

Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report

Universal Periodic Review: 3rd Cycle, 30th Session

REPUBLIC OF CAMEROON

I. BACKGROUND INFORMATION

Cameroon succeeded to the *1951 Convention relating to the Status of Refugees* in 1961 and acceded to its *1967 Protocol* in 1967 (hereinafter jointly referred to as the *1951 Convention*). Cameroon has not ratified the *1954 Convention relating to the Status of Stateless persons* (the *1954 Convention*) nor the *1961 Convention on the Reduction of Statelessness* (the *1961 Convention*). Cameroon is party to the *OAU Convention on the Specific Aspects of Refugee Problems in Africa*. Cameroon enacted *Act No. 2005/006 of 27 July 2005* concerning the Status of Refugees and the *Decree 2011/389 of 28 November 2011 on Refugee Management Structures*. At the time of writing, the relevant refugee management structures, including the National Eligibility Commission, had not yet been fully operationalized in accordance with the above law. UNHCR continues to conduct registration and refugee status determination (RSD) procedures on behalf of the Government of Cameroon.

Cameroon hosts 4,209 asylum-seekers and 322,004 refugees as of 30 June 2017. Additionally, Cameroon also has 223,642 internally displaced persons as of March 2017 and an estimated 120,000 persons at risk of statelessness. Refugees from the Central African Republic (CAR) constitute the largest population, with 228,384 individuals, the vast majority of whom (212,534) live in 7 managed sites and over 150 villages in the Eastern, Northern and Adamaoua regions, with the remainder living in urban areas such as Yaoundé and Douala. 88,570 Nigerian refugees live in the Far North region, of whom 57,977 in Minawao camp and the rest outside the camp in border regions. A further 1,881 Nigerian refugees live scattered in rural villages in the North-West and Adamaoua regions. Finally, the remaining 3000 refugees are made up of over 20 nationalities, living mainly in urban areas. Around 57 per cent of refugees are made up of children and 53 per cent are female.

For the last few years, Cameroon has faced several humanitarian emergencies due to conflict and instability in the CAR and Nigeria. These crises have challenged Cameroon's long-standing tradition as a country of asylum. In the East, a first wave of around 100,000 refugees from CAR arrived between 2004 and 2007 and settled in host villages. The remainder fled the last round of violence beginning in December 2013. Although signs of improvement have been noted in CAR, the situation continues to be unstable and un conducive to return at the present.

From 2014 onwards, the Far North region was significantly affected by the regionalization of the conflict with Boko Haram in neighbouring Nigeria. Refugees settled in areas along the border and were transferred during early 2014 to Minawao camp, after the Cameroonian government decided that all Nigerian refugees in the region must move to the camp. UNHCR and humanitarian actors have had limited access to refugees who arrived or remained outside of the camp in border areas. The Far North has also experienced a significant worsening of the security situation, as Boko Haram engaged in an asymmetrical conflict, during which the

group has committed numerous suicide bombings and attacks against civilian populations causing massive internal displacement.

II. ACHIEVEMENTS AND POSITIVE DEVELOPMENTS

Positive developments linked to 2nd cycle UPR recommendations

Linked to 2nd cycle UPR recommendation no. 131.90: “Apply a strategy of universal registration of births (Moldova)” and **131.91:** “Launch a Universal Birth Registration Strategy to improve the level of birth registration in the country (Sierra Leone)”.

UNHCR wishes to note that the Cameroonian Government has made efforts to improve birth registration for disadvantaged children, including refugee children. Cameroon has embarked on a wide-ranging reform of its civil registry system, driven by several programmes including the *Programme de Réhabilitation de l'état civil (PRE2C)* implemented between 2011 and 2016, and has joined the *Africa Program for Accelerated Improvement of Civil Registration and Vital Statistics (APAI-CRVS)* in 2012, which has led to the creation of the *Bureau national de l'Etat civil (BUNEC)* to pilot the reform process. Several organisational and legal reforms have been made to improve service provision and access to birth registration. While UNHCR notes these advances and the political will to move the process forward, several issues remain, which are developed in section III below.

III. KEY PROTECTION ISSUES, CHALLENGES AND RECOMMENDATIONS

Challenges linked to outstanding 2nd cycle UPR recommendations

Issue 1: Accession to the Statelessness Conventions

Linked to 2nd cycle UPR recommendation no. 131.23: “Accede to the 1951 Convention relating to the Status of Refugees and the 1961 Convention on the Reduction of Statelessness (Djibouti)”

Cameroon has not yet acceded to the *1954 Convention* and the *1961 Convention* despite having populations at risk of statelessness living in its territory. These include most notably populations living in the Bakassi peninsula, which was ceded back to Cameroon by Nigeria following the decision of the International Court of Justice in 2002, as well as populations living in other areas where there is a weak birth registration system.

