



Convention on the Elimination of All Forms of Discrimination against Women

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Summary record of the 1189th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 12 February 2014, at 10 a.m.

Chairperson: Ms. Jahan (Vice-Chairperson)

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In the absence of Ms. Ameline, Ms. Jahan, Vice-Chairperson, took the Chair.

The meeting was called to order at 10.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women
(continued)

Combined fourth and fifth periodic reports of Cameroon (CEDAW/C/CMR/4-5, CEDAW/C/CMR/Q/4-5 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Cameroon took places at the Committee table.*
2. **Ms. Abena Ondoа** (Cameroon) said that, having ratified the Convention without reservation, Cameroon was focusing on implementing its provisions and had noted the areas of concern highlighted by the pre-session working group of the Committee on the Elimination of Discrimination against Women. The State party's report (CEDAW/C/CMR/4-5) outlined developments in the implementation of the Convention and included details on legal, judicial, administrative and institutional reforms undertaken to enable it to fully meet its obligations under the Convention.
3. Notable advances had been made in respect of the justice system, women's representation, education, health and employment. Legislative and other measures had been adopted to provide women with greater access to justice and legal aid, to combat harmful traditional practices such as female genital mutilation, to increase women's participation in political and public life, to approach the goal of achieving gender parity in school enrolment, to boost female primary education completion rates in rural areas and to encourage more girls to go on to higher education. Efforts had also been directed towards cutting the female poverty rate, providing free or subsidized health services and launching a number of health-care and disease-prevention programmes, projects and awareness-raising campaigns, with particular emphasis being placed on combating HIV/AIDS and lowering maternal mortality rates. A national strategy to combat violence against women was being implemented. In addition, wage equality for men and women had been achieved, and the economic situation of rural women had been improved through the development of agricultural programmes in partnership with international donors.
4. Cameroon had recently adopted a national gender policy that took a multisectoral approach to the promotion of gender equality, and a plan of action for its implementation was in place. The country continued to face many challenges and constraints, including sociocultural obstacles and a lack of resources, but it was committed to fully implementing the Convention and wished to call on the international community to support it in its endeavours.
5. **The Chairperson** said that she welcomed the recent adoption of a national gender policy, noting that effective coordination would be crucial for its successful implementation.
6. **Ms. Schulz** asked why, despite the State party's ratification of the Convention and its repeated assurances to the Committee, the Human Rights Council, the Committee on Economic, Social and Cultural Rights and the Committee on the Rights of the Child, Cameroon had yet to amend the discriminatory provisions contained in the Civil Code, the Criminal Code and the Civil and Commercial Code of Procedure. She would like to know whether a timetable had been set for the adoption of the draft Code of the Person and the Family, as well as various other laws that had been under preparation for some time, in order to ensure that effective anti-discrimination legislation would be in place. She asked whether traditional courts were subject to oversight and how the Government made sure

that decisions handed down by those courts were not discriminatory. She shared the concerns expressed by other treaty bodies and the Human Rights Council regarding the situation of homosexual women, who were criminalized and exposed to multiple forms of discrimination, firstly as women and secondly as homosexuals. Were there plans to amend the Criminal Code to decriminalize sexual relations between women? It was her understanding that engaging in such relations was an offence that was currently punishable by up to 5 years' imprisonment and a fine. What steps would be taken to combat discrimination against homosexual women?

7. **Ms. Pimentel** said that she had taken note of the State party's acknowledgement that, despite the passage of a law on legal aid in 2009, the number of women requesting legal aid had actually fallen. What action was being taken to facilitate and increase women's access to justice? She wished to know what measures had been adopted to ensure that women received equal treatment in mediation and dispute settlements, particularly in domestic disputes. Could decisions handed down under customary law be appealed in a State court?

8. **Ms. Pomeranzi**, referring to the plans outlined by Cameroon in its replies to the list of issues (CEDAW/C/CMR/Q/Add.1) for implementing its national strategy for the advancement of women, said that she would like to know what percentage of the national budget had been allocated for that purpose and what was meant by the reference to a "gradual approach" to the development of sectoral plans. What would the strategy's prime objective be and how closely did the Government plan to work with civil society in carrying out an analysis of gender issues? In her view, the work of the Technical Committee in coordinating the gender policy's strategic objectives should focus primarily on rural women. She would like to know whether there were plans to work with the Ministry of Agriculture and Rural Development to seek synergies in addressing the main obstacles to gender equality and women's empowerment. Had an agreement been signed with commercial banks to facilitate access to microcredits for poor women?

