greater freedom, equality of opportunity, and better government by demanding regional autonomy rather than national political reform, and they have formed several quasi-political organizations in pursuit of their goals.

Authorities sometimes refused to grant opposition parties permission to hold rallies and meetings and arrested SCNC and SOCALIM activists for participating in political activities.

The government also subjected SOCALIM activists to the same treatment. On August 4, authorities arrested without warrants 14 members of SOCALIM during a regular meeting in a private home. Charged with holding an unlawful meeting in a public place to disturb the peace, a court released them under heavy bail and postponed their trial until September 28.

Participation of Women and Minorities: Women held 23 of 180 seats in the National Assembly, nine of 66 cabinet posts, and a few of the higher offices within the major political parties, including the CPDM.

The Baka people, commonly known as Pygmies, were not represented in the National Assembly or in the higher offices of government.

#### **Section 4. Corruption and Lack of Transparency in Government**

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and corruption was pervasive at all levels of government. Officials frequently engaged in corrupt practices with impunity, and the World Bank's most recent Worldwide Governance Indicators reflected that corruption was a severe problem. The public perception was that judicial and administrative officials were open to bribes in almost all situations. In June 2011 the National Institute of Statistics published a study indicating that 87 percent of households considered corruption a major issue in the country.

During the year the government sanctioned hundreds of government employees for corruption, embezzlement, and mismanagement.

According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2011*, the National Anti-Corruption Commission (CONAC) and the National Financial Investigations Unit (ANIF) received 1,375 suspicious reports, denunciations, and complaints of corruption and alleged cases of embezzlement of public funds in 2011; the courts heard 115 cases of corruption and embezzlement of public funds. While CONAC is the country's principal independent anticorruption agency, it was subservient to the president and lacked autonomy. ANIF is a separate financial intelligence unit that tracks money laundering and terrorist finance.

On January 12, the prime minister launched Phase II of the Change Habits--Oppose Corruption program, meant to implement all legal provisions to fight corruption, specifically the adoption of a comprehensive anticorruption law. The law, and a decree to implement article 66 of the constitution requiring some public officials to declare their assets at the beginning and at the end of their tenure of office, continued to languish. Since its inception in 2007, the program has developed legal, strategic, and institutional instruments for the fight against corruption, including a national anticorruption strategy.

Police were corrupt. Individuals reportedly paid bribes to police and the judiciary to secure their freedom. Police demanded bribes at checkpoints, and influential citizens reportedly paid police to make arrests or abuse individuals involved in personal disputes.

Police were sanctioned for corruption during the year. Some officers convicted of corruption were relieved of their duties but retained their jobs.

In June the DGSN ordered the arrest of nine police officers involved in the trafficking of national identification papers, including IDs and residence permits. All nine remained in detention pending trial at year's end.

Judicial corruption was a problem. According to several press reports, judicial authorities accepted illegal payments from detainees' families in exchange for a reduced sentence or the outright release of their relatives. Judges were susceptible to executive influence and often stopped or delayed judicial proceedings in response to governmental pressure. Many powerful political or business interests had virtual immunity from prosecution, and politically sensitive cases occasionally were settled through bribery.

On April 23, President Biya signed a decree dismissing Jeanne d'Arc Mvogo, a fourth grade magistrate serving at the Audit Bench of the Supreme Court, from the magistracy corps for corrupt practices.

Former prime minister Ephraim Inoni's case was pending at year's end. In December the court further charged Inoni and Jean Marie Atangana Mebara of embezzling CFA 287 million (\$574, 0000) from kickbacks tied to public works contracts.

In 2009 Jean Baptiste Nguini Effa, the former general manager of the government-owned National Petroleum Distribution Company, and six of his close collaborators were charged with embezzlement. On October 13, the Wouri High Court convicted Effa and sentenced him to 30 years' imprisonment. Three of Effa's close collaborators, Onana Andzi, Jean Beautempts Mackongo, and Marc Didier Etoundi, were sentenced to 13, 12, and 10 years respectively. The court also confiscated their property and ordered them to collectively pay approximately CFA 2 billion (four million dollars) to the Cameroon Oil Distribution Company, and CFA 20 million (\$40,000) to the state. Effa's lawyers stated they would appeal the ruling.