Signed in 2006, the Greentree Agreement, governing the retrocession of the Bakassi peninsula, granted a five-year moratorium – which began from the effective transfer of authority in August 2008 – to non-Cameroonian populations living there to opt for either Cameroonian or Nigerian nationality and allowed Nigerian and other foreign nationals living in the Bakassi peninsula not to be subjected to legislation requiring foreigners to have residency permits. Unfortunately, information campaigns on these dispositions have not been effective and some inhabitants still do not possess identity documents. In addition, since the end of the agreement and associated moratorium in August 2013, no efforts have been made by the Cameroonian authorities to regularise the immigration status of the inhabitants who have not opted for Cameroonian nationality. A UNHCR survey conducted in 2013 also indicated that the rate of birth registration for children under 5 in regions around Bakassi is low, further increasing risks of statelessness in the area. Many inhabitants in Bakassi also live in remote settlements and thus face great financial hardship as well as physical obstacles in accessing administrative services.

Elsewhere in Cameroon, there are also other populations at risk of statelessness, in particular in the Far North region, which had one of the lowest rates of birth registration in the country

(38 per cent), even before the conflict with Boko Haram. The situation in this region has since been compounded by the Boko Haram crisis and subsequent displacement, as IDP adults and children who never had or have lost documents, have difficulties obtaining proof of their nationality and, in the case of new born children, registering birth and confirming their nationality in the volatile security situation. Moreover, certain groups of individuals formerly resident of Nigeria who have returned to the Far North of Cameroon claim to be of Cameroonian nationality, but have no documents to prove this and therefore are at risk of statelessness.

Moreover, as mentioned by the Committee on the Elimination of Discrimination against Women, Cameroon's *Nationality Code (Loi 1968-LF-3 du 11 juin 1968 portant code de la nationalité camerounaise)* provides for different conditions for women and men as regards the acquisition, transmission and retention of Cameroonian nationality in its articles 17, 18 and 32.¹ The distinction between children born in and out of wedlock in relation to the acquisition of Cameroonian nationality is also discriminatory. Children born to married parents, where one is a Cameroonian national, automatically acquire Cameroonian nationality. However, a child born out of wedlock with one parent of Cameroon nationality does not benefit from the same automaticity. Furthermore, provisions on naturalization requiring that a person must be "healthy in body and mind" ("reconnu sain de corps et d'esprit") in order to be naturalized could also constitute discriminations against persons with disabilities.

Recommendations:

UNHCR recommends that the Government of Cameroon:

- (a) Accede to the *1954 Convention* and the *1961 Convention*; and,
- (b) Implement information and outreach campaigns for inhabitants of the Bakassi peninsula to have their nationality confirmed and documentation issued.
- (c) Revise the *Nationality Code* in order to ensure that women and men have equal rights to nationality, in particular with regard to the acquisition, transmission and retention of nationality, and remove discriminatory provision between children born of married and unmarried parents and against persons with disabilities.

Issue 2: Improving access to birth registration for refugees, IDPs and populations at risk of statelessness in Cameroon

Linked to 2nd cycle UPR recommendation no. 131.90: "Apply a strategy of universal registration of births (Moldova)" and 131.91: "Launch a Universal Birth Registration Strategy to improve the level of birth registration in the country (Sierra Leone)".

The right of a child to be registered immediately after birth, have a name and to acquire a nationality is set out in the *Convention of the Rights of the Child* and other treaties to which Cameroon is a party. In addition, the right to be registered after birth is also reflected in national law (*Ordinance °81-02 of 2 June 1981, modified on 6 May 2011*), which provides that a birth must be declared to the registrar within 90 days after birth. As highlighted in section II, UNHCR wishes to note that the Cameroonian Government has made efforts to ensure birth registration for disadvantaged children. However, despite these efforts, the level of birth registration remains low and access to civil registry services for vulnerable populations in Cameroon, including refugees and IDPs, continues to be weak. This is particularly true for refugees living outside of managed sites in rural host communities. The quality of documentation is at times

¹ Committee on the Elimination of Discrimination against Women, paragraphs 24 and 25, *Concluding observations on the combined fourth and fifth periodic reports of Cameroon*, (28 February 2014), CEDAW/C/CMR/CO/4-5, available at:

http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fCMR%2fCO%2f4-5&Lang=en.

poor, highlighting the lack of technical capacity, and civil registries are often understaffed, poorly equipped with some even lacking enough registers. Finally, there is also a lack of awareness amongst populations regarding the importance of birth registration for the prevention of statelessness.

UNHCR welcomes the fact that there are provisions for obtaining late birth certificates through a court order (*jugement supplétif*) that are open to refugee children. However, these procedures are often costly and can be slow, with courts being ill-equipped to respond in a timely manner to all requests. Moreover, refugee children born outside of Cameroon, who do not have birth certificates – due to loss during flight or never having obtained one in the country of origin – face specific challenges. There is currently no provision for this group of children to obtain a substitute birth certificate, despite the provisions of article 25 of the *1951 Convention*.