9. **Ms. Abena Ondoа** (Cameroon) said that homosexuality was a sensitive issue in Cameroon and was generally not accepted. However, people were not persecuted because of their sexual orientation. The common consensus was to move forward on the issue gradually. She wished to appeal to the Committee to respect the Cameroonian people's religions and traditions and to allow matters to evolve over time. Homosexuality would surely come to be accepted eventually.

10. **Ms. Adebaba** (Cameroon) said that the delay in introducing the amendments needed in order to implement some of the provisions of the Convention was attributable to the lengthy technical process involved in drafting those texts and the various stages involved in securing their passage at the national level. The drafting of the amendments to the Criminal Code had been completed, and those texts were awaiting approval at the national level before being submitted to the National Assembly. The Convention was directly applicable in the courts, and there were a number of cases in which it had been invoked. It was impossible to be precise about the timetable for the adoption of the Code of the Person and the Family, but the technical drafting stage was close to completion.

11. The country's traditional courts heard cases only if all the parties concerned agreed to bring the matter before such a court. Furthermore, customary law was invalidated if found to be contrary to any existing legislation, including the Convention and any other international treaties to which Cameroon was party. In any event, traditional courts presided over by magistrates had largely ceased to apply customary law, and judgements handed down by traditional courts presided over by non-magistrates were automatically referred to the Court of Appeal for review. On the question of legal aid, she would like the Committee to know that civil society and other stakeholders, in partnership with the Government, were

encouraging women to seek access to justice and to obtain legal aid, which was provided through the courts.

12. As for the question of discrimination against homosexual women, a distinction must be made between the actual offence of same-sex sexual activity, for which there had to be evidence, and discrimination in access to basic social services. There was no discrimination in Cameroon on grounds of sexual orientation with respect to access to employment, health care or education.

13. **Ms. Abena Ondoа** (Cameroon) said that the Ministry for Women's Empowerment and the Family worked closely with other ministries, in particular the Ministry of Agriculture and Rural Development, the Ministry of Trade and the Ministry for Small and Medium-Sized Enterprises, to develop programmes that would improve rural women's economic situation. With respect to the question that had been asked about budget allocations for implementation of the gender equality strategy and the reason for taking a gradual approach, one of the problems was that resources were very limited and she would therefore like to appeal to Cameroon's partners and other stakeholders to lend their support.

14. **Ms. Schulz** said that it was regrettable that there was no specific timetable for the adoption of the Code of the Person and the Family. Were civil society organizations in a position to offer support? How involved were they in the process of developing and securing passage of amendments to existing legislation? Given the fact that international treaties prevailed over national legislation, how did the courts go about invalidating traditional court decisions found to be at odds with those treaties? She would like to know how that worked in practice, as discrimination against women was clearly still prevalent. How could rural women, who were generally poorly educated, make a reasoned choice between a local customary law court and a State court, which might not be located nearby? The situation was exacerbated by the difficulties that women had in obtaining legal aid. The statistics indicated that allocations for legal aid services for rural women were shockingly low. Lastly, since homosexuality was a criminal offence, it was hard to believe that homosexuals were not discriminated against.

15. **Ms. Pimentel** asked whether the State party had considered conducting a scientific study on traditional court decisions and on the effectiveness of oversight in that respect. The results of such a study might be helpful in identifying any problems that might exist in that connection.

16. **Ms. Pomeranzi** asked whether the national strategy for the advancement of women was a priority for the Government as a whole or just for the Ministry for Women's Empowerment and the Family.

17. **Ms. Abena Ondoа** (Cameroon) said that the Ministry for Women's Empowerment and the Family was one of the country's youngest ministries, and its budget was as yet insufficient to enable it to meet all of its objectives. For that reason, she was appealing to the international community for assistance. Custom and tradition were still very strong in Cameroon, and women were sometimes afraid to assert their rights for fear of the reaction of traditional rulers in their community.

