



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined third to fifth periodic reports of Cameroon\*

#### I. Introduction

1. The Committee considered the combined third to fifth periodic reports of Cameroon (CRC/C/CMR/3-5) at its 2214th and 2215th meetings (see CRC/C/SR.2214 and 2215), held on 30 May 2017, and adopted the present concluding observations at its 2221st meeting, held on 2 June 2017.

2. The Committee welcomes the submission of the third to fifth periodic reports of the State party and the written replies to the list of issues (CRC/C/CMR/Q/3-5/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the high-level and multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the ratification of the Optional Protocol to the Convention on the involvement of children in armed conflict, in 2013. The Committee also notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention, in particular the amendments to the Penal Code criminalizing torture, forced marriage, genital mutilation, interfering with organ development and sexual harassment. It further welcomes progress in increasing enrolment rates in primary schools, including with respect to integrating the large influx of refugee, asylum-seeking and internally displaced children into local schools.

#### III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: non-discrimination (para. 14), birth registration and nationality (para. 19 and 21), torture and other cruel or degrading treatment or punishment (para. 23), sexual exploitation and abuse (para. 27), education, including vocational training and guidance, (para. 39) and administration of juvenile justice (para. 47).

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\* Adopted by the Committee at its seventy-fifth session (15 May-2 June 2017).



## **A. General measures of implementation (arts. 4, 42 and 44 (6))**

### **Legislation**

5. The Committee recalls its previous recommendation (CRC/C/CMR/CO/2, para. 10) and urges the State party to finalize the revision of the Civil Code, which incorporates the proposed Child Protection Code and Persons and the Family Code, ensuring that the provisions related to children's rights are harmonized with the Convention. It also recommends that the State party ensure that the human, technical and financial resources for the implementation of legislation providing for the rights of children are adequate and sufficient.

### **Comprehensive policy and strategy**

6. While noting the adoption of a national action plan for the promotion and protection of human rights in Cameroon (2015-2019) which incorporates the elements of child protection and combating child violence and abuse; the development of a national policy on child protection in 2016; and the creation of a child protection platform, the Committee recommends that the State party adopt a specific national strategy for children, covering all areas of the Convention, including the elements necessary for its application, and support the strategy with sufficient human, technical and financial resources.

### **Coordination**

7. Noting the lack of clarity of coordination at the national, regional and local levels, the Committee recommends that the State party establish an appropriate body at a high interministerial level with a clear mandate and sufficient authority to coordinate all activities related to the implementation of the Convention at cross-sectoral, national, regional and local levels; and ensure that the said coordinating body is provided with the necessary human, technical and financial resources for its effective operation.

### **Allocation of resources**

8. With reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

(a) Allocate adequate budgetary resources for the implementation of children's rights and, in particular, define budgetary lines for ministries and local government departments dealing with child protection and welfare, progressively increasing the proportion of national resources allocated to those budget lines;

(b) Take note of target 16.5 of the Sustainable Development Goals to substantially reduce corruption and bribery in all their forms, take immediate measures to combat corruption and strengthen institutional capacities to effectively detect and investigate cases of corruption and prosecute the perpetrators, including by strengthening the public financial management system in order to avoid diverting resources from the implementation of the Convention.

### **Data collection**

9. With reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 20) and furthermore recommends that the State party:

(a) Allocate sufficient resources to build the capacity of statisticians throughout the national administration in the collection and processing of data;

(b) Collect and share among all relevant ministries and agencies data on all areas of the Convention, disaggregated by age, sex, disability, geographic location,

ethnic and national origin and socioeconomic background, in order to facilitate analysis of the situation of all children, particularly those in vulnerable situations;

(c) Take into account the conceptual and methodological framework set out in the guide issued by the Office of the United Nations High Commissioner for Human Rights (OHCHR) when defining, collecting and disseminating statistical information.