As noted under Issue 1, UNHCR also wishes to highlight that inadequate birth registration mechanisms and documentation systems create a risk of statelessness. The birth certificate is an essential tool to prevent statelessness. By establishing a legal record of where a child was born and who his/her parents are, it helps to establish an individual's nationality.

Recommendations:

UNHCR recommends that the Government of Cameroon:

- (a) Provide further resources and strengthen the capacity of civil registries in refugee and IDP hosting areas, as well as in areas with populations at risk of statelessness;
- (b) Implement mass sensitisation campaigns on the importance of birth registration for the prevention of statelessness;
- (c) Conduct “audiences foraines” (mobile court hearings) to issue declaratory birth certificates at reduced cost to undeclared IDP children or refugee children born in Cameroon; and,
- (d) Ensure that recognised refugees born outside Cameroon can be issued with substitute birth certificates as enshrined in Article 25 of the *1951 Convention*

Additional protection challenges

Issue 3: Access to asylum and respect for the principle of *non-refoulement* in the Far North

In the context of the regionalisation of the conflict with Boko Haram, the Cameroonian authorities have taken measures that, in effect, limit access to asylum in border areas of the Far North region and have also conducted forced returns of Nigerian nationals to Nigeria, without the refugee status of the individuals nor the voluntariness of their return having been systematically verified.

Since the beginning of the conflict in neighbouring Nigeria, Cameroonian communities in border villages welcomed Nigerian refugees. However, the highly militarised and insecure context in the Far North led the Government to effectively institute an encampment policy for Nigerians refugees, with restrictions on freedom of movement, coupled with the requirement that refugees in the Far North be registered only in Minawao refugee camp. Monitoring conducted by UNHCR has indicated repeated attempts during the period 2015-2017 to forcibly return new arrivals present in border areas. The Government of Cameroon has publicly stated that it evacuates Nigerian nationals to Nigeria to ensure their safety. However, from 1 January to 30 June 2017, monitors reported that Cameroon authorities returned 4,277 Nigerian nationals to Nigeria, where they settled in IDP camps such as Banki, in which services and assistance are inadequate and where security continues to be volatile. UNHCR did not have prior access to most of these individuals to verify their status or to check the voluntary nature of their return. In one case, UNHCR was able to pre-register 980 refugees living in Kolofata, a border town in the Far North region of Cameroon, 887 of whom were forcibly returned to

Nigeria on 27 June 2017. These incidents prompt concerns that Cameroon is contravening its *non-refoulement* obligations under article 33 of the *1951 Convention*.

Recommendations:

UNHCR recommends that the Government of Cameroon:

- (a) Establish appropriate screening and registration procedures, including in reception centres in border areas, to ensure that persons in need of international protection have access to asylum procedures; and,
- (b) Maintain its commitment to protect all Nigerian refugees across the country until conditions in areas of origin in Nigeria make large scale voluntary returns possible and to ensure that all returns to Nigeria are voluntary and carried out in safety and dignity.

Issue 4: Improve implementation of the legal framework relating to refugee protection

UNHCR continues to conduct RSD procedures, as relevant refugee management structures have not yet been operationalised in accordance with *Act No. 2005/006 of 27 July 2005 concerning the Status of Refugees* (the *Act concerning the Status of Refugees*) and the *Decree 2011/389 of 28 November 2011*. The National Eligibility Commission is not currently functioning, although the signature by the Government and UNHCR of the *Protocol for the transfer of RSD activities* took place on 1 August 2016. Moreover, whilst the *Decree 2016/373 of 4 August 2016* and *Decree 2007/ 255 of 4 September 2007* provide for the issuance of refugee identity cards, Cameroon does not currently issue identity documents to refugees, resulting in inadequate awareness and recognition by local authorities and law enforcement officials of documents issued by UNHCR. Refugees are thus subject to an increased risk of arbitrary detention and limited freedom of movement. In addition, while the *Act concerning the Status of Refugees* provides for socio-cultural rights similar to those of nationals in almost all areas, including the right to work, effective implementation is limited due to a lack of resources, inadequate recognition of refugee identity documents and discrimination against refugees in the wider community. Refugees who do find employment often do so in the informal sector or are sometimes not given contracts by employers, leaving them exposed to potential exploitation and unfair dismissal, as also mentioned by the Committee on the Elimination of Racial Discrimination in 2014.²

UNHCR would encourage the Government of Cameroon to invest adequate resources in order to take over key responsibilities, including registration, RSD and issuance of documentation to improve the implementation of the national legal framework and the overall protection environment in Cameroon.

Recommendations:

UNHCR recommends that the Government of Cameroon:

- (a) Expedite its taking-over of responsibilities for registration and RSD in order to enhance protection for refugees;
- (b) Issue documentation to refugees in accordance with relevant national legislation and article 27 of the *1951 Convention*; and,
- (c) Take administrative measures to improve the implementation of *Act concerning the Status of Refugees*, particularly with respect to refugees' rights under Chapter III.