18. **Ms. Adebaba Esseneme** (Cameroon) said that civil society organizations played a role in the initial stages of the legislative process, which sometimes led to lengthy discussions that might concern a single provision and that could potentially last for years. Once those preliminary stages had been concluded, however, such organizations were not able to influence the time frame for the adoption of a bill by the National Assembly.

19. The majority of Cameroonian customs were disadvantageous to women because they were anchored in a traditional, patriarchal society. Thus, it was often owing to ignorance or fear that a woman — particularly an uneducated woman from a rural

community — might fail to assert her right to advise a court that she did not wish to be tried under customary law. However, customary court judgements were subject to ratification by the Court of Appeal. The Cameroonian legal system provided that customary law could be applied only in areas not covered by existing legislation. Moreover, customs that were contrary to morality or public order could not be invoked in traditional courts. In principle, she saw no reason why the Government could not undertake a comparative study of the two systems of law.

20. Since sexual relations with a person of the same sex constituted a punishable offence, it was not an act of discrimination to enforce the law prohibiting such relations. On the other hand, denying a homosexual treatment at a hospital, for example, would constitute a discriminatory act.

21. **Mr. Abessolo Assekó** (Cameroon) said that the Ministry for the Empowerment of Women and the Family had established gender committees and gender focal points in all public and semi-public administrations throughout the country. They were responsible for disseminating public information on policies and legislation for the promotion and protection of the rights of women and girls. The information was conveyed in simple terms and in the local language so as to ensure that it would be understood by the members of the community in question, including those with a low level of education.

22. The strategy for the advancement of women, which was set out in the national gender policy, concerned not only the Ministry for the Empowerment of Women but all government ministries, which were required to pursue its strategic objectives through the implementation of a multisectoral action plan.

23. **Ms. Pimentel** asked whether the 30 per cent electoral quota for women, which had been established as a temporary measure under the strategic gender and elections plan, was binding and whether it might remain in effect on a permanent basis. Had the Government introduced temporary special measures to advance women's rights in other areas in order to address the many challenges posed by the patriarchal society of Cameroon?

24. **Ms. Bareiro-Bobadilla** said that she was concerned about the reported lack of effective sanctions to punish persons engaging in harmful traditional practices, such as breast ironing, which was said to be perpetrated upon some 40 per cent of girls and women in Cameroon. What was the State party doing to put an end to that practice and what consequences did it have for the women or girls who were subjected to it? States parties to the Convention should not seek to justify discriminatory acts on the grounds that they constituted traditional cultural practices; rather, they were under an obligation to do away with such practices.

25. **Ms. Nwankwo** said that she wished to enumerate a number of concerns and to be provided with detailed information on what steps the State party was taking to address them. She had received reports that violence against women in Cameroon, including rape and domestic violence, was very prevalent but that very few of such cases were investigated or prosecuted, and the perpetrators therefore went unpunished. In her view, the judicial system's use of mediation to resolve disputes involving domestic violence was problematic because that approach was based on the assumption that both parties were equal. However, abusers held tremendous power over their victims, and the resulting imbalance could not be remedied, even by a trained mediator. It was disquieting that there were no legal provisions that specifically criminalized domestic violence as such and that the substance of the bill on violence against women had been absorbed into the revised draft of the Criminal Code. To her mind, violence against women could not be adequately addressed under the assault provisions of the Code.

26. The legal provisions that exempted a rapist from prosecution and punishment if he subsequently married his victim had the effect of revictimizing her, since the victim was

then forced to live with her rapist. Moreover, under the Criminal Code, the crime of marital rape was prosecuted as an intentional-injury offence, which did not take into account the psychological trauma suffered by the victim.

27. The introduction of a ban on indecent forms of dress had reportedly resulted in the arrest and detention of a number of girls. Such a policy exposed girls to the danger of being sexually assaulted by police officers or being obligated to trade sex for their release from detention. The delegation should provide the Committee with an idea of the time frame for the adoption of the draft Code of the Person and the Family; the delay in its passage was a cause for serious concern.

