



## International Covenant on Civil and Political Rights

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### Human Rights Committee

103rd session

Geneva, 17 October–4 November 2011

### List of issues prior to the submission of the fifth periodic report of Cameroon (CCPR/C/CMR/5)

#### General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please provide detailed information on any new measures and developments since the consideration of the previous periodic report, particularly in the legal and institutional framework within which human rights are promoted and protected at the national level. With regard to the Committee's previous concluding observations (para. 27), please provide, as applicable, examples of cases in which the domestic courts have directly applied the provisions of the Covenant or invoked them in the interpretation of domestic legislation.
2. Please specify the mechanisms available to the State party to implement the Committee's concluding observations, where appropriate. Please provide information on the implementation of the previous concluding observations.
3. Please indicate the procedures for giving effect to the Committee's Views under the Optional Protocol to the International Covenant on Civil and Political Rights. Please also specify whether specific measures have been taken to follow up on the Views adopted by the Committee with regard to the State party.

#### Specific information on the implementation of articles 1 to 27 of the Covenant, including with regard to previous recommendations of the Committee

##### Constitutional and legal framework within which the Covenant is implemented (art. 2)

4. With regard to the Committee's previous concluding observations (para. 7), please provide detailed information on the measures the State party has taken to ensure the effective functioning of the National Commission on Human Rights and Freedoms and to guarantee its independence from the Government. Please also describe the Commission's activities in the field of civil and political rights and the steps taken to implement them in 2010–2013. This should include statistics regarding the number and type of complaints

received by the Commission and the follow-up given, as the case may be, to complaints of civil and political rights violations of which the Commission has been seized.

**Equal rights of men and women and prohibition of discrimination (arts. 2, 3 and 26)**

5. With regard to the Committee's previous concluding observations (para. 8), please provide detailed and updated information on the measures taken to eliminate discrimination against women and eradicate its sources, and to raise public awareness of equal rights for men and women. Please provide information on: (a) the place women occupy in the country's political, economic and social life; (b) the employment rate for women and the proportion of women holding positions of responsibility in the public and private sectors; (c) guarantee of equal pay for equal work; and (d) comparison of the literacy and school attendance rates for women and men.

6. With reference to paragraph 9 of the previous concluding observations, please provide detailed information on measures taken to abolish polygamy once and for all. Please also indicate the minimum age for marriage for boys and girls.

7. Please provide information on the implementation of the new Act on the Protection and Promotion of Disabled Persons, promulgated by the President of the Republic in April 2010.

8. With regard to one of the recommendations in the Committee's previous concluding observations (para. 12), please provide information on the status of homosexuals in Cameroon. Please indicate the measures taken to date in order to decriminalize consensual sexual relations between adults of the same sex and to bring the Penal Code into line with the Covenant. Please provide statistics for the period 2010–2013, including statistics broken down by sex, age and ethnicity, on the number of persons arrested under article 347 (a) of the Penal Code. Please also indicate the progress of the proceedings in the Roger Jean-Claud Mbede case. Please list the measures taken by the State party to prevent acts of violence against individuals on account of their real or supposed sexual orientation. Lastly, please provide information on the measures taken by the State party to protect homosexual prisoners from discrimination, sexual abuse and physical violence.

**Violence against women (arts. 3 and 7)**

9. With regard to the Committee's previous concluding observations (paras. 10 and 11), please provide information on any new developments, since the consideration of the fourth periodic report, regarding the legal framework for combating all forms of violence against women in Cameroon. Please also provide information on the measures taken to criminalize domestic violence, marital rape and sexual harassment, as well as harmful traditional practices, such as female genital mutilation and breast ironing. With regard to the different forms of violence against women, please provide statistics on the number of complaints filed and the number of convictions handed down, including the sentences imposed and the compensation awarded to the victims. Please describe the measures taken to provide assistance specifically to women victims of sexual violence and other measures to protect them from further trauma. Please indicate the number of shelters available to victims of domestic violence. Please provide detailed information on the special training and awareness-raising programmes designed for law enforcement personnel on the handling of female victims of violence.