The constitution and law require senior government officials, including members of the cabinet, to declare their assets; however, the president had not issued the requisite decree to implement the law by year's end.



There are no laws providing citizens with access to government information, and such access was difficult to obtain. Most government documents, such as statistics, letters exchanged between various administrations, draft legislation, and investigation reports, were not available to the public or the media.

### **Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights**

Although a number of domestic and international human rights groups investigated and published findings on human rights cases, government officials repeatedly impeded the effectiveness of many local human rights NGOs during the year by harassing their members, limiting access to prisoners, refusing to share information, and threatening violence against NGO personnel.

During the year the pattern of government intimidation against Maximilienne Ngo Mbe, leader of the Network of Defenders of Human Rights in Central Africa (REDHAC), continued. In 2010, following Ngo Mbe's criticism of the country's human rights record, she began receiving threats. REDHAC issued several statements informing the public of threats and harassment against her, including tapped telephones and anonymous telephone threats. On January 28, in Mamfe, Southwest Region, two armed individuals kidnapped and threatened Ngo Mbe with rape and death. Her driver disarmed the gunman, and she escaped unharmed. According to Ngo Mbe, the language and the type of gun used by the assailants were typical of those used by security forces. Ngo Mbe's niece was subsequently raped by hooded and armed assailants, who said their assault was in retaliation for her aunt's activism.

Despite these restrictions, numerous independent domestic human rights NGOs continued operations, including the National League for Human Rights, Organization for Human Rights and Freedoms, Association of Women Against Violence, Movement for the Defense of Human Rights and Freedoms, and Cameroonian Association of Female Jurists.

The government collaborated with domestic and international NGOs to address child labor, women's rights, and trafficking in persons. It also collaborated with NGOs to validate the Ministry of Justice's annual report on human rights.

The government arrested human rights activists during the year. On March 27, Yaounde police arrested and detained for three hours Stephane Koche, vice president of the Association for the Defense of the Rights of Homosexuals, during

a seminar that he conducted on the rights of sexual minorities. No charges were filed.

Government Human Rights Bodies: Although the NCHRF remained hampered by a shortage of funds, during the year it conducted a number of investigations into human rights abuses, visited prisons, sought to obtain medical attention for jailed suspects, and organized several human rights and trafficking-in-persons seminars for judicial officials, security personnel, and other government officials. The commission rarely criticized specific government human rights abuses publicly, but its staff intervened with government officials in cases of human rights abuses by security forces and published a report on the conduct of the presidential election. On June 27, at its 12th ordinary session, the NCHRF chairman expressed satisfaction with the continuing rise in the number of complaints handled throughout the regions, which he stated reflected “an increasing awareness of the work of the commission, and citizens becoming more aware of their rights.”

During the year the NCHRF also continued its efforts to stop “Friday arrests” (the practice of detaining individuals on Friday to prolong the time before court appearance). In its 2011 annual report on the situation of human rights, released in January, the NCHRF stated that persons were arrested and abusively deprived of their liberty and that it was common for individuals to be arrested and kept on public holidays or outside working hours.

The National Assembly’s Constitutional Laws, Human Rights and Freedoms, Justice, Legislation, Regulations, and Administration Committee reviews human rights legislation submitted by the government and was instrumental in the National Assembly’s November 2011 passage of a law criminalizing the trafficking of adults.

On October 24, the government released the *Report by the Ministry of Justice on Human Rights in Cameroon in 2011*. The report documented hundreds of investigations, disciplinary actions, and prosecutions in 2011 (see sections 1.c., 1.d., and 4).

## **Section 6. Discrimination, Societal Abuses, and Trafficking in Persons**

The law does not explicitly forbid discrimination based on race, language, or social status, but it prohibits discrimination based on gender and mandates that “everyone has equal rights and obligations.” The government did not enforce these provisions effectively, and violence and discrimination against women and girls,

trafficked persons, ethnic minorities, gays and lesbians, and suspected witches were problems.