28. **Ms. Gabr** asked what measures were being taken to prevent the kidnapping of newborns from hospitals and of children from orphanages, to prevent the trafficking of Cameroonian for the purposes of forced labour outside the country and to prevent the exploitation of young people for the purposes of forced domestic labour within the country. Statistics should be compiled on the number of persons subject to those forms of exploitation, as well as on the number of homeless children, so that they could be provided with assistance and rehabilitation services. She wished to know whether the Government trained the members of its diplomatic corps how to assist and repatriate Cameroonian women who had entered into “online marriages” with foreigners, which often led to their exploitation for the purposes of forced labour or prostitution.

29. **Ms. Leinarte** said that, since the prohibition of prostitution was not stopping it from occurring, Cameroon might consider amending its Criminal Code to decriminalize the practice. Had the Government compiled any data on women who engaged in prostitution? What forms of assistance and rehabilitation services were available to those who wished to leave that occupation?

30. **Ms. Abena Ondoа** (Cameroon) said that the Ministry of Women’s Empowerment and the Family had met the 30 per cent quota for women in the Legislative Assembly by raising awareness among political party leaders of the need for an increased number of female candidates.

31. Reports claiming that the phenomenon of breast ironing affected some 40 per cent of girls and women in Cameroon were completely erroneous; rather, breast ironing was a marginal phenomenon. There was no doubt that it constituted a harmful traditional practice, and it was accordingly punishable under criminal law.

32. Like many other countries, Cameroon had witnessed a moral decline in its society, and the Government had considered it important to inform parents that young women who dressed in an indecent manner exposed themselves to the risk of rape or sexual abuse. The government communiqué to that effect had been aimed solely at awareness-raising; if there had been any arrests on the basis of it, they would be considered an abuse of authority.

33. Child marriage was prohibited in Cameroon, and the Ministry was well aware of the negative implications for girls of early marriage and early sexual relations. The Ministry had been carrying out projects to raise awareness among parents concerning the importance of education for girls. The data it had compiled appeared to reflect a change in attitudes, and a greater number of parents were sending their daughters to school.

34. Although most prostitutes in Cameroon were Cameroonian, there were an increasing number of foreigners working as prostitutes, especially in the big cities. The Government had set up 91 Centres for Women’s Empowerment, through which women who had left prostitution could obtain vocational training and psychosocial and financial support in order to find an income-generating occupation and become self-sufficient.

35. **Ms. Adebaba** (Cameroon) said that the initiative setting the electoral quota for women at 30 per cent was a temporary measure, as women’s participation was expected to

increase beyond that rate. The Strategy Document for Growth and Employment set a target for the participation of women in the civil service at 30 per cent. That document also instructed the Cameroonian courts to apply the Convention directly until such time as its provisions had been incorporated into national law.

36. One obstacle to the prosecution of acts of violence against women that were punishable under criminal law, such as marital rape and female genital mutilation, was that they frequently went unreported, as reporting them was considered taboo. In order to ensure coverage of a broad number of discriminatory practices, the definition of the offences of breast ironing and female genital mutilation in the Criminal Code were not formulated as such. Rather they were styled in a more general fashion as “infringing the growth of a body part” and “genital mutilation”, respectively.

37. In recognition of the need to continue its efforts to raise awareness of violence against women, the Ministry had carried out a three-year campaign to put a halt to rape and incest that had highlighted the fact that they were punishable offences and should be reported. Following the recommendations of a number of United Nations human rights treaty bodies, the Criminal Code provisions that exonerated perpetrators of rape who subsequently married their victim would be repealed. The fact that the definition of marital rape did not refer to the perpetrator’s gender did not impair a woman’s ability to file a complaint and to have her case heard in court. There were no plans to amend provisions that criminalized prostitution and its procurement; instead, measures were being taken to encourage women to leave prostitution by proposing income-generating activities.

38. **Ms. Abena Ondoа** (Cameroon) said that the Ministry for Women’s Empowerment and the Family had carried out a study on domestic labour in Cameroon with the support of UN-Women. Its aim was to improve the situation of domestic workers and to encourage employers to register such workers so that they would be entitled to receive family benefits. Borders in Africa were very porous; she therefore agreed that it was necessary to improve border control in order to prevent the trafficking of Cameroonian children.