#### **Independent monitoring**

10. With reference to its general comment No. 2 (2002) on the role of independent human rights institutions in the promotion and protection of the rights of the child, the Committee recommends that the State party:

(a) Ensure that the National Commission on Human Rights and Freedoms is provided with adequate human, technical and financial resources to carry out its mandate effectively and in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), including making the Commission accessible to children in all seven regions of the country;

(b) Strengthen the capacity of the Commission to monitor children's rights, ensuring its ability to receive, investigate and address complaints by children in a child-sensitive manner and to provide victims with adequate protection.

#### **Cooperation with civil society**

11. Noting the difficulties faced by civil society organizations, including those working on children's rights, in obtaining legal status, which in turn limits their access to funding, the Committee recommends that the State party:

(a) Streamline the requirements for registration and ensure more frequent meetings of the technical commission responsible for granting legal status;

(b) Strengthen its collaboration with civil society organizations, including through their involvement in the planning, implementation, monitoring and evaluation of policies, plans and programmes related to children's rights.

#### **Children's rights and the business sector**

12. In the light of its deep concern that the activities of companies, particularly transnational corporations in the extractive and agribusiness sectors, in the State party may result in the forced displacement and resettlement of indigenous communities and other minority groups, the contamination of water resources and food, and environmental degradation, to the detriment of children, as well as at the lack of regulatory frameworks in this regard, the Committee, with reference to its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and to the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, recommends that the State party:

(a) Establish a regulatory framework to deal with the impact of the business sector on children's rights to ensure that their activities do not negatively affect human rights or endanger environmental or other standards, especially those relating to children's rights;

(b) Ensure effective implementation by companies of international and national environmental and health standards, effective monitoring of the implementation of those standards and appropriate sanctions and/or remedies when violations occur;

(c) Require companies to undertake assessments of, consultations on and full public disclosure of the environmental, health-related and human rights impacts of their business activities and their plans to address such impacts.

## **B. Definition of the child (art. 1)**

13. While noting the adoption of Law No. 2016/007 of 12 July 2016 relating to the Penal Code, section 356, which criminalizes “forced marriage” and increases the penalty where the victims are under 18 years of age, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 26) and urges the State party to finalize the revision of the Civil Code and establish the minimum age for marriage as 18 for both girls and boys.

## **C. General principles (arts. 2, 3, 6 and 12)**

### **Non-discrimination**

14. The Committee welcomes the adoption of article 242 of the amended Penal Code prohibiting discrimination on the grounds of race, religion, sex or health status. It is concerned, however, about the persistent discrimination against children in marginalized and disadvantaged situations, including girls, children born out of wedlock, children with disabilities, children with HIV/AIDS, children with albinism, indigenous children, children in street situations, children suspected of association with Boko Haram, refugee, asylum-seeking and internally displaced children, and the lack of an overall strategy to combat such discrimination. The Committee is deeply concerned about the State party’s rejection during the dialogue of the identity of lesbian, gay, bisexual, transgender and intersex children and the stigmatization and discrimination experienced by such children.

15. The Committee, reiterating its previous recommendation (see CRC/C/CMR/CO/2, para. 28), urges the State party to:

(a) Adopt and implement comprehensive legislation, accompanied by a global strategy, to protect all children against discrimination, especially girls, children born out of wedlock, children with disabilities, children with HIV/AIDS, children with albinism, indigenous children, children in street situations, children suspected of association with Boko Haram, refugee, asylum-seeking and internally displaced children;

(b) Recognize the identity of lesbian, gay, bisexual, transgender and intersex children and protect them against discrimination in law and in practice;

(c) Conduct awareness-raising and educational programmes, including campaigns, targeting children, families, communities and religious and traditional leaders, on eliminating all forms of discrimination against children.

### **Best interests of the child**

16. With reference to its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party:

(a) Strengthen its efforts to ensure that this right is appropriately integrated, consistently interpreted and systematically applied in all legislative, administrative and judicial proceedings and decisions, as well as in all policies, programmes and projects that are relevant to and have an impact on children;

(b) Develop procedures and criteria to provide guidance to all relevant persons in authority at the national, regional and local levels for determining the best interests of the child in every area and for giving it primary consideration.