## **Women**

Rape and Domestic Violence: Although the law criminalizes rape and provides penalties of between five and 10 years' imprisonment for convicted rapists, police and the courts rarely investigated or prosecuted rape cases. The law does not address spousal rape. During the year the media reported approximately 52 rape cases, one in Douala and 51 in Yaounde, of which 50 were in the vicinity of the University of Yaounde II-Soa. Police arrested and detained the perpetrator of the Douala rape, but the prosecutor subsequently released him. The police failed to identify any of the perpetrators of the Yaounde rapes or to provide adequate protection in the area where 99 percent of them occurred.

The Ministries of Social Affairs and Women's Empowerment and the Family collaborated with the German Agency for International Cooperation and local NGOs to continue their campaign to raise awareness of rape and educate citizens on penal provisions against rape. Campaign activities included the distribution of leaflets and T-shirts bearing messages, conferences in schools and women's associations, and radio broadcasts.

The law does not specifically prohibit domestic violence, although assault is prohibited and punishable by imprisonment and fines. Spousal abuse is not a legal ground for divorce.

Female Genital Mutilation/Cutting (FGM/C): Women over 18 were subjected to FGM/C in isolated areas of Far North, East, and Southwest regions; most FGM/C victims were children (see section 6, Children).

Sexual Harassment: The law does not prohibit sexual harassment. The government did not conduct any public education campaigns on the subject, and there were no statistics available on its occurrence, although observers believed it was widespread.

Reproductive Rights: Couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of children, but societal pressures continued to reinforce taboos on discussing contraception and all other sex-related issues, particularly in northern rural areas. Prenatal care, skilled attendance during childbirth, and postpartum care were not available to many women, particularly to

those living in rural areas. World Bank, UNICEF, UN Population Fund, and World Health Organization 2010 statistics estimated the maternal mortality rate at 690 per 100,000 births and the contraceptive prevalence rate at approximately 27 percent. In cooperation with NGOs, the government conducted programs to educate couples. During the year the Ministry of Public Health produced radio and television information programs on responsible parenthood and encouraged couples to use contraception to space the timing of their children. Couples were also encouraged to get HIV/AIDS testing prior to conception, and efforts continued to increase HIV/AIDS testing for pregnant women at health clinics.

Discrimination: Despite constitutional provisions recognizing women's rights, women did not enjoy the same rights and privileges as men, and some provisions of civil law were prejudicial to women. For example, the law allows a husband to deny his wife's right to work, and a husband may also end his wife's right to engage in commercial activity by notifying the clerk of the commerce tribunal. Customary law imposes further strictures on women since in many regions a woman was regarded as the property of her husband. Because of custom and tradition, civil laws protecting women often were not respected. For example, in some ethnic groups women were precluded from inheriting from their husbands. The Ministry of Women's Empowerment and the Family worked with other government agencies to promote the legal rights of women. In September, the ministry conducted training for magistrates and judicial auxiliaries on international conventions relevant to protecting women's rights.

## **Children**

Birth Registration: Citizenship is derived from the parents, and it is the parents' responsibility to register births. Parents must obtain a birth declaration from the hospital or health facility in which the child was born and complete the application. The mayor's office issues the birth certificate once the file is completed and approved. Because many children were not born in formal health facilities, and many parents were unable to reach local government offices, many births were unregistered. Statistics on unregistered births were unavailable. In recent years the government created special civil status centers in remote areas to enable rural residents to register their children. Citizens unable to avail themselves of these resources often turned to a thriving industry for fabricated birth certificates, as birth certificates were required to register children for school or obtain a national identification card. The government continued its program begun in 2005 to issue birth certificates to Baka (Pygmies), most of whom did not have birth certificates

(see section 6, Indigenous People). The program also assisted Baka in registering for school.

Education: Schooling is mandatory through the age of 14, but parents had to pay uniform and book fees for primary school students and tuition and other fees for secondary school students, rendering education unaffordable for many children. The government continued its three-year program to improve school access by building new classrooms, recruiting new teachers, and providing water fountains.

A low school enrollment rate was attributed to cost, with girls' participation further reduced by early marriage, sexual harassment, unwanted pregnancy, prejudice, and domestic responsibilities. Statistics published by the Ministry of Basic Education during the year showed that 46 percent of women and girls completed primary school and 22 percent graduated from secondary school.