**UNHCR
October 2017**

² UN Committee on the Elimination of Racial Discrimination (CERD), *Concluding Observations on Cameroon*, 85th session, 31 March 1998, CERD/C/304/Add.53, available at: <http://www.refworld.org/docid/3f4a07c87.html>.

ANNEX

Excerpts of relevant Recommendations from the 2nd cycle Universal Periodic Review, Concluding Observations from UN Treaty Bodies and Recommendations of Special Procedures mandate holders

CAMEROON

We would like to bring your attention to the following excerpts from the 2nd cycle UPR recommendations, UN Treaty Monitoring Bodies' Concluding Observations, and recommendations from UN Special Procedures mandate holders' reports relating to issues of interest and persons of concern to UNHCR with regards to Cameroon.

I. Universal Periodic Review (Second Cycle – 2012)

Recommendation ³	Recommending State/s	Position ⁴
Refugees and asylum-seekers		
131.23 Accede to the 1951 Convention relating to the Status of Refugees and the 1961 Convention on the Reduction of Statelessness	Djibouti	Supported ⁵
Trafficking in persons		
131.121 Continue to find effective measures to address concerns expressed by a number of treaty bodies, including the CRC, CEDAW and ILO Committee of Experts, regarding trafficking and exploitation of women and children for commercial purposes	Botswana	Supported ⁶
131.137 Strengthen its efforts to prevent all forms of violations of the rights of women and children, including sexual exploitation, child labour and human trafficking	Republic of Korea	Supported
Groups with specific needs		
131.133 Take all the necessary measures to effectively eliminate and prevent all forms of exploitations and abuse of children, including through prosecution of those involved in such acts	Slovenia	Supported
131.134 Intensify the policy and measures in the promotion of human rights for vulnerable groups, including the fight against racial discrimination and against trafficking and sexual exploitation of children	Viet Nam	Supported
131.135 Continue taking efforts for the promotion and protection of the rights of children and other vulnerable groups of the society	Armenia	Supported
131.136 Continue to face, with tenacity, the current and future challenges so that all its children, in particular, are free from any violation of their rights, especially their right to education	Comoros	Supported
131.166 Continue its positive approach in further promoting the welfare and protecting the rights of persons with disabilities with a view of improving their living conditions	Malaysia	Supported

³ All recommendations made to Cameroon during its 2nd cycle UPR can be found in: "Report of the Working Group on the Universal Periodic Review of Cameroon" (5 July 2013), A/HRC/24/15, available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/CMIIndex.aspx>.

⁴ Cameroon's views and replies can be found in: *Addendum*, available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/CMIIndex.aspx>.

⁵ *Addendum*: "Le Cameroun accepte la recommandation relative à la Convention sur les Réfugiés, et n'est pas en mesure d'accepter celle relative à la Convention de 1961 sur la Réduction des cas d'Apatridie."

⁶ *Addendum*: "Des actions de sensibilisation et d'éducation auprès des populations et des familles sur la violence et la traite des enfants sont réalisées. Une loi sur la lutte contre le trafic et la traite des personnes a été adoptée en décembre 2011."

131.167 Continue its policy aimed at the social integration of vulnerable groups such as Pygmies and Mbororos	Burundi	Supported
131.168 Strengthen measures to promote the rights of indigenous populations of the country, particularly, with respect to their access to the citizenship, land, justice and education	Cape Verde	Supported
131.169 Carry on with ensuring the access to health services for children and indigenous people	Egypt	Supported
Sexual and gender-based violence		
131.117 Consider adopting specific laws or repealing existing legislation to combat violence against women	Thailand	Supported
131.118 Intensify the awareness-raising and education campaigns for local authorities, families, traditional and religious leaders and the general population in order to effectively fight against the problem of early and forced marriages	Togo	Supported
131.120 Establish and implement laws and public health policy aimed at eradicating female genital mutilation	Belgium	Supported
131.125 Continue in its endeavour in fighting against harmful traditional practices	Ethiopia	Supported
131.129 Further enhance its efforts in promoting gender equality, as well as combating all forms of gender-based violence	Malaysia	Supported
131.132 Continue efforts aimed at combating violence against women and providing information to women, family and society's leaders regarding the adverse consequences of forced marriages and other forms of domestic violence, including in the framework of the 2012 campaign "Together, we will end domestic violence against women"	Russia	Supported
SOGI		
131.84 Undertake public actions aimed at eliminating discrimination based on sexual orientation	Spain	Noted
131.85 Adopt appropriate measures to tackle social prejudices, stigmatization, harassment, discrimination and violence against individuals because of their sexual orientation	Uruguay	Noted
131.86 Adopt necessary measures to avoid discrimination, and to protect and integrate the LGBT population	Argentina	Noted
131.88 Adopt further legislative, administrative and other measures to eliminate discriminatory treatment on the basis of gender identity	Czech Republic	Supported
131.108 Urgently repeal legislation criminalising consensual homosexual activity and release from detention individuals convicted of those offences	Australia	Noted
131.109 Investigate police violence that took place on persons because of their actual or perceived sexual orientation	Belgium	Supported
Birth Registration		
131.89 Promote equal treatment before the law, including through social protection, the right to birth registration, and the right to an equal use of natural resources	Thailand	Supported ⁷
131.90 Apply a strategy of universal registration of births	Moldova	Supported ⁸

