



International Covenant on Civil and Political Rights

Distr.: General
11 December 2024
English
Original: French
English, French and Spanish only

Human Rights Committee

List of issues prior to submission of the sixth periodic report of Cameroon*

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

1. Please provide information