Child Abuse: Child abuse was a major problem. An August 2011 survey by Réseau National des Associations de Tantines found that 76 percent of children reported being hit frequently at home and 10 percent of those between six and 15 years old reported sexual abuse. Newspaper reports often cited children as victims of kidnapping, mutilation, and infanticide. There were credible stories of mothers (usually young, unemployed, and unmarried) abandoning their newborns in streets, latrines, or garbage cans.

A campaign to sensitize the public to child abuse, begun by the government in 2011 in partnership with UNICEF and covering five regions, continued to operate during the year in two regions.

Child Marriage: The minimum legal age for marriage is 15 for women (requiring parental approval for a minor) and 18 for men. Many families tried to marry their female children before they turned 12 years old. Early marriage was prevalent in the northern regions of Adamawa, North, and particularly Far North, where many girls as young as nine faced severe health risks from pregnancies. There were no statistics on the prevalence of child marriage, but the courts heard one forced marriage case in 2010.

Harmful Traditional Practices: The law does not prohibit FGM/C, which was practiced in isolated areas of the Far North, East, and Southwest regions. Statistics on its prevalence were unavailable. Internal migration contributed to the spread of FGM/C to different areas. The majority of FGM/C procedures were clitorectomies. The severest form of FGM/C, infibulation, was performed in the

Kajifu area of the Southwest Region. FGM/C usually was practiced on infants and preadolescent girls. Public health centers in areas where FGM/C was frequently practiced counseled women about the harmful consequences of FGM/C. According to the Association Against Violence Toward Women, FGM/C practitioners frequently conducted secret ceremonies following procedures on girls.

In December the Ministry of Women's Empowerment and the Family trained community leaders on FGM/C, concentrating on areas vulnerable to FGM/C, including the Far North, Manyu in the Southwest, and Yaounde's Briquetterie neighborhood. The ministry also drafted and disseminated a plan of action to fight FGM/C that it shared with international, regional, and national legal entities covering human rights issues.

Breast ironing, a procedure to flatten a young girl's growing breasts with hot stones, cast-iron pans, or bricks, was performed on many girls, according to press reports and informed observers. The procedure was considered a way to delay a girl's physical development, thus limiting the risk of sexual assault and teenage pregnancy. Girls as young as nine were subjected to the practice, which resulted in burns, deformities, and psychological problems.

Sexual Exploitation of Children: Penalties for the sexual exploitation of children include imprisonment of 15 to 20 years and a fine of 100,000 to 10 million CFA francs (\$200 to \$20,000). The law does not specifically provide a minimum age for consensual sex. The law prohibits the use of children for the production of pornography and provides for prison terms from five to 10 years and fines of five to 10 million CFA francs (\$10,000 to \$20,000) for perpetrators who use any electronic system to forward child pornography or any document that could harm the dignity of a child. Children under the age of 18 were engaged in prostitution, and the problem was believed to be pervasive, although no statistics were available.

Displaced Children: Approximately 2,000 children lived on the streets of major urban centers. The Project to Fight the Phenomenon of Street Children, a governmental project in partnership with NGOs, gathered information on street children and offered health care, education, and psychological care. The project also bolstered the intake capacities of specialized centers. In June in Yaounde and Douala, the Ministry of Social Affairs reunited 121 street children with their families.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

### **Anti-Semitism**

The Jewish community was very small, and there were no reports of anti-Semitic acts.

### **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **Persons with Disabilities**

The law requires that both new and existing government and private buildings be designed to facilitate access by persons with disabilities. Secondary public education is tuition free for persons with disabilities and children born of parents with disabilities, and initial vocational training, medical treatment, and employment must be provided "when possible," and public assistance "when needed." In August the ministers of education and social affairs publicly reminded all schoolmasters that children with disabilities and children of parents with disabilities would be admitted to school tuition free.

Of the 25,000 young, educated citizens recruited during the year by the government to reduce unemployment, especially among youth, approximately 0.1 percent were persons with disabilities.

Societal discrimination continued against persons with albinism. Such discrimination occurred less frequently than in previous years, but employment opportunities for persons with albinism remained limited, although at least one such individual occupied a senior position in the government.

Society largely treated those with disabilities as outcasts, and many believed that providing assistance was the responsibility of churches or foreign NGOs.

