



International Convention on the Elimination of All Forms of Racial Discrimination

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Summary record of the 1984th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 23 February 2010, at 10 a.m.

Chairperson: Mr. Kemal

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The meeting was called to order at 10.15 a.m.

Consideration of reports, comments and information submitted by States parties under article 9 of the Convention *(continued)*

Fifteenth to eighteenth periodic reports of Cameroon (continued) (CERD/C/CMR/15-18; CERD/C/CMR/Q/15-18 and Add.1; HRI/CORE/1/Add.109)

1. *At the invitation of the Chairperson, the delegation of Cameroon took places at the Committee table.*
2. **Mr. Dion Ngute** (Cameroon) said that the Government had taken all the necessary measures to enable the Constitutional Council to begin work and that all that remained was to appoint the members. However, since the Constitution had been amended in April 2008, legislation concerning the functioning of institutions still needed amending. The 2004 Act on the establishment of the Council had provided that members would hold office for a nine-year, non-renewable term. Under the amended Constitution, the term lasted six years and could be renewed. After the transition period and the promulgation of new laws, the members of the Council would be appointed.
3. Replying to the questions on ethnic groups, he recalled that Cameroon was at peace internally and with its neighbours. There had been only two conflicts between ethnic groups in recent history, but such incidents had fortunately been extremely rare and well managed. The subject of the most recent conflict had been ancestral worship, with one group believing that another had violated its rights, but the conflict had been swiftly brought under control. The different ethnic groups in Cameroon coexisted peacefully.
4. Cameroon did not identify its citizens according to their ethnicity, as it endeavoured to avoid any discrimination. Cameroonians were identified on the basis of their administrative subdivision, specifying their region, municipality and department. Indigenous groups did indeed exist, but no reference was made to membership of an ethnic group in documentation, identity cards or birth certificates. Relations between ethnic groups were constantly shifting and were particularly characterized by inter-group marriage. The ethnic divide was not therefore as marked as might be thought. Censuses did not provide statistics on the number of people belonging to the different ethnic groups, since that information was not recorded.
5. Turning to the issue of posts in State institutions, there was a provision establishing a quota of posts per region, proportional to the number of inhabitants of each region. The provision did not take account of ethnicity, but of the administrative divisions, which ensured that the different regions of the country were equally represented in State institutions. The provision did not apply to particular cases, such as the entrance examination to the *École nationale supérieure polytechnique* (Engineering School of the University of Yaoundé) which called for specific knowledge, since there were no qualified candidates in some regions.
6. The term “indigenous people” had been used for the first time in the 1996 Constitution, in a provision stipulating that the State guaranteed respect of the rights of indigenous peoples. The general public, particularly intellectuals, had then begun to become aware of that notion, but it was still not always properly understood. That was why the terms “indigenous people”, “marginal population groups” and “vulnerable population” were not always used correctly in the documents that had been submitted to the Committee.
7. Two population groups were generally considered as indigenous peoples in Cameroon: the Pygmies, who included the Baka, the Bagyeli and other groups living in the forests of the equatorial zone, and the Mbororo. Those two groups defined themselves as indigenous groups and displayed distinctive characteristics and ways of life.

8. In September 2006, with the support of the African Commission on Human and Peoples' Rights, the Cameroonian Government had organized in Yaoundé a Regional Sensitization Seminar on the Rights of Indigenous Populations/Communities in Central Africa. Representatives of the Mbororo and the Pygmies of Cameroon and neighbouring countries had participated in the seminar.

9. The Government had taken measures to ensure that indigenous groups were integrated in society, particularly by launching programmes aiming to provide them with identity documents. That gave them access to several rights such as the right to vote, to be included on an electoral list, and to participate in integration or education programmes. The areas where those communities lived had been categorized as priority education zones, which constituted a form of positive discrimination. The Government was not aiming to change their lifestyle, but to integrate them into the population as a whole. It was not always a straightforward task as the right balance had to be struck between the desire to integrate them and the need to respect their way of life. His Government was therefore committed to encouraging education without forcing parents to send their children to school. Experience, however, had shown that once those people were educated, they changed their way of life and aspired to work in Cameroonian institutions. In that regard, he referred to the case of some Mbororo students who had recently begun studying at the National School of Administration and would, in two years' time, be the first senior government officials belonging to the Mbororo group. Some NGOs had taken steps to raise awareness among Mbororo parents of the positive effects of education.