39. **Ms. Bareiro-Bobadilla** said that, even if breast ironing were not as widespread a phenomenon as had been reported, it was nevertheless important to put a halt to it. She would appreciate additional information on widowhood rites and the kidnapping of children for the purpose of selling their organs or using them in witchcraft or religious rites. How was the Government combating those abhorrent practices?

40. **Ms. Nwankwo** said that defence lawyers were skilful in using legal arguments that could help their clients to escape punishment and conviction. For that reason, it was essential to enact specific legislation that banned violence against women and that defined the offences of female genital mutilation and marital rape as such.

41. **Ms. Gabr** asked whether the Government might consider using its consulates to help provide assistance to Cameroonian girls and women who had been trafficked abroad for the purposes of forced labour or prostitution. The State party might wish to seek assistance from international organizations such as the United Nations Children’s Fund (UNICEF) and UN-Women in gathering data on homeless children in Cameroon.

42. **Ms. Šimonović** said that the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child were working on a joint general recommendation on harmful practices involving girls under the age of 18. Did the Government have an estimate of how prevalent breast ironing was and did it think it was feasible for the practice to be eliminated through government action? The Committee’s general recommendation No. 19 on violence against women clearly categorized female genital mutilation as a form of violence against women, as did various regional instruments. The State party should therefore explicitly prohibit that practice as a gender-specific form of violence.

43. **Ms. Abena Ondoа** (Cameroon) said that breast ironing was not performed with an iron but with other objects, such as a piece of wood, and that it was a marginal phenomenon. The Government was working alongside civil society organizations to eliminate widowhood and other rites that were dehumanizing and humiliating. International Widows' Day was commemorated in Cameroon on 23 June. It was true that young girls had been kidnapped for use in witchcraft and religious rituals. The persons responsible had been tried and punished, and an awareness-raising campaign had been conducted in the district of Yaoundé where the kidnappings had occurred. A police station had also been established there to patrol the area.

44. Female genital mutilation was a very serious problem, particularly in the south-west, the far north and large cities, and efforts were being made to raise awareness about its disastrous consequences. The Government condemned the exploitation of women who entered into marriage with foreigners whom they had met over the Internet, but it was difficult to convince those women that such marriage offers were not in their best interest.

45. **Ms. Adebaba Esseneme** (Cameroon) said that widowhood rites had been prohibited by law since 1981 but were nonetheless still practised. Often it was the widows themselves who chose to undergo those traditional rites. A specific bill on violence against women had initially been drafted but, because the offences covered by the bill were already covered in the Criminal Code, it had been deemed preferable not to create confusion by adopting overlapping legislation. As she understood it, general recommendation No. 19 did not require States parties to adopt specific legislation on violence against women; rather, the important thing was to punish such violence. Current laws were being revised to eliminate any aspect of gender-based discrimination in their provisions. The word "female" did not precede the term "genital mutilation" in the national law dealing with that offence so that the law would also apply to cases of male genital mutilation should they occur.

46. **Ms. Epoh Adyang** (Cameroon) said that the Government was working in partnership with UNICEF to combat trafficking in children and was also working with the International Labour Organization (ILO) and the International Organization for Migration (IOM) to combat human trafficking in general.

47. **Mr. Abessolo Asseko** (Cameroon) said that a 1987 study on homeless children in Cameroon had been updated in the 2000s. There were about 1,600 homeless children living in the country. Thus far, more than 600 homeless children had been rescued and placed in schools or training facilities.

48. **Mr. Nkou** (Cameroon) said that Cameroonian women were generally aware of their rights. Thus, those who found themselves in exploitative situations abroad could seek assistance from the nearest Cameroonian consulate, which would help them to file a complaint and return to Cameroon if they so wished. He would like to remind the Committee that Internet marriages were a global phenomenon.

49. **Ms. Šimonović** said that it was true that the State party could choose either to adopt a law on violence against women or to address the issue through criminal legislation. She would like to stress, however, that a gender-specific legal provision on female genital mutilation would not be discriminatory.