### **National/Racial/Ethnic Minorities**

The population consists of an estimated 286 ethnic groups, among which there were frequent and credible allegations of discrimination. Ethnic groups commonly

gave preferential treatment to fellow ethnic group members in business and social practices. Members of the president's Beti/Bulu ethnic group from southern areas held key positions and were disproportionately represented in the government, state-owned businesses, security forces, and the ruling CPDM party.

Northern areas continued to suffer from ethnic tensions between the Fulani (or Peuhl) and the Kirdi, who remained socially, educationally, and economically disadvantaged relative to the Fulani in the three northern regions.

Traditional Fulani rulers continued to wield great power over their subjects, who often included Kirdi, and sometimes subjected them to tithing and forced labor. Isolated cases of hereditary servitude were alleged, largely Fulani enslavement of Kirdi.

### **Indigenous People**

An estimated 50,000 to 100,000 Baka, including Bakola and Bagyeli (Pygmies), resided primarily (and were the earliest known inhabitants) in the forested areas of the South and East regions. While no legal discrimination existed, other groups often treated the Baka as inferior and sometimes subjected them to unfair and exploitative labor practices. The government did not effectively protect their civil and political rights. Some observers believed that sustained logging was destroying the Baka's unique, forest-oriented belief system, forcing them to adapt their traditional social and economic systems to a more rigid modern society similar to their Bantu neighbors.

Local Baka along the path of the Chad-Cameroon Petroleum Development and Pipeline Project continued to complain that they were not compensated fairly for their land and had been cheated by persons posing as Baka representatives. At its inception in 2000, the Cameroon Oil Transportation Company (COTCO), which manages the Chad-Cameroon pipeline, established a system for adjudicating compensation and any other claims, using a committee with representatives from COTCO, local communities, NGOs, and the government. The committee paid almost 60 million CFA francs (\$120,000) in claims since the project's inception, including six million CFA francs (\$12,000) in the 12-month period ending in July 2011. The committee held thousands of meetings with local citizens over the years, including more than 400 during 2011. The committee also finished adjudicating active compensation claims in 2011 and began shifting resources toward eradicating malaria and conducting other corporate social responsibility projects affecting populations along the pipeline. In 2011 four local NGOs filed a



public complaint on behalf of individuals and communities affected by the pipeline. Grievances included worker accidents, oil spills, lack of compensation, and illegal trafficking of toxic waste. The compliance advisor ombudsman determined the complaint met its eligibility requirements and early in the year published an assessment report and offered to mediate a dispute resolution process. At year's end the NGOs were dissatisfied with the process and rate of progress.

The Ministry of Social Affairs continued efforts begun in 2005 to provide birth certificates and national identity cards to Baka; however, the majority of Baka did not have identity cards at year's end. Ministry teams reported that efforts to reach Baka were impeded by the difficulty in accessing their homes deep in the forest but that slow progress was being made.

### **Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity**

Consensual same-sex sexual activity is illegal and punishable by a prison sentence of six months to five years and a fine ranging from 20,000 to 200,000 CFA francs (\$40 to \$400). During the year at least five persons were arrested for suspected homosexual activity, although none were engaged in homosexual acts at the time of arrest.

Gay men and lesbians generally kept a low profile because of pervasive societal stigma, discrimination, and harassment as well as the possibility of imprisonment. Gay men and lesbians suffered from harassment and extortion by law enforcement officials. According to one human rights NGO, government officials and private citizens sometimes conspired to make false allegations of homosexuality to harass enemies or extort money.

In February police arrested three women in Ambam, South Region, on suspicions of engaging in same-sex conduct. Police charged two of the women with practicing homosexuality and with defaming a third woman, whose husband reported their relations to the authorities. Defense lawyers requested that the judge dismiss the case and submit a judgment of "No Case to Answer," based on a number of violations of basic human rights and international agreements affecting the procedure. On March 29, the Ambam lower court rejected the defense's arguments and ruled that it would hear the case. Defense lawyers appealed the ruling, and at year's end the case was pending in the South Court of Appeal.