### **Respect for the views of the child**

17. With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee welcomes the regular organization of the Children’s Parliament and encourages the State party to enact legislation, in line with its previous recommendation (see CRC/C/CMR/CO/2, para. 32) to reinforce the Children’s Parliament and ensure that it is provided with a meaningful mandate and

adequate human, technical and financial resources, in order to facilitate children's effective engagement, particularly children in vulnerable situations, with national legislative processes on issues affecting them.

#### **D. Civil rights and freedoms (arts. 7, 8 and 13-17)**

##### **Birth registration and nationality**

18. The Committee welcomes the revision of the legal and institutional framework to ameliorate the birth registration process, including the establishment of the National Civil Status Office and the extension of the time limit to declare births. However, it is concerned about the low level of birth registration, particularly in rural areas, owing to:

(a) Gaps in the law failing to address the impact on poor and vulnerable families of costs associated with birth registration and the declaration of all births outside hospitals;

(b) Low awareness among parents of the importance of birth registration and the time limits for registration and, upon expiration, the difficulties in obtaining a substitute birth certificate through a court order;

(c) Inaccessible and underresourced civil registries disproportionately affecting vulnerable populations, including indigenous groups and communities in the Bakassi Peninsula.

19. **Taking note of target 16.9 of the Sustainable Development Goals on providing legal identity for all, including birth registration, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 34) and urges the State party to:**

(a) **Eliminate all fees for birth registration and certificate issuance;**

(b) **Increase the financial, technical and human resources of the National Civil Status Office to increase its accessibility throughout the State party;**

(c) **Strengthen awareness-raising campaigns encouraging parents to register births.**

20. The Committee is further concerned that children born out of wedlock must fulfil additional conditions to acquire Cameroonian nationality and that the acquisition of nationality may be denied to children with disabilities.

21. **The Committee recommends that the State party amend the Nationality Code to repeal discriminatory provisions relating to the acquisition of nationality by children born out of wedlock and relating to the naturalization of children with disabilities.**

#### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

##### **Torture and other cruel or degrading treatment or punishment**

22. The Committee welcomes the adoption of section 277-3 of the amended Penal Code prohibiting the use of torture. However, it remains deeply concerned about violence perpetrated against children by the police, which may amount to torture and other cruel, inhuman or degrading treatment or punishment, including during investigations and prolonged pretrial detention, and especially inflicted on those involved in protests and on suspicion of association with Boko Haram.

23. **The Committee refers to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking note of target 16.2 of the Sustainable Development Goals on ending all forms of violence against children, reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 36) and urges the State party to:**

(a) Promptly issue guidance to the police on the child's right to freedom from all types of violence, in particular torture and other cruel, inhuman or degrading treatment or punishment;

(b) Direct the Prosecution Office to expeditiously investigate and prosecute reported cases of torture of children by the police, ensuring that perpetrators are severely sanctioned and that child victims are provided with compensation and rehabilitation.

#### **Corporal punishment**

24. In view of the prevalence of corporal punishment within the family and the fact that violent discipline practices, despite being illegal, remain widespread in schools, the Committee, with reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 38) and urges the State Party to:

(a) Explicitly prohibit corporal punishment in law in all settings, including in the home and institutions;

(b) Ensure that all cases of corporal punishment of children are investigated and perpetrators are prosecuted;

(c) Introduce sustained public education, awareness-raising and social mobilization programmes, involving children, families, communities and their leaders, on the physically and psychologically harmful effects of corporal punishment, with a view to changing the general attitude towards this practice and promoting positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment.

#### **Abuse and neglect**

25. With reference to its general comment No. 13, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 50) and further recommends that the State party:

(a) Ensure a coordinated response to implementing the national policy on child protection in order to effectively prevent violence against children;

(b) Strengthen mechanisms for the early detection and prevention of child abuse and the rehabilitation of child victims by ensuring the availability and accessibility of qualified child protection workers and victim support at the community level;

(c) Raise awareness of parents and community leaders of the negative impact of violence and abuse on children and society and on the strategies to prevent or respond to it;

(d) Encourage child victims to report cases of abuse, violence and neglect and ensure the prosecution and punishment of perpetrators;

(e) Establish a national database on all cases of violence against children, including ill-treatment, sexual abuse, child abuse and neglect and domestic violence, and develop and implement a monitoring and evaluation system to help determine how child protection systems can best address violence against children.