50. **Ms. Abena Ondoа** (Cameroon) said that a baby had indeed been kidnapped from a hospital in Yaoundé. The perpetrator had been brought to justice and punished, and hospital security had been reinforced to prevent the recurrence of such an incident.

51. **Ms. Bareiro-Bobadilla** said that the State party was to be commended on its successful efforts to increase women's role in political life, but a legal framework for their participation was needed in order to ensure that those achievements would endure. She

would appreciate further statistics, in writing, on the number of women in the civil service and in municipal legislative bodies.

52. **Ms. Haidar** said that she welcomed the progress made in increasing women's representation in the judiciary but noted that their representation in the executive branch was still relatively limited. She wished to know what measures the Government planned to take to promote political participation among women outside urban areas.

53. **Ms. Gbedemah** said that some of the country's legal provisions on nationality appeared to discriminate against women. She would be interested in learning what steps the Government was taking to amend those provisions so as to achieve the substantive equality required under the Convention. Birth registration should be promoted and enforced, particularly for girls, as doing so would help to prevent early marriage.

54. **Ms. Abena Ondoа** (Cameroon) said that her Government did hope to adopt a law that would set quotas for women's participation in politics. Her delegation would provide the requested statistics in writing. Women were often hesitant to become involved in politics due to family pressure. With the help of rural women's groups and radio stations that broadcast in local languages, the Government was therefore working to raise awareness of the importance of women's participation in political affairs.

55. **Mr. Nkou** (Cameroon) said that Cameroonian women who married foreign men did not lose their Cameroonian nationality. Any foreigner who wished to acquire Cameroonian nationality could follow the standard application procedures.

56. **Ms. Abena Ondoа** (Cameroon) said that her Government would take into account the Committee's comments regarding birth registration and early marriage. The Government was aware that further awareness-raising about the importance of birth registration was needed and was taking steps in that regard with assistance from UNICEF and other international organizations.

57. **Ms. Gbedemah** said that the Committee was concerned about procedural as well as substantive discrepancies in the laws on nationality. Under Cameroonian law, a foreign woman who married a Cameroonian man could acquire Cameroonian nationality automatically, upon request, at the moment she entered into the marriage, whereas there was no analogous provision concerning a foreign man who married a Cameroonian woman.

58. **Mr. Nkou** (Cameroon) said that the granting of Cameroonian nationality was not automatic and that anyone who wished to obtain Cameroonian nationality was required to follow the standard application procedures. The legislation on nationality applied equally to men and women and was not discriminatory.

59. **Ms. Gbedemah** said that, according to information before the Committee, in some areas only 17 per cent of girls attended school. What steps was the Government taking to ensure that the law establishing compulsory education was enforced, including in rural areas, and to ensure that education was affordable and culturally appropriate for all groups, including indigenous peoples? She urged the State party to focus on lowering the dropout rate by encouraging girls who had entered into early marriages or who had become pregnant to return to school. Did school curricula include age-appropriate education on sexuality, reproductive health and reproductive rights? She wished to know how many people had been punished for committing sexual harassment in the country's schools and what punishments had been meted out. Lastly, she would like to know what temporary special measures the Government was planning to introduce in order to encourage more women in higher education to choose fields of study that had traditionally been dominated by men.

60. **Ms. Patten** said that she welcomed the State party's acknowledgement in its replies to the list of issues that article 74 of Order No. 81-02 of 29 June 1981 on the organization

of civil status was obsolete, but wondered why the Government had not repealed it if that was the case. She asked the delegation to clarify how Order No. 159/CAB/PM of 11 October 2010 on the creation, organization and operation of the National Labour Monitoring Centre (Observatoire National du Travail) had had an impact on social protection in the informal sector. She wished to know when the reform of the social security system was likely to be enacted and what percentage of women working in the informal sector would be eligible to contribute to a social insurance fund under the new rules.

61. She would like to know how the Ministry of Labour monitored working conditions on cocoa plantations, which were reportedly hazardous and exploitative. She also wished to know how the Ministry was addressing the vulnerability of domestic workers, the exploitation of girls living in foster care, and the cases in which women were reportedly the victims of systems of hereditary slavery.

The meeting rose at 1 p.m.