On July 16, the Yaounde First Instance Court released Jean-Claude Roger Mbede on bail. In March 2011 the Yaounde lower court had sentenced him to three years in jail for sending a sexually explicit text message to another man. On December 17, the Center Court of Appeal confirmed the initial verdict and sentenced Mbede to three years' imprisonment. Mbede's lawyers decided to appeal to the Supreme Court.

In July 2011 police detained three men returning from a bar in Yaounde because two of the men appeared effeminate, according to the Association for the Defense of Homosexuality and Human Rights Watch. The three were jailed for one week before being charged, and the two who allegedly appeared effeminate (Jonas Kumie and Frankie Djome) were beaten on the soles of their feet until they confessed to being gay, according to a civil society group working on their behalf; the third man was released. After repeated postponements, a trial was held in September 2011 at which the two men who confessed to being gay were sentenced to five years in prison and fined 200,000 CFA francs (\$400). An arrest warrant was issued for the third man, who was convicted and sentenced in absentia to the same punishment. A final ruling was expected in October but was rescheduled for January 2013.

Several lesbian, gay, bisexual, and transgender organizations operated in the country. These organizations claimed there was a pattern of discrimination against members of such groups, although no official cases were available for citation.

### **Other Societal Violence or Discrimination**

Persons infected with HIV/AIDS often suffered official and social discrimination and were isolated from their families and society due to the societal stigma and lack of education about the disease.

Discrimination against persons suspected of practicing witchcraft was a problem in rural areas. Suspected witches and wizards were shunned and forced to travel to neighboring villages to buy food or maintain garden plots. Women whose children died at birth, for example, were suspected of selling their newborns to mystic forces in exchange for a long life.

Vigilante violence against persons suspected of theft resulted in at least six deaths during the year. Public frustration over police ineffectiveness and the release without charge of many individuals arrested for serious crimes contributed to vigilante violence. For example, on May 10, inhabitants of the Cite de la Paix

neighborhood of Douala beat to death a thief who allegedly stole a television and a DVD player from a house. An investigation continued at year's end.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law allows workers to form and join trade unions, conduct legal strikes, and bargain collectively, but the government imposed numerous restrictions in law and in practice. The law does not permit the creation of a union that includes both public and private sector workers or the creation of a union that includes different or even closely related sectors. The law requires that unions register with the government, permitting groups of no fewer than 20 workers to organize a union by submitting a constitution and bylaws, and nonconviction certifications for each founding member. The law provides for prison sentences and heavy fines for workers who form a union and carry out union activities without registration. Such penalties are in breach of International Labor Organization (ILO) conventions. Trade unions or associations of public servants may not join a foreign occupational or labor organization without prior authorization from the minister responsible for “supervising public freedoms.”

The constitution and law provide for collective bargaining between workers and management as well as between labor federations and business associations in each sector of the economy. The law does not apply to the agricultural or other informal sectors, which included the majority of the workforce.

Legal strikes may be called only after mandatory arbitration. Workers who ignore procedures to conduct a legal strike can be dismissed or fined. Before striking, workers must seek mediation from the Ministry of Labor and Social Security (MINLSS) at the local, regional, and ministerial levels. Only if mediation fails at all three levels can workers formally issue a strike notice and subsequently go on strike. The provision of the law allowing persons to strike does not apply to civil servants, employees of the penitentiary system, or workers responsible for national security, including police, gendarmerie, and army personnel. Instead of strikes, civil servants are required to negotiate grievances directly with the minister of the appropriate department in addition to the minister of MINLSS.

The constitution and law prohibit antiunion discrimination, and employers guilty of such discrimination are subject to fines of up to approximately one million CFA

francs (\$2,000). However, employers found guilty are not required to compensate workers for discrimination or to reinstate fired workers.

Industrial free zones are subject to labor law, except for the following provisions: the employers' right to determine salaries according to productivity, the free negotiation of work contracts, and the automatic issuance of work permits for foreign workers.