⁷ **Addendum:** "Le Cameroun met en œuvre un certain nombre de mesures pour garantir un égal traitement devant la loi. Les lois adoptées en matière d'emploi ne contiennent aucune disposition discriminatoire. De plus, le Cameroun a adopté un plan d'aménagement du territoire pour permettre une égale répartition du développement. S'agissant spécifiquement des populations autochtones, une étude est en cours pour leur identification; laquelle permettra l'élaboration d'une stratégie pour leur meilleure prise en compte ainsi que la protection de leurs droits."

⁸ **Addendum:** "Le Cameroun a initié un processus de modernisation de l'état civil qui vise entre autres à faciliter l'enregistrement des naissances et à centraliser les données y relative."

131.91 Launch a Universal Birth Registration Strategy to improve the level of birth registration in the country	Sierra Leone	Supported
Migrants		
131.11 Complete the process of accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Algeria	Supported ⁹

II. Treaty Bodies

Committee on Economic, Social and Cultural Rights

Concluding Observations, (23 January 2012), [E/C.12/CMR/CO/2-3](#)

C. Principal subjects of concern and recommendations

9. The Committee regrets that the State party, in its oral replies, provided insufficient information on the legal framework for protection against discrimination (art. 2, para. 2).

The Committee recommends that the State party adopt comprehensive anti-discrimination legislation listing all prohibited grounds for discrimination, as set out in article 2, paragraph 2, of the Covenant.

32. Although free public primary education has been introduced, the Committee is concerned about the high cost of related expenses, including parent association fees, which parents have to pay when enrolling their children. The Committee is also concerned about unequal access to primary education in Adamaoua, North and Far North provinces, where girls receive less schooling. In addition, the Committee notes that, although the State party has improved school attendance rates, low retention levels in primary schools and establishments that dispense transitional education to secondary schooling continue to lie at the heart of the child labour issue. The Committee observes furthermore that only 5 per cent of the population goes on to higher education (arts. 13 and 14).

The Committee recommends that the State party ensure that education is free of charge and equally accessible to all. It recommends that the State party offer financial assistance to low-income families to cover education-related expenses. The Committee also insists on the need for stronger measures to reduce the dropout rate. It further urges the State party to expand access to higher education in order to provide the labour market with the skills essential to the country's growth. The Committee draws the State party's attention to its general comment No. 13 (1999) on the right to education.

Committee on the Elimination of Discrimination against Women

Concluding Observations, (28 February 2014), [CEDAW/C/CMR/CO/4-5](#)

Trafficking and exploitation of prostitution

20. The Committee welcomes the adoption of Act No. 2011/024 of 14 December 2011 against trafficking in and smuggling of persons, the establishment in 2011 of an inter-ministerial committee to combat trafficking in persons, the development of a governmental action plan on human trafficking and various measures undertaken for the protection and rehabilitation of women and girls who are victims of trafficking. The Committee is concerned, however, about:

⁹ **Addendum:** "Le Cameroun est d'ailleurs partie à la Convention n° 97 de l'OIT sur les travailleurs migrants (révisée) de 1949. D'ici 2017, le Cameroun s'engage à initier la procédure de ratification de cette convention."

- (a) The lack of effective implementation of the act and the plan of action;
- (b) The limited number of prosecutions and convictions of perpetrators of trafficking in persons;
- (c) The reported abduction of babies from public hospitals for illegal adoption and the limited number of investigations undertaken in that regard;
- (d) The insufficient knowledge and awareness among women on the risks of trafficking and on the exploitation of migrant women, including “Internet brides”;
- (e) The absence of comprehensive measures to address the issue of prostitution, including measures to discourage the demand for prostitution; the lack of exit programmes, as well as of rehabilitation and reintegration programmes for women wishing to leave prostitution; and the criminalization of women engaged in prostitution (art. 343 of the Penal Code).