**Right to life (art. 6)**

10. In its previous concluding observations (para. 15), the Committee stated that it was deeply concerned about continued reports of cases of extrajudicial executions carried out by law enforcement officers. Please provide detailed statistics regarding reported cases of

extrajudicial executions by military and civil security forces and law enforcement personnel. Please also report the outcome of the inquiries and any disciplinary/criminal proceedings related to: (a) the death, in February 2010, in Bandjoun, of Francine Laure Kamdem Kamga, a student at the local bilingual high school, allegedly killed by two police officers; and (b) the murder, in October 2009, of Jean Baptiste Kamgaing, allegedly by a police officer. Also please provide detailed information on the measures taken by the State to end “vigilante justice” and other traditional practices that contravene the Covenant, in the light of the previous concluding observations (para. 16).

11. With regard to the Committee’s previous concluding observations (para. 18), please provide detailed information on the inquiries and prosecutions carried out and the sentences handed down in relation to the serious human rights violations committed by members of the security forces against civilians during the violent demonstrations of February 2008, in which over 200 people reportedly lost their lives. Please also provide information on the compensation awarded to victims or their relatives.

12. Please specify the number of persons condemned to death and of commutations of the death sentence, and specify whether condemned prisoners are subject to a special regime. Please indicate whether the State party is planning to sign and/or ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

#### **Prohibition of torture and cruel, inhuman or degrading treatment (art. 7)**

13. With regard to the Committee’s previous concluding observations (para. 17), in which the Committee expressed its deep concern that torture remains widespread in the State party, please state the number of complaints of torture or ill-treatment recorded and provide information on the investigations and prosecutions carried out and convictions, sentences, and compensation awarded in the period 2010–2013. Please also outline in detail the steps taken to establish an independent external monitoring mechanism to investigate allegations of unlawful acts committed by public law enforcement officials, as recommended by the Committee. In particular, please explain what action, if any, has been taken to investigate the events that left several persons injured by agents of the Delta Unit of the Rapid Intervention Battalion in the Down Beach neighbourhood of Limbé in February 2010 and to bring those responsible to justice.

#### **Prohibition of slavery and forced labour (art. 8)**

14. Please provide information on: (a) the legal framework in place to combat trafficking in human beings, particularly women and children; (b) the extent of the problem, including statistics broken down by sex, age and country of origin; (c) the number of investigations and prosecutions undertaken, and convictions handed down by the courts against the perpetrators of these acts; (d) training programmes organized for professionals involved in implementing the measures taken by the State party to combat trafficking, including the police and judiciary, the prosecution service and social services; and (e) measures taken to ensure that the fundamental rights of trafficking victims are protected.

#### **Right to liberty and security of person and treatment of detainees (arts. 9 and 10)**

15. With regard to the Committee’s previous concluding observations (para. 19), please indicate the measures taken by the State party to ensure effective implementation of the guarantees set out in the Code of Criminal Procedure to ensure that no person is subjected to arbitrary detention. Please also indicate whether the commission set up under article 237 of the Code of Criminal Procedure to examine compensation claims submitted in relation to arbitrary arrest is already operational.

16. In the light of the previous concluding observations (para. 20), please provide detailed information on the measures taken to ensure effective compliance with the Code of Criminal Procedure and, in particular, to reduce the excessive length of judicial proceedings. Please provide updated data, including statistics, broken down by sex, age and ethnicity, on the number of persons in pretrial detention, the number of persons serving sentences, and the prison occupancy rate. Please also indicate the number of persons deprived of their liberty who are kept in psychiatric hospitals or institutions for persons with physical or mental disabilities.

17. According to several sources, the conditions in police and gendarmerie holding cells and most Cameroonian prisons continue to be of grave concern as regards hygiene, access to health services, adequate food, and overcrowding. Please provide information on the progress made towards achieving the objectives of the second phase of the Programme to Improve Detention Conditions and Respect of Human Rights being implemented in cooperation with the European Union.

18. Please explain the measures, if any, taken to ensure that, in penal detention institutions, suspects on remand are held separately from convicts and that juveniles are held separately from adults. According to information before the Committee, there is no segregation in detention and prison facilities between juveniles and adults, persons on remand and convicts. Juveniles are reportedly subjected to sexual abuse by adult detainees. Please comment. Please also indicate whether representatives of the National Commission on Human Rights and Freedoms and human rights NGOs are authorized to make both regular and unannounced visits to all places of detention.