#### **Sexual exploitation and abuse**

26. The Committee welcomes the adoption of sections 297 and 302-1 of the amended Penal Code providing, respectively, that a rapist cannot be exonerated by marrying his victim and criminalizing sexual harassment, imposing imprisonment where the victim is a minor and considering as an aggravating factor where the perpetrator has educational authority over the victim. However, the Committee expresses grave concern that:

(a) Sexual violence is prevalent, including against very young children;

(b) Over 22 per cent of girls aged 15-19 have experienced sexual violence, notably within the context of child marriage, and that consequently the high rate of HIV/AIDS of this group persists;

(c) State legislation does not provide full protection for all victims of violence, including sexual violence, or guarantee their compensation or rehabilitation.

**27. In drawing attention to target 5.2 of the Sustainable Development Goals on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 74) and urges the State party to:**

(a) Enact specific legislation to combat sexual and gender-based violence against children, ensuring that prevention, protection and rehabilitation measures are in place, targeting groups vulnerable to such violence, particularly girls, children with disabilities and refugee, asylum-seeking and internally displaced children;

(b) Establish mechanisms, procedures and guidelines to ensure mandatory reporting of cases of child sexual abuse and exploitation;

(c) End impunity for all perpetrators of sexual offences against children and ensure their prosecution, while guaranteeing that child victims of sexual exploitation or abuse have access to victim and witness protection measures;

(d) Provide regular substantive training for judges, lawyers, prosecutors, the police, social workers and health-care professionals on standardized, gender- and child-sensitive procedures for dealing with victims;

(e) Finalize and adequately resource the updated national strategy to combat gender-based violence and ensure that it includes the delivery of awareness-raising activities to combat the stigmatization of child victims of sexual exploitation and abuse, and promotes knowledge of the mechanisms available for filing complaints and seeking redress and support.

#### **Harmful practices**

**28. The Committee, with reference to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee (2014) on harmful practices, recommends that the State party:**

(a) Strictly enforce sections 277-1 and 277-2 of the amended Penal Code criminalizing genital mutilation and interference with organ growth respectively;

(b) Explicitly criminalize the practice of breast ironing;

(c) Finalize and adequately resource the updated national action plan to combat female genital mutilation and ensure its implementation through the platform for collaboration between the Ministry of Women's Empowerment and the Family and the Council of Imams and Muslim Dignitaries and in coordination with the local committees established to fight this practice;

(d) Develop comprehensive awareness-raising campaigns and programmes, targeting families and community leaders particularly in remote areas, on the negative consequences of harmful practices, particularly on girls, children with albinism and twins;

(e) Take all necessary measures in line with the State party's obligations under the Convention and the African Charter on the Rights and Welfare of the Child to eliminate the practice of child marriage, which remains prevalent throughout the State party, particularly in the North, Far North, Adamaoua and East regions.

#### **Helplines**

**29. The Committee recommends that the State party provide the necessary human, technical and financial resources to establish and operationalize its "Hotline No. 116"**

for reporting cases of abuse and violence against children and promote awareness of how children can access it.

**F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

**Family environment**

30. The Committee reiterates its previous recommendations (see CRC/C/CMR/CO/2, paras. 42 and 44) and further recommends that the State party:

(a) Finalize and adequately resource the national policy on social protection to ensure its implementation to guarantee families living in poverty the material and financial assistance necessary to provide children with a suitable family environment;

(b) Consider ratifying the Convention on the International Recovery of Child Support and Other Forms of Family Maintenance of 23 November 2007 and the Protocol on the Law Applicable to Maintenance Obligations of 23 November 2007.