21. The Committee recommends that the State party:

- (a) **Carry out, without delay, a study to investigate the extent and causes of trafficking in human beings, particularly women and girls, and forced prostitution, including through the collection and analysis of data on trafficking and on the exploitation of women in prostitution;**
- (b) **Ensure the effective implementation of Act No. 2011/024 of 14 December 2011 against trafficking in and smuggling of persons and of the governmental action plan on human trafficking;**
- (c) **Ensure the investigation, prosecution and punishment of perpetrators of human trafficking;**
- (d) **Effectively investigate allegations of abduction of babies in order to ensure that perpetrators are brought to justice and ensure the systematic and swift registration of newborns to prevent such abductions;**
- (e) **Raise awareness about the risks of trafficking and of the exploitation of migrant women, particularly among women who wish to leave the State party, including “Internet brides”;**
- (f) **Increase international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking through information exchange and harmonize legal procedures aimed at the prosecution and punishment of traffickers;**
- (g) **Review the Penal Code with a view to decriminalizing women engaged in prostitution; adopt measures aimed at discouraging male demand for prostitution; address the root causes of prostitution; provide women with alternative income opportunities and provide assistance, rehabilitation and reintegration programmes for women and girls exploited in prostitution, as well as exit programmes for women wishing to leave prostitution.**

Nationality

24. The Committee is concerned that:

- (a) Articles 17, 18 and 32 of the Nationality Code provide for different conditions for women and men as regards the acquisition, transmission and retention of Cameroonian nationality;
- (b) Many girls, in particular in the Bakassi zone, are not registered at birth owing to the lack of legal literacy, financial barriers and long distances to civil registration offices, which prevents girls from obtaining personal documents, from accessing social security, health-care education and, eventually, formal employment, and from benefiting from accurate age-verification mechanisms to curtail child marriages.

25. The Committee recommends that the State party:

- (a) **Revise the Nationality Code in order to ensure that women and men have equal rights to nationality, in particular with regard to the acquisition, transmission and retention of nationality;**
- (b) **Ensure that women and girls in rural and remote areas, including in the Bakassi zone, are aware of the procedures and requirements for birth registration and that they do not face financial and other barriers in obtaining birth registration.**

Disadvantaged groups of women

36. The Committee is concerned about the lack of adequate protection and assistance for disadvantaged groups of women such as:

- (a) Women belonging to the Pygmy and Mbororo communities and mountain and island populations;
- (b) Women albinos, girls living in the street, older women and women with disabilities who are victims of stigmatization;
- (c) Lesbian, bisexual and transgender women who are victims of discrimination and criminalization (art. 347 bis of the Penal Code);
- (d) Women refugees and internally displaced women who face difficulties in accessing basic services.

37. **The Committee recommends that the State party ensure that women facing intersectional forms of discrimination have access without discrimination to basic services, including health, education, adequate water and sanitation. In particular, it should:**

- (a) **Ensure that women of marginalized communities such as the Pygmy and Mbororo communities and mountain and island populations have equal access to microcredit facilities for income-generating activities and land;**
- (b) **Raise awareness among the population with a view to eliminating the stigmatization of women albinos, girls living in the street, older women and women with disabilities and ensure that these women and girls have access, without discrimination, to support for income-generating activities;**
- (c) **Raise awareness among political, traditional and religious leaders, as well as members of civil society, about the possible withdrawal of article 347 bis of the Penal Code;**
- (d) **Ensure that refugee women and internally displaced women do not face discrimination and consider ratifying the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention).**

Committee on the Elimination of Racial Discrimination

Concluding Observations, (26 September 2014), [CERD/C/CMR/CO/19-21](#)

Prohibition of racial discrimination

7. While taking note of the constitutional and legislative provisions relating to equal rights and non-discrimination and the ongoing review of the Criminal Code, the Committee finds it regrettable that the prohibition of racial discrimination as defined in article 1 of the Convention is still not fully incorporated into the State party's legislation, including the Criminal Code and the Code of Criminal Procedure (arts. 1, 2, 3 and 4).

The Committee reiterates its recommendation that the State party take the necessary legislative measures to prohibit racial discrimination in accordance with articles 1, 2 and 4 of the Convention, and with its general recommendation No. 35 (2013) on combating racist hate speech. It also recommends that the State party speed up the process of harmonizing the Criminal Code to ensure that acts

of racial discrimination and incitement to racial hatred are defined and criminalized in the light of the Convention. The Committee reiterates its recommendation that the State party take the necessary steps to prevent, prohibit and eliminate racial segregation in its legislation, in accordance with article 3 of the Convention.

The right to work

12. The Committee notes the various measures taken by the State party regarding the right to work and the review of the Labour Code, which it hopes will contain provisions defining and explicitly prohibiting direct or indirect discrimination on all the grounds enumerated in the Convention. The Committee is, however, concerned at reports that certain companies pay unequal wages on the basis of ethnic origin (art. 5 (e) (i)).

The Committee requests the Government to report on the adoption of the revised Labour Code in its next periodic report. The Committee also requests the State party to indicate the measures taken or envisaged to ensure effective implementation of the principle of equal opportunity and equal treatment in employment, without distinction as to race, colour, descent, or national or ethnic origin, including the measures taken in law and in practice to help workers prove that discrimination has taken place.