19. Please specify whether the State party is planning to ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

**Prohibition of imprisonment for civil debt (art. 11)**

20. Please indicate whether the State party intends to amend the Code of Criminal Procedure to prohibit imprisonment for non-payment of a debt, in line with article 11 of the Covenant.

**Right to freedom of movement (art. 12)**

21. Please specify whether there are currently any restrictions on freedom of movement between the various regions of Cameroon and, if so, indicate the reasons for them. Please indicate the measures taken by the State party to ensure that police and/or military roadblocks are not used for purposes of extortion.

**Expulsion of aliens (art. 13)**

22. With regard to the Committee's previous concluding observations (para. 22), please provide updated information on the status of the draft implementation decree for the main provisions of Act No. 2005/006, of July 2005, on refugees. Please state whether the two commissions responsible for determining refugee status and granting asylum, provided for in the Act, have been established.

**Right to a fair trial and equality before the law (arts. 14 and 26)**

23. With regard to the Committee's previous concluding observations (para. 23), please explain the measures taken to ensure and protect the independence and impartiality of the judiciary. Please indicate the current status of the legal proceedings in the cases of Titus Edzoa, Michel Thierry Atangana and Fon Doh. Please also indicate the specific measures taken to help all citizens access justice under the Act on Legal Aid, of April 2009. Finally,

please provide information concerning training for judges on the application of the provisions of the Covenant.

24. Please indicate the measures taken to follow up on the Committee's recommendation (para. 24) enjoining the State party to restrict the jurisdiction of military courts to military offences.

**Freedom of expression and association and right of peaceful assembly (arts. 19, 21 and 22)**

25. Please indicate the measures taken for the effective guarantee of freedom of expression and association and right of assembly. In particular, please specify the measures taken to address the concerns aroused by the hostility to which journalists and political opponents are subject (para. 25). Please also comment on reports that journalists and political opponents continue to be the targets of serious acts of intimidation and harassment, including arbitrary arrest and ill-treatment, as well as of politically motivated accusations. In this regard, please inform the Committee of the outcome of the investigations into: (a) the alleged death of Germain Ngota (Bibi) Ngota, Editor-in-chief of the bimonthly publication *Cameroun Express*, in custody at the Kondengui prison in Yaoundé on 22 April 2010; and (b) the alleged torture and ill-treatment, in February 2010, of Robert Mintya, Editor-in-chief of the magazine *Le Devoir*; Serge Sabouang, Editor-in-chief of the bimonthly *La Nation*; and Hervé Nko'o, a journalist at *Bebela*. Please report on the status of the legal proceedings in the cases of Bertrand Zepherin Teyoud, Roland Fube Fonwi Tita, Paul Eric Kingué and Lapiro de Mbanga (Pierre Roger Lambo Sandjo). Pursuant to the Committee's previous concluding observations (para. 26), please describe the measures taken to recognize the legitimacy of human rights defenders and their activities and to guarantee their safety.

**Participation in public life (art. 25)**

26. Please provide detailed and updated information on the mechanisms currently existing in the State party to ensure that elections are transparent and fair. Please specify what steps have been taken to ensure the independence of Election Cameroon (ELECAM) from the executive, including its financial independence.

**Rights of persons belonging to minorities (arts. 2 and 27)**

27. Please provide detailed information on the measures taken by the State party to ensure that persons belonging to minorities are able, in accordance with the Covenant, together with other members of their group, to enjoy their own culture, profess and practise their own religion, and use their own language. Please also provide information on measures taken to improve the representation of minority groups such as the Baka, the Bakola, the Bedzang and the Mbororo (commonly known as Pygmies) in national public life, since such representation seems to be extremely limited at the present time.

**Dissemination of information on the Covenant and the Optional Protocol**

28. Please describe the measures taken to disseminate information on the Covenant and its Optional Protocol and on the State party's fourth periodic report (CCPR/C/CMR/4) and the results of its consideration by the Committee (CCPR/C/CMR/CO/4). Please also provide information on the involvement of civil society and national human rights institutions in the preparation of the fifth periodic report.