10. It was sometimes difficult to protect the land rights of those groups when they were nomadic communities, such as the Mbororo, who were pastoralists and regularly moved from place to place. Some Pygmy communities had become more or less sedentary but others continued to live a nomadic way of life. The Government had therefore taken measures to help them in several respects. For example, when new natural reserves were created, it protected those groups and offered them the opportunity to settle in a different region. The Government had also begun a dialogue with relevant NGOs.

11. Turning to the question of foreigners residing in his country, he noted that Cameroon was located at the centre of an unstable region, given that it shared borders with Chad, the Central African Republic, Nigeria and the Congo, which had been through many difficult periods over the previous 30 years. However, the majority of the 4 million foreigners living in Cameroon were not refugees: many Nigerians had settled in the south when that region had still been part of Nigeria and had stayed on after independence. Some of them had acquired Cameroonian nationality, while others were still Nigerians but were permanent residents. According to statistics, there were 3 million Nigerians in Cameroon, which showed that Cameroon welcomed their presence. Nigerians and Malians were the only foreign citizens who had the right to enter Cameroon without a visa. Nigerians could enter and reside for three months without a visa, after which they had to apply for a residence permit, the cost of which was based on the principle of reciprocity. Cameroon asked foreign citizens to pay the same amount that Cameroonians had to pay to reside in their countries. The residence permit was renewable every two years. Problems had arisen because many Nigerians had refused to pay for their residence permits and had only done so when forced by the immigration police. That had led to criticism over alleged harassment of Nigerians, but that criticism was unfounded.

12. **Mr. Bomba Ngong** (Cameroon) said that the project to improve the quality of life of the Pygmies, implemented with Belgian technical cooperation, had been launched by the Government as part of its fight against the social exclusion of indigenous peoples. It was a project supporting the socio-economic development of Baka Pygmy communities in the south of the country, and had ended in April 2008. The project had raised awareness among the Baka communities about the importance of citizenship and the procedure for acquiring

official documents. Members of the Baka communities had been trained in using birth declaration registers, there had been improvements in access to basic social services and hygiene, vaccination campaigns for children and pregnant women and prenatal consultations, training for medical auxiliaries who had been provided with medical equipment, and aid in the form of medicines or equipment supplied to health centres. In addition, a platform had been established for consultation and inter-community dialogue between Baka and Bantu peoples and was working in several towns, and a plan to mobilize forest resources had been developed. The cost of all those activities had amounted to some 719,000 euros. A campaign conducted in 2009 in southern Cameroon to identify Pygmies in order to provide them with identity documents had resulted in almost 2,000 birth certificates and 1,000 identity cards being given to Pygmies who had been registered.

13. Act No. 97/012 of 10 January 1997, which regulated aliens' entry to, residence in and departure from Cameroon, was applied to all foreigners, regardless of their race. Article 40 of the Act provided for punishment of between 3 months' and 2 years' imprisonment or a fine of between 200,000 and 2 million CFA francs for any foreigner who illegally entered or stayed in Cameroon or who remained there after his residence permit had expired. In such a case, the individual concerned could be banned from staying in Cameroon for five years. Those penalties were applicable to all foreigners without exception. There were currently 4 million foreign nationals living in Cameroon, which demonstrated the flexibility of the law and the authorities in immigration issues.

14. **Mr. Bidima** (Cameroon) gave a detailed account of events involving Cipriano Nguema Mba, a supposed opponent of the regime of President Obiang Nguema. After having his refugee status revoked in Cameroon in 2005, he had gone to Spain. Back in Cameroon, where his reapplication for refugee status had been refused, he had been abducted in October 2008 on the orders of the Embassy of Equatorial Guinea. He was thought to be detained in the Black Beach prison in Equatorial Guinea.

15. The Chargé d'affaires ad interim of the Embassy of Equatorial Guinea in Yaoundé had been summoned to the Ministry of Foreign Affairs on 13 October 2008 to explain and give exact details about Mr. Nguema Mba's situation, but that request had been ignored. On 21 October 2008, the Ministry of Foreign Affairs of Cameroon had issued a statement condemning the abduction. On 24 October 2008, during a visit to the Ministry of Foreign Affairs, the Ambassador of Equatorial Guinea in Cameroon had denied any involvement by his services, which had nonetheless been revealed through investigations.