**Children deprived of a family environment**

31. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex), the Committee emphasizes that financial and material poverty, or conditions directly and uniquely attributable to such poverty, should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child's social reintegration. In that regard, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 46) and further recommends that the State party:

(a) Develop clear standards for the care and protection of children without parental care and for the recruitment and retention of foster families that are based on the best interests of the child;

(b) Take effective measures to enforce regulations on the establishment and licensing of alternative care centres and ensure the inspection of existing alternative care centres for children and that they operate in accordance with at least the minimum standards;

(c) Periodically review the situation of children placed in foster care and in institutions and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying the ill-treatment of children;

(d) Support and facilitate family-based care for children wherever possible and strengthen the system of foster care for children who cannot stay with their families, with a view to reducing the institutionalization of children;

(e) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children residing therein to the greatest extent possible.

**Adoption**

32. The Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 48) and further recommends that the State party:

(a) Finalize the revision of the Civil Code consolidating the system of adoption;

(b) Raise awareness of the adoption procedures and regulations and promote and encourage domestic adoption;



(c) Establish clear regulations concerning intercountry adoptions and consider ratifying the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

**G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)**

**Children with disabilities**

33. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability and specifically recommends that it:

(a) Expedite the issuance of the draft decree implementing Law No. 2010/002 of 13 April 2010 on the promotion and protection of persons with disabilities, ensuring that it requires the provision of reasonable accommodation;

(b) Take immediate measures to ensure that children with disabilities have access to health care, including early detection and intervention programmes;

(c) Immediately release any children institutionalized on the basis of their disability and ensure they receive community-based support;

(d) Implement the national policy on inclusive education, train specialized teachers and professionals and assign them to inclusive classes, providing individual support and all due attention to children with learning difficulties;

(e) Undertake awareness-raising campaigns aimed at the families of children with disabilities, teachers and society to combat the stigmatization of and prejudice against children with disabilities and promote a positive image of such children;

(f) Consider ratifying the Convention on the Rights of Persons with Disabilities.

**Health and health services**

34. In view of low budget allocations to the health sector, resulting in poor infrastructure, equipment, quality of services and a lack of qualified personnel, and in light of high maternal and neonatal mortality and child malnutrition rates, the Committee, with reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and taking note of Sustainable Development Goal 3, recommends that the State party:

(a) Increase its allocation of resources for primary health care to make it both accessible and affordable and to implement planned strategic programmes, including the health sectorial strategy (2016-2020), the national health development plan (2016-2020) and its integrated monitoring and evaluation plan (2016-2020), as well as those covering malaria, vaccination, communication, integrated care for children and neonatal health;

(b) Ensure a sufficient number of accessible health centres and hospitals equipped with adequate human, technical and financial resources throughout the country;

(c) Increase investment in seasonal malaria prevention including by delivering awareness-raising programmes on the utilization of mosquito nets and ensure sanctions against health workers who demand payment of informal fees for the disbursement of free malaria treatment;

(d) Ensure the allocation and efficient disbursement of funds is in place to ensure seamless coverage of vaccination campaigns following the discontinuation of Gavi financing in 2018;

(e) Address malnutrition by finalizing and implementing the food and nutrition policy, ensuring a dedicated budget line in the national budget for nutrition, intensifying awareness-raising campaigns, particularly in rural areas, promoting exclusive breastfeeding and knowledge of the national code on the marketing of breast milk substitutes and establishing hospitals certified as baby-friendly;

(f) Improve water management by undertaking an inventory of water, sanitation and hygiene facilities, investing in the capacity-building of water point management committees and updating the legislative framework on water management to address institutional issues;

(g) Implement and apply the OHCHR technical guidance on the application of a human rights-based approach to the implementation of policies and programmes to reduce and eliminate preventable mortality and morbidity of children under 5 years of age (A/HRC/27/31).