The government interfered with union activities. The government applied the law inconsistently, and some sections of labor law had no force or effect because the presidency had not issued implementing decrees. Government interference reportedly took various forms, including selectively recognizing certain trade unions and inconsistently applying the laws. Government officials stated that the government provided union certification within one month of application; however, independent unions, especially in the public sector, found it difficult to register. Some independent unions accused the government of creating small, nonrepresentative unions amenable to government positions, with which it could negotiate more easily. The government also reportedly bribed union leaders to call off strikes. For example, in 2011 transportation union strikes scheduled for early October were allegedly called off after union leaders received personal compensation from the government. Arbitration decisions are legally binding but were often unenforceable when the parties refused to cooperate. It was not uncommon for such decisions to be overturned or simply ignored by the government or employers. Antiunion discrimination occurred. The blacklisting of union members, unfair dismissal, creation of employer-controlled unions, and threats against workers trying to unionize were common practices. The government often created or used fake trade unions to counter strikes, especially in the transportation sector.

On January 4, in Bamenda, Mezam Division, Northwest Region, police and gendarmerie officers disrupted a sit-in organized by 35 dismissed workers of the Ayaba Hotel. The former employees called the sit-in because hotel management failed to pay them two of seven months' salary arrears, as provided for by an agreement that the two parties signed in December 2011.

Information surfaced in 2011 that in 2010, police in Yaounde dispersed a rally organized by members of the Public Sector Central Trade Union (CSP) to demand improved working conditions. Although the CSP had notified authorities in advance of the rally, the deputy divisional officer (who had no authority to ban demonstrations) banned the rally on the grounds that "public demonstrations of a

vindictive and/or protest nature are and shall remain prohibited throughout the entire department of Mfoundi.” Police subsequently arrested CSP president Jean-Marc Bikoko; CSP accountant Eric Nla’a; Secretary General of the Autonomous National Education and Training Trade Union Maurice Angelo Phouet Foe; Secretary General of the Unitary National Union of Teachers and Professors (SNUIPEN) Joseph Ze ; Executive Secretary of the Federation of Education Trade Unions of Cameroon Theodore Mbassi Ondoa; and two other SNUIPEN members. Accused of holding an “illegal demonstration” and “disturbing public order,” the trade unionists were brought before the public prosecutor without the opportunity to consult a lawyer. The public prosecutor ordered their provisional release the same day, and they remained awaiting trial at year’s end.

### **b. Prohibition of Forced or Compulsory Labor**

While the constitution and law prohibit forced and compulsory labor, they do not prohibit all forms of forced labor. The law prohibits slavery, exploitation, and debt bondage and voids any agreement in which violence was used to obtain consent. Violations of the law are punishable by prison terms of five to 20 years and fines ranging from 10,000 CFA francs (\$20) to 10 million CFA francs (\$20,000). In cases of debt bondage, penalties are doubled if the offender is also the guardian or custodian of the victim. The law also extends culpability for all crimes to accomplices and corporate entities. The government made efforts to prevent and eliminate forced labor and collaborated with the Interpol regional office. During the year the government matched its expression of political will by further improvement of the legal framework to prevent and combat child labor, including the ratification of the Optional protocol, the prosecution and sentencing of child traffickers, and efforts to build the capacity of relevant stakeholders. The government placed renewed emphasis on street children, considered most vulnerable to child/forced labor. The government identified 285 new cases of street children during the year, placing 207 with families and 25 in government institutions.

A 2011 law extends antitrafficking provisions to all persons regardless of age or gender.

There were credible reports of hereditary servitude imposed on former slaves in some chiefdoms in the North Region. Many Kirdi people, whose tribe had been enslaved by the Fulani people in the 1800s, continued to work for traditional Fulani rulers for some compensation, while their children were free to pursue schooling and work of their choosing. Kirdi were also required to pay local

chiefdom taxes to the Fulani, as were all other subjects. The combination of low wages and high taxes, although legal, effectively constituted forced labor. While technically free to leave, many Kirdi remained in the hierarchical and authoritarian system because of a lack of options.

Prison labor occurred and is permitted by prison regulation. Prison authorities continued to arrange for prison inmates to be contracted out to private employers or used as communal labor for municipal public works without the informed or formal consent of the prisoner. Prison administrators usually kept money generated from these activities.