16. The two Cameroonian police officers involved in the affair had been dismissed by the disciplinary board, then accused by the Military Tribunal of corruption, threatening State security and arbitrary arrest and detention in association with others.

17. **Ms. Esseneme** (Cameroon) said that there were no statistics available on court cases in which the Convention had been invoked, but she confirmed that members of the police and the gendarmerie who were found guilty of acts of discrimination against foreigners were liable to disciplinary measures.

18. The Directorate for Human Rights and International Cooperation of the Ministry of Justice was responsible for providing the staff of the judicial and prison services with information about the rules concerning the protection of human rights and making sure they were aware of them. To that end, it cooperated with all State and civil society entities, including the National Commission of Human Rights and Freedoms, the Ministry of Social Affairs and the Ministry of Women's Empowerment and the Family.

19. Turning to the incorporation of the definition of discrimination in the Constitution, she read out article 1 of the Constitution, which stated that all persons, without distinction as to race, religion, sex, or belief, possessed inalienable and sacred rights and that all

persons had equal rights and obligations. The provisions of article 1 of the Convention were therefore incorporated in the Constitution.

20. Two separate campaigns had been launched to raise awareness of the Code of Criminal Procedure among the public in general and members of the judiciary in particular. The Government had received assistance with those campaigns from civil society and parliamentary organizations and from the National Commission of Human Rights and Freedoms.

21. As part of the reform of the judicial system, legislators were revising the Criminal Code in order to eliminate any discriminatory provisions; that would bring it into line with the relevant international instruments, including the Convention.

22. In order to curb the problem of mob justice, which had escalated in 2006, the Government had set up community police forces and had opened police and gendarmerie stations along major highways, in shopping malls and in densely populated neighbourhoods.

23. During their initial three-year training period at the National School of Administration and the Judiciary, members of the judiciary were required to take a course on human rights and to attend human rights seminars that formed part of their ongoing training.

24. Under domestic legislation on traditional courts, Pygmy litigants could refuse to be brought before a customary court without the presence of an adviser who represented their tradition.

25. In order to combat corruption in the judiciary, the Ministry of Justice's Inspectorate-General of the Judiciary had implemented an information, education and communication plan on the subject and had conducted monitoring missions in 10 courts of appeal. Furthermore, the President of the Republic and Chairman of the Higher Judicial Council could take disciplinary measures against members of the judiciary who acted in an unethical fashion and demonstrated a lack of integrity.

26. Article 241 of the Criminal Code punished anyone guilty of insulting behaviour towards any race or religion, and article 242 established a prison term of 1 month to 2 years and a fine of 5,000 to 500,000 CFA francs for anyone who refused another person access to a public place or to employment on account of race or religion.

27. In order to facilitate access to justice by marginal population groups, Cameroon had adopted the Act of 14 April 2009 on the organization of legal aid. It gave anyone without adequate resources who needed legal aid the right to receive it from the moment proceedings were instituted through to execution of the court decision. To facilitate access to justice, court hearings had been held in areas that were a long way from a court and were often cut off. However, since interpreters had not been formally provided for, courts appointed interpreters on an ad hoc basis, as appropriate.

28. In traditional communities, justice was administered by traditional chiefs who acted as mediators, particularly in matters concerning property.

29. **Mr. Dion Ngute** (Cameroon) said that the Southern Cameroons National Council was a group that advocated secession of the English-speaking part of the country. English was the predominant language in 2 of the 10 regions of the country, and one of the six universities offered courses in English only, while the other five held courses in both English and French. It was not therefore accurate to say that English was underrepresented in Cameroon.

30. In Cameroon, albinos had a rather good reputation: according to widespread mystical and religious beliefs, it was lucky to touch an albino. Legally, albinos had the

same rights as other Cameroonians and there had been no reports of any discrimination against them. On another note, wearing school uniform had been made compulsory in an attempt to avoid the poorest children being stigmatized on account of their clothes.

31. **Ms. Esseneme** (Cameroon) said that, in order to bring the National Commission of Human Rights and Freedoms into conformity with the Paris Principles, a draft amendment to Act No. 2004/016 of 22 July 2004 concerning the establishment, organization and operation of the National Commission had been submitted to Parliament for adoption. In accordance with that Act, the Commission was an independent institution for consultation, observation, evaluation, dialogue, coordination, promotion and protection related to human rights and freedoms, and its responsibilities included receiving all complaints concerning cases of violation of human rights and freedoms, conducting enquiries and presenting its conclusions to the President of the Republic. The Commission handled the complaints it received in close cooperation with the Directorate for Human Rights and International Cooperation of the Ministry of Justice. The Commission and the Directorate had worked with other bodies to design a national plan for the promotion and protection of human rights. The plan was currently awaiting approval by the Government, which would be responsible for its implementation.