#### **Adolescent health**

35. With reference to its general comment No. 4 (2003) on adolescent health and development in the context of the Convention, the Committee recommends that the State party:

(a) Implement its national strategic plan for adolescent and youth health, ensuring it encompasses a comprehensive sexual and reproductive health component, which includes delivering sexual and reproductive health education as part of the mandatory school curriculum targeted at adolescent girls and boys, with special attention paid to preventing adolescent pregnancy and sexually transmitted infections and to raising awareness of and fostering responsible parenthood and sexual behaviour, with particular attention to boys and men;

(b) Improve adolescent girls' access to reproductive health care and related services and increase support for reproductive health and family planning services and access to affordable contraceptives;

(c) Decriminalize abortion in all circumstances and repeal section 339 (2) of the amended Penal Code to remove the requirement to obtain certification from the prosecutor before attaining a legal abortion in the case of rape, ensure girls' access to safe abortion and post-abortion care services and ensure that their views are always heard and given due consideration in decisions on abortion;

(d) Address the incidence of drug abuse by children and adolescents, in particular Tramadol, by, inter alia, providing children and adolescents with accurate and objective information and education on life skills for the prevention of substance abuse, including tobacco and alcohol, and develop accessible and youth-friendly drug dependency treatment and harm reduction services.

#### **HIV/AIDS**

36. While noting that the majority of children and adolescents living with HIV in the State party do not have access to antiretroviral treatment, the Committee, with reference to its general comment No. 3 (2003) on HIV/AIDS and the rights of the child, recommends that the State party:

(a) Finalize the operational plans for elimination of mother to children transmission and for the HIV care and treatment for children and adolescents, ensuring that they are allocated adequate human, technical and financial resources to ensure their implementation;

(b) Increase the delivery of antiretroviral therapy and prophylaxis treatment to HIV-positive children, adolescents, pregnant and breastfeeding women by intensifying the accessibility and availability of free testing for HIV and accelerating the task-shifting of initiating treatment to nurses and midwives.

### Standard of living

37. In view of the high rate of families living in poverty (39.9 per cent) in the State party, which is exacerbated in the rural areas (55 per cent) and the high number of workers employed in the informal economy who do not benefit from any form of social protection, the Committee reiterates its previous recommendation (CRC/C/CMR/CO/2, para. 64) and draws attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all and recommends that the State party strengthen the strategies and measures for fulfilling children's rights in poverty reduction initiatives, in particular by establishing a universal childcare benefit.

## H. Education, leisure and cultural activities (arts. 28-31)

### Education, including vocational training and guidance

38. The Committee notes the initiatives taken by the State party to improve children's access to schools, including the creation of new schools throughout its territory and the increased recruitment of teachers, and the elaboration of early childhood development and preschool policies. However, it regrets that the efforts are insufficient and a significant number of school-age children remain out of school. The Committee is concerned at:

(a) The continued low level of funding for education, including for implementation of the education sectoral strategy, resulting in a lack of qualified teachers, pedagogical materials, school equipment and adequate infrastructure, including inadequate access to potable water and sanitary facilities and a lack of transport services to and from most schools;

(b) The closure of schools owing to insecurity in the Far North, North, East, Adamaoua, North-West and South-West regions;

(c) Excessive costs for education in the form of informal fees disproportionately affecting the large number of families in the State party living in poverty;

(d) The low school enrolment rate of girls and, particularly, high dropout rates in secondary school owing to the prevalence of sexual harassment by teachers, child marriage and adolescent pregnancy;

(e) The disproportionate impact on indigenous, refugee and asylum-seeking children and children living in remote areas of the requirement to produce a birth certificate to qualify for the secondary school entrance exam.

39. Taking note of Sustainable Development Goal 4, the Committee recommends that the State party:

(a) **Increase the allocation of resources to the education sector and improve transparency and accountability in spending;**

(b) **Improve the quality of education through increased spending on teacher training, the acquisition of pedagogical materials and school equipment and infrastructure, in particular with regard to access to potable water and adequate sanitation facilities and transport services to and from schools;**

(c) **Ensure the safety of children and school personnel and take measures to urgently reopen schools in security-affected regions;**

(d) **Remove any indirect costs for primary education and sanction educators demanding the payment of informal fees;**

(e) **Intensify efforts to eliminate child marriage and facilitate the re-entry of young mothers into the regular school programme, free from stigma;**

(f) **Encourage the confidential reporting of sexual abuse of children by teachers, ensuring thorough investigations are conducted and perpetrators are prosecuted;**

(g) Remove administrative barriers to school enrolment, including the requirement to produce a birth certificate to take the entry examinations for secondary school;

(h) Create vocational education and training programmes for children who have dropped out of school, particularly targeting groups of children in vulnerable situations.