Access to education

15. The Committee recognizes the efforts made by the State party to improve the access of indigenous children to education, notably through the development of specific measures linked to the adaptation of the school system to the culture of the indigenous communities, with a view to promoting access to education for girls belonging to such groups on an equal footing with boys. The Committee remains concerned, however, by the many enduring obstacles to the full and effective realization of the right of minorities and indigenous peoples to education.

The Committee recommends that the State party strengthen its efforts to prevent and eliminate the discrimination faced by indigenous children and members of minority groups in the enjoyment of their right to education. The Committee also recommends that the State party:

- (a) Guarantee such children access to all levels and all forms of State education, without discrimination, in particular by guaranteeing completely free access to primary education and the availability of the birth certificates necessary for enrolment;**
- (b) Continue to take the necessary steps to adapt the education system to their way of life and culture, including on the basis of the conclusions drawn from the evaluation of the relevant pilot projects;**
- (c) Continue to develop and implement, in cooperation with minority groups and indigenous peoples, education programmes that address their special needs and incorporate their history, knowledge, technologies and value systems;**
- (d) Pay special attention to the situation of girls belonging to minority groups and indigenous peoples, and to the specific measures necessary to ensure their equal access to all levels of education.**

Refugees and asylum seekers

18. The Committee appreciates the welcome given to refugees in Cameroon and recognizes the State party's efforts to respond appropriately to the current influx caused by subregional conflicts. The Committee is nevertheless concerned at reports of several cases in which asylum seekers have been detained for periods longer than that provided for by national legislation, and often in conditions incompatible with their status and dignity. The Committee is also concerned about the situation faced by some refugees in

terms of access to employment and respect for their rights as workers, particularly the risk of unfair dismissal by certain employers who take advantage of the vulnerable socioeconomic status of such persons (arts. 1 and 5).

The Committee requests the State party to take all necessary steps to enable refugees and asylum seekers to fully enjoy their economic and social rights, particularly their right to work.

The Committee requests the State party to ensure that, when an inquiry is opened under article 8, paragraph 1, of the Act on the Status of Refugees, the detention of asylum seekers is used only as a last resort and, where it is used, for as short a period as possible, that asylum seekers are not put in the same detention cells as suspects, and that feasible alternatives to detention are explored.

The Committee requests that the State party devote particular attention to the situation of refugee women and girls, who could experience double discrimination.

Citizenship and risk of statelessness

19. While commending the State party's efforts to provide the population with identity papers, particularly through recent campaigns, the Committee is nevertheless concerned about the large number of persons residing in the national territory who do not possess identity documents, a situation likely to restrict the enjoyment of their civil and political, economic, social and cultural rights (arts. 1, 2 and 5).

The Committee recommends that the State party strengthen its efforts to issue official documents required for citizenship to all its citizens, and devote particular attention to the situation of vulnerable populations, including indigenous peoples, minority groups and the populations of the Bakassi Peninsula.

III. Special Procedures Mandate Holders

Report of the Special Rapporteur on the right to food

Addendum: Mission to the Cameroon (18 December 2012) [A/HRC/22/50/Add.2](#)

C. Marginalized and vulnerable groups

Refugees

20. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), there are currently some 110,000 refugees in Cameroon, primarily from the Central African Republic (approximately 85,000). Levels of malnutrition and food insecurity are particularly high among this refugee population. According to a recent study, 55 per cent of Central African households in Cameroon are food insecure.

VII. Recommendations

73. The Special Rapporteur recommends that the Government should:

- (a) Establish a framework-law on the right to food that includes, inter alia, elements of a framework law on agriculture, with a view to creating a legislative and institutional framework to foster the gradual realization of the right to food; improve coordination between different governmental departments (the Ministry of Agricultural and Rural Development, the Ministry of Trade, the Ministry of Labour and Social Services, the Ministry of Social Affairs and the Ministry for the Advancement of Women); strengthen dialogue with civil society and producers' organizations on the formulation of food