32. Human rights had been taught at all educational levels, from nursery school to university, since the beginning of the 2008 academic year. Similar programmes were also taught at the training schools for the judiciary, the police and the gendarmerie.

33. Regarding possible wage discrimination in Cameroon, the principle of equal wages was applied to all workers whatever their age, sex, religious belief or social and ethnic origin. That principle was enshrined in the Labour Code and the general statute governing the public services.

34. Children, people with disabilities and elderly people were considered vulnerable groups. Marginal population groups were people who had specific ways of life and cultural groups brought together ethnic groups that had the same traditions and cultural practices. An individual could quite easily belong to a vulnerable group and also have a marginal way of life.

35. Under the provisions of article 7 of Act No. 98/04 of 14 April 1998 on education guidelines in Cameroon, the State guaranteed every person equal access to education, without distinction as to sex, political, philosophical and religious opinion, or social, cultural, linguistic or geographical origin. The Head of State had decided to introduce free primary education nationwide from the 2000/01 academic year. School fees were borne by the State in priority education zones, except for the school uniform which parents had to buy. That could indeed constitute a limitation on free education.

36. Several measures had been taken to protect the environments of marginal population groups, especially to safeguard the groups' customs and property and protect trees, graves and sacred places. The Government had also established forestry communities in order to allow members of the marginal population groups to hunt and gather in the forests adjoining their lands.

37. **Mr. Calí Tzay** enquired what proportion of schoolchildren had to wear school uniform and what measures were taken to help those whose parents could not afford to buy the necessary clothing.

38. Paragraph 79 of the periodic report (CERD/C/CMR/15-18) stated that campaigns of civic education and education in citizenship were carried out at regular intervals with the support of the development partners in order to encourage the marginal population groups to develop a sense of belonging to the national community. He asked whether the

implication was that the marginal population groups did not have a sense of belonging to Cameroonian society. If so, he wished to know with which society those people identified.

39. **Mr. Lindgren Alves** said that it was not necessary, in his opinion, to ask Cameroon to provide disaggregated statistics on the 230 ethnic or tribal groups in the country, as that would only encourage inter-ethnic division. He asked whether the two official languages, English and French, were taught to all schoolchildren or only to children living in areas where they were the majority language. If Cameroon had truly introduced bilingual education nationwide, that remarkable effort was commendable.

40. He understood the complexity of the issue of Pygmies' land rights given that they were nomadic peoples. He recalled that his country, Brazil, had also faced that problem and had solved it by giving the indigenous peoples an area of land the size of Belgium. Clearly the situation was more difficult in relatively small countries, but Cameroon would have to address the issue at some stage.

41. He wished to know whether it was only marginal population groups that felt the lack of national sentiment to which reference was made in paragraph 79 of the periodic report, or whether that was true of all ethnic groups.

42. **Mr. Peter** said he had been relieved to hear from the head of the Cameroonian delegation that no reference was made to ethnicity in identity documents issued by the authorities. That was very positive in the African context, since many States in the continent were still characterized by ethnic divisions. Reference to details such as race and religion on identity documents had a colonial connotation in Africa as those data had long been required by the police at the request of the settlers, who had been convinced that some ethnic groups were particularly likely to commit crimes.

43. Referring to the 1973 Supreme Court ruling in the case of *Ebanda Njoh v. Eyoum Bwa Njoh Isaac* on the protection of women's right to property, he wished to know why that ruling, which had set a legal precedent, had not been incorporated into Cameroonian domestic legislation.

44. **Mr. de Gouttes** welcomed the clarifications provided by the Cameroonian delegation on the distinctions to be made between indigenous peoples, marginal groups, vulnerable groups and cultural groups.

45. On a more general note, he drew the State party's attention to the importance of establishing a national human rights institution that was in full conformity with the Paris Principles, particularly concerning the procedure for the appointment of members and their independence.

46. The issue of school uniform was interesting, as it opened up a debate on the usefulness of the practice in guaranteeing non-discrimination between children. It could indeed be considered to promote equality, which was a part of integration and national cohesion. Conversely, it could also be argued that by wearing a uniform, children might lose their sense of community identity. It was, therefore, another element in the debate between integration and the logic of community which should certainly be pursued.