## **I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)**

### **Asylum-seeking and refugee children**

40. While noting that conflict and instability in neighbouring countries have resulted in, collectively, over a half a million refugees, asylum seekers and internally displaced persons arriving in Cameroon, mostly residing in the East, North, Far North and Adamaoua regions, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 68) and further recommends that the State party:

(a) Operationalize and adequately resource the Commission for Eligibility to the Status of Refugees, ensuring it implements child-friendly screening and registration procedures;

(b) Ensure that the best interests of the child are a primary consideration in all decisions and agreements in relation to the transfer of any asylum-seeking or refugee children, that all returns are voluntary and that the principle of non-refoulement is upheld;

(c) Develop comprehensive referral and case management frameworks for services to refugee and asylum-seeking children, particularly in the fields of physical and mental health services, education and the police and justice sectors, including the provision of free legal aid, particularly for unaccompanied and separated children;

(d) Prevent the arbitrary detention of refugee and internally displaced children;

(e) Consider acceding to the Convention relating to the Status of Refugees, the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

### **Children in armed conflicts**

41. With reference to the report of the Secretary-General on children and armed conflict in Nigeria (S/2017/304) citing the abduction of children by Boko Haram and their appalling use of children, especially girls, as suicide bombers, and the consequent preventive detention of children suspected of association with the group, the Committee recommends that the State party:

(a) Develop and implement a national strategy to coordinate the expedited release of children detained on the basis of unfounded evidence of association with terrorist groups;

(b) Amend counter-terrorism Law No. 2014/228 of 23 December 2014 so that the jurisdiction of military tribunals does not apply to children;

(c) Establish and adequately resource community-based support structures to reintegrate children associated with armed groups, including vigilante groups, promoting their physical and psychological recovery and social reintegration in an environment which fosters the health, self-respect and dignity of the child.

### **Children belonging to minority or indigenous groups**

42. In view of the discrimination experienced by the Pygmies and the Mbororo peoples in the State party and the absence of any law protecting their rights, the

Committee, with reference to its general comment No. 11 (2009) on indigenous children and their rights under the Convention, reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 83) and urges the State party to:

(a) Allocate adequate resources for the implementation of the national action plan for indigenous peoples (2014), ensuring its objective is to respect, protect and promote the rights of indigenous children and to eliminate their food insecurity, poverty and vulnerability to violence and exploitation, with their full and effective participation;

(b) Accelerate efforts to promote the education of indigenous children and counteract the extremely high illiteracy rate of the indigenous peoples through the construction of adequately resourced schools in their communities and the delivery of culturally appropriate curricula;

(c) Ensure indigenous peoples' access to social services and benefits through facilitating birth registration and the issuance of national identity cards.

#### **Economic exploitation, including child labour**

43. In view of the large numbers of children still being exploited in commercial agriculture and in domestic work, the Committee urges the State party to:

(a) Allocate sufficient resources to operationalize the National Committee to Combat Child Labour, established by Order No. 082/PM of 27 August 2014, and finalize and implement the national action plan to combat child labour;

(b) Protect children who work as domestic servants and ensure their rehabilitation and social integration, particularly in the context of the implementation of the national action plan;

(c) Raise awareness among the public of the legal protections against exploitation of child labour with a view to encouraging the reporting of violations, and ensure these are thoroughly investigated and perpetrators are sanctioned.

#### **Children in street situations**

44. With reference to its general comment No. 21 (2017) on children in street situations, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 72) and further recommends that the State party:

(a) Strengthen its programmes aimed at supporting poor and vulnerable families, at preventing children from being separated from their parents and at reintegrating children in street situations into their families and communities whenever possible;

(b) Ensure that the rights of street children are fully respected by State agents, including by the military and police, by sanctioning all acts of violence against them and providing victims with adequate protection and care, including food, shelter, education and health-care services;

(c) Conduct studies on the root causes that lead to children living in street situations, collect data in order to understand this phenomenon and involve children in street situations in the planning, implementation and evaluation of measures designed for them, as mentioned above.