- security policies; define more precisely the time limits for the adoption of measures, the responsibilities of different actors and the remedies open to beneficiaries in the event that commitments are not honoured;
- (b) Adopt measures to improve the situation of marginalized and vulnerable groups in respect to food, and, in particular:
 - 1. Ensure that the definition of indigenous peoples set out in the United Nations Declaration on the Rights of Indigenous Peoples is incorporated into the laws of Cameroon;
 - 2. Ensure that the views of communities are taken into account in decisions concerning the concessions of the land on which they depend for their livelihood;
 - 3. Improve, with immediate effect, the food provided to prisoners;
 - (c) Meet the Government target, as set out in the Strategy Document for Growth and Employment, of increasing budgetary allocations for agriculture, by clarifying how public resources are to be allocated to different categories of producers (small producers, large businesses and agrifood companies);
 - (d) Invest in programmes, practices and policies to scale up agroecological approaches, as recommended by the Human Rights Council in resolution 16/27;
 - (e) Develop a programme to introduce structural improvements in the northern region, which is vulnerable to climate change, by, inter alia: formulating an ambitious policy on the creation of village grain stores; establishing large-scale programmes to plant fodder/fertilizer trees; and supporting measures, such as the installation of anti-erosion strips and micro-dams, to maximize both fodder production and rainwater collection;
 - (f) Stimulate local production by improving access to markets for farmers who belong to producers' organizations; pursue efforts to end the isolation of certain remote regions; promote the development of "magasins-témoins" in rural areas and, with a view to supporting local producers, ensure that local produce such as cassava, millet and maize is included among the price-controlled foods on offer at these outlets;
 - (g) Implement the advertised redeployment of agricultural outreach services provided by the Ministry of Agriculture and Rural Development advisers and involve more women in the delivery of the services; and create the right conditions for a genuine partnership between the advisers, farmers' organizations and IRAD researchers, whose research deserves to be disseminated more widely;
 - (h) Review the tenure systems with a view to the implementation, in the context of national food security, of voluntary guidelines on responsible governance of tenure systems as they apply to land, fisheries and forests. In this process, take due account of the minimum principles and measures proposed to ensure that large-scale investments are made with due respect for all human rights (A/HRC/13/33/Add.2), so that the rights of land users, including indigenous communities, are better protected and a legal framework is established to avert the possibility of multiple land disputes in the future;
 - (i) In the framework of the review recommended above, hold a transparent and participatory dialogue on the opportunity costs of ceding land to investors intending to develop agro-industrial plantations, when providing local small farmers with improved access to land, through adequate State support, could be more effective in supporting local food security and reducing poverty;
 - (j) Adopt specific measures to extend social welfare coverage to the entire population through a combination of tax reforms (including a more rigorous system of progressive taxation) and the gradual upscaling of budgetary allocations for social welfare provision;
 - (k) Build the capacity of the Labour Inspection Service to carry out its mandate in large plantations and empower it to conduct surprise inspections;
 - (l) Reconsider the tax policy on concessions of agricultural land and on the exploitation of natural resources (particularly forests and minerals) so as to optimize the revenue earned from the harnessing of these resources and to improve food security for vulnerable groups;
 - (m) Ensure that defenders of the right to food are protected.

74. The Special Rapporteur recommends that international agencies and development partners provide adequate assistance in humanitarian crises and take a proactive approach, intervening before crises occur.

Report of the Independent Expert on minority issues

Addendum: Mission to the Cameroon (31 January 2014) [A/HRC/25/56/Add.1](#)

C. Birth registration and national identity cards

21. Low levels of birth registration and poor access to national identity cards are a significant problem for minority and indigenous communities. The remote areas in which they live, nomadic lifestyles, lack of sensitization to the need for such documents and poor outreach by responsible bodies all contribute to the problem. Despite efforts by the Government, the issue remains a major concern and renders many effectively stateless. In 2010, a non-governmental organization, in a report on the implementation by Cameroon of the International Covenant on Civil and Political Rights, estimated that 95 per cent of the Baka did not have national identity cards, and that most could not afford to provide the necessary documentation to obtain them, even though they were required in order to vote in national elections.

22. The lack of official identity documents has an impact on the enjoyment of a wide range of rights, services and social benefits. For example, the lack of such documents is said to be a hindrance in the access of Pygmy communities to hospitals, which have identification requirements for consultations. The communities therefore rely heavily on traditional remedies and development agencies for health care. A birth certificate is also a basic requirement for enrolment in primary school. Non-governmental organizations pointed out the need for measures by the Ministry of Territorial Administration and Decentralization to make birth registration easier for rural and minority communities. The vast majority of births in such communities take place at home, while birth certificates are only issued in hospitals.

23. The Government informed the Independent Expert about commendable initiatives, in collaboration with international non-governmental organizations, aimed at improving the situation for groups, including Pygmies and the Mbororo, and has successfully issued thousands of identity documents. Plan International, working together with the Ministry of Social Affairs, implemented a universal birth registration campaign in order to secure birth certificates for all children, including those (such as the Baka) belonging to minority indigenous groups. The programme reportedly helped 12,000 children to receive birth certificates in 2010 and 2011. The Civil Registration Act of 6 May 2011 extended the deadline for birth registration from 30 to 90 days.

24. In 2013, President Biya announced the issuing of free national identity cards as part of an effort to address the ongoing problem. In its national report submitted for the second cycle of the universal periodic review, the Government highlighted that, in 2011, following a census carried out in eight regions, official documents were issued to members of the Pygmy and Mbororo communities: 6,600 national identity cards, and 4,253 declaratory judgements serving as birth certificates, including 1,500 for children (a birth certificate remains a requirement for the issuance of an identity card). Civil society groups pointed out that, despite the instructions from the President that identity cards be free, local officials often demand bribes and other fees that effectively defeat the purpose of the policy.