In the South and East regions, some Baka, including children, continued to be subjected to unfair labor practices by Bantu farmers, who hired the Baka at exploitive wages to work on their farms during the harvest seasons.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip](http://www.state.gov/j/tip).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

The law generally protects children from exploitation in the workplace and specifies penalties ranging from fines to imprisonment for infringement. The law sets a minimum age of 14 for child employment, prohibits children from working at night or longer than eight hours a day, and enumerates tasks that children under the age of 18 cannot legally perform, including moving heavy objects, undertaking dangerous and unhealthy tasks, working in confined areas, and prostitution. Employers were required to train children between the ages of 14 and 18, and work contracts must contain a training provision for minors. These provisions of the law were not adequately enforced.

The Ministry of Social Affairs and MINLSS were responsible for enforcing existing child labor laws through site inspections of registered businesses. Although sporadic inspections occurred during the year, the government did not allocate sufficient resources to support an effective inspection program. Moreover, the legal prohibitions do not include family chores, which in many instances were beyond a child's capacity. The government employed 84 general labor inspectors, whose responsibilities included investigating child labor.

In June authorities arrested an alleged child trafficker in Pouma, Sanaga Maritime Division, Littoral Region, following the disappearance of several female students.

The alleged trafficker, a Nigerian national, was suspected of being a member of a network of traffickers. The national gendarmerie was investigating the case at year's end.

The use of child labor, particularly in informal sectors, remained rampant. According to ILO's 2008 survey, 51 per cent of children between the ages of 10 and 14 years were engaged in work; that figure was 41 per cent for children between five and 17.

According to 2008 government statistics on child labor, 85.2 percent of working children were employed in the agriculture sector, either on family subsistence plots or on cocoa, tea, banana, and palm oil plantations, and fisheries. In the urban informal sector, children worked as street vendors, car washers, and domestic workers. Some children also worked in mines and quarries. Many urban street vendors were less than 14 years of age. Children worked as household help, and some children were involved in prostitution. In the North there were credible reports that children from needy homes were placed with other families to do household work for pay, which normally went to the child's family.

There were reports that some parents gave their children to "marabouts" (traditional religious figures) in Maroua in the Extreme North, to learn the Quran and to prepare them to become marabouts themselves. However, there were reports that some of these children's legs were chained and they were subjected to forced labor.

Parents viewed child labor as both a tradition and a rite of passage. Relatives often employed rural youth, especially girls, as domestic helpers, and these jobs seldom allowed time for school. In rural areas many children began work at an early age on family farms. The cocoa industry also employed child laborers. These children originated, for the most part, from the three northern and the Northwest regions.

Also see the Department of Labor's Findings on the Worst Forms of Child Labor at [www.dol.gov/ilab/programs/ocft/tda.htm](http://www.dol.gov/ilab/programs/ocft/tda.htm).

#### **d. Acceptable Conditions of Work**

The minimum wage in all sectors was 28,246 CFA francs (\$56) per month. The law establishes a standard workweek of 40 hours in public and private nonagricultural firms and 48 hours in agricultural and related activities. There are exceptions for guards and firemen (56 hours a week), service sector staff (45

hours), and household and restaurant staff (54 hours). The law mandates at least 24 consecutive hours of weekly rest. Premium pay for overtime ranges from 120 to 150 percent of the hourly pay depending on the amount of overtime and whether it is weekend or late-night overtime. There is a prohibition on excessive compulsory service.

The government sets health and safety standards. The National Commission on Health and Safety in the Workplace establishes the list of occupational diseases.

These laws did not apply to the informal sector or to some domestic workers. The MINLSS was responsible for national enforcement of the minimum wage and work hour standards. MINLSS inspectors and occupational health physicians were responsible for monitoring health and safety standards. However, the MINLSS lacked the resources for a comprehensive inspection program.

During the year the MINLSS traveled to help settle employer-employee disputes on violations of collective bargaining conventions, including in the naval industries, rubber production, and ports. On June 20, the MINLSS launched the 14th session of the National Consultative Labor Commission to discuss revision of three major pieces of labor legislation and regulations: the 1992 labor code; the 1993 presidential decree providing for the nomenclature of the type of professional syndicates admitted to the registration process; and the text providing for minimum service in case of a strike. The Commission's conclusions were to be available before the end of the year.

Despite the minimum wage law, employers often negotiated with workers for lower salaries, in part due to the high rate of unemployment in the country. Salaries lower than the minimum wage were prevalent in the public works sector, where many positions required unskilled labor.