#### **Sale, trafficking and abduction**

45. Noting that children in the State party are trafficked for forced labour in mining, agriculture and domestic servitude, the Committee recommends that the State party allocate adequate resources to ensure the implementation of Law No. 2011/024 of 14 December 2011 on combating the smuggling and trafficking of persons in Cameroon and operationalize the Committee for the Coordination and Monitoring of Strategies to Combat Trafficking in Human Organs and Ritual Crimes.

**Administration of juvenile justice**

46. The Committee is seriously concerned that the legal and judicial protection of children in conflict with the law remains very weak. In particular, it is concerned about the:

- (a) Low age of criminal responsibility, which is set at 10 years;
- (b) Arbitrary detention of children by police and the informal fees demanded for their release, including informal fees for legal aid lawyers;
- (c) Absence of juvenile justice courts, lengthy pretrial detention periods and limited access to legal assistance;
- (d) Lack of alternatives to the detention of children in conflict with the law;
- (e) Insufficiency and inadequacy of hygienic and serviced detention facilities for children and the lack of any systematic separation from adults of children in detention.

47. **With reference to its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 80) and urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards, in particular, by:**

- (a) **Urgently raising the minimum age of criminal responsibility to an internationally accepted standard;**
- (b) **Prosecuting police officers who have arbitrarily detained children and demanded bribes for their release and legal aid lawyers who have demanded informal fees;**
- (c) **Expediently establishing specialized juvenile court facilities and procedures with adequate human, technical and financial resources, presided over by designated specialized judges;**
- (d) **Providing qualified and independent legal aid and assistance, including through paralegals, to children in conflict with the law at an early stage of and throughout legal proceedings;**
- (e) **Promoting measures for dealing with children accused of having infringed the penal law without resorting to judicial proceedings, such as diversion, probation, mediation, counselling or community service, and wherever possible, using alternative measures at sentencing, ensuring that detention is used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to ending it;**
- (f) **In cases where detention is unavoidable, ensuring that children are systematically separated from adults and that detention conditions are compliant with international standards, including access to education and health services.**

**Child victims and witnesses of crimes**

48. The Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 81) and further recommends that the State party intensify the support, including psychosocial rehabilitation, provided to child victims of crimes, including by increasing the availability and accessibility of qualified social workers and reopening the National Institute of Social Work to this end.

**J. Ratification of the Optional Protocols to the Convention**

49. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and on a communications procedure.

## **K. Ratification of international human rights instruments**

50. The Committee recommends that in order to further strengthen the fulfilment of children's rights, the State party consider ratifying the following core human rights instruments to which it is not yet a party:

(a) The International Convention for the Protection of All Persons from Enforced Disappearance;

(b) The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

(c) The Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and the Second Optional Protocol to the International Covenant on Civil and Political Rights aiming at the abolition of the death penalty.

51. The Committee urges the State party to fulfil its reporting obligations under the Optional Protocol on the involvement of children in armed conflict, the report of which is overdue as of 4 February 2015.

## **L. Cooperation with regional bodies**

52. The Committee recommends that the State party cooperate with the African Committee of Experts on the Rights and Welfare of the Child of the African Union on the implementation of the Convention and other human rights instruments, both in the State party and in other member States of the African Union.

## **IV. Implementation and reporting**

### **A. Follow-up and dissemination**

53. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined third to fifth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

### **B. National mechanism for reporting and follow-up**

54. The Committee recommends that the State party continue to strengthen its national mechanism for reporting and follow-up as a standing government structure that is mandated with coordinating and preparing reports to and engaging with international and regional human rights mechanisms, as well as with coordinating and tracking national follow-up to and implementation of the treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the national human rights institution and civil society.

### **C. Next report**

55. The Committee invites the State party to submit its combined sixth and seventh periodic reports by 9 August 2022 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly

resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

56. The Committee also invites the State party to submit an updated core document, not exceeding 42,400 words, in accordance with the requirements for the common core document contained in the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see HRI/GEN/2/Rev.6, chap. I) and paragraph 16 of General Assembly resolution 68/268.

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