47. **Mr. Murillo Martínez** commended the Cameroonians' positive attitude to albinos, in contrast to the situation in East Africa particularly. He noted that the Cameroonian maternal and child health indicators demonstrated a worrying deterioration and suggested that the State party should provide the Committee with more recent statistics on that point, given that the latest data were from 2004.

48. While taking note of the Cameroonian delegation's insistence on the equal treatment of men and women, he was concerned about the practical implementation of that principle.

In his country, Colombia, women generally earned 25 per cent less than men for the same work, despite holding the same qualifications.

49. **Mr. Thornberry** observed that the distinction the State party made between indigenous, marginal and vulnerable populations should not prevent it from adopting a general act on indigenous peoples' rights, particularly the right to education and the right of access to land and property. On that issue, he drew the delegation's attention to the Committee's general recommendation No. 23 on the rights of indigenous peoples. In addition, he wished to know whether measures were taken to raise public awareness of the country's ethnic diversity, especially with a view to eliminating stereotypical attitudes towards any given group.

50. **Mr. Saidou** welcomed Cameroon's efforts to combat the marginalization of indigenous peoples and promote their integration. He requested additional information on the role and composition of the youth parliament and asked whether there were any itinerant schools that would enable indigenous children such as Mbororo and Pygmy children to be educated. Turning to respect for land rights, he asked whether any grazing grounds were set aside for indigenous groups.

51. **Mr. Dion Ngute** (Cameroon) said that all children throughout the country were required to wear the same school uniform, regardless of their ethnic origin. Nonetheless, no schoolchild was prevented from attending school for not wearing the uniform. Cameroon had made the areas traditionally inhabited by the Mbororo and Pygmy peoples into priority education zones. English and French were the two languages taught to all schoolchildren who were able to study in English and French. The authorities were committed to the goal of enabling all pupils to be perfectly bilingual.

52. Replying to an observation made by Mr. Peter, he said that no reference was made to religion or ethnic origin on Cameroonians' identity documents or birth certificates. The NGO that represented albinos merely aimed to raise public awareness of the difficulties that group could face, not to combat the discrimination to which very few albinos were subjected in practice. The Supreme Court ruling in the case of *Ebanda Njoh v. Eyoun Bwa Njoh Isaac* had set a legal precedent in all matters related to women's right to inherit directly from their parents. There had been no further cases of discrimination since the Supreme Court had handed down that ruling in 1973.

53. He recognized that some of the existing members of the national human rights institution had been appointed directly by the Government and enjoyed the right to vote, unlike other members. The issue of harmonizing the institution with the Paris Principles was under consideration. His delegation would provide the Committee with health statistics at a later stage.

54. Equal remuneration for men and women was a reality in Cameroon, notably owing to respect for collective agreements in both the private and public sectors. Identical wages were paid to people with equal qualifications and experience, regardless of their sex.

55. The State had not taken any measures to combat stereotypes as the problem had not arisen as such in the country or had been of a purely minor nature.

56. Land tenure systems and the right to property did indeed pose thorny questions which required Cameroon to find a balance between its development priorities, integrating some indigenous peoples, and respecting the ancestral ways of life of other indigenous peoples.

57. Grazing grounds were not set aside for indigenous groups, because the Government needed the land in order to promote national development. All non-registered land was communal land. Whenever it was necessary to confiscate private land for the purposes of national development, the owners did of course receive compensation. The youth

parliament met once a year in June. It included young people from every region, particularly children from minority groups. The children attended the national Parliament for one month and met political decision makers, including members of the Government.

58. In conclusion, he said that Cameroon was like a mosaic, where cultural diversity was a reality and tolerance was a principle that was constantly reaffirmed and defended by the State authorities.

59. **Mr. Ewomsan** (Country Rapporteur) welcomed the fact that Cameroon had decided to renew its dialogue with the Committee and commended the authorities' efforts to move forward. The future was clearly promising in terms of combating racial discrimination in the country, although some Committee members had called on Cameroon to adopt special measures for indigenous peoples, continue its efforts to preserve bilingualism, and eliminate customary practices that discriminated against women.

60. **The Chairperson** said that the Committee had completed its consideration of the fifteenth to eighteenth periodic reports of Cameroon.

The meeting rose at 12.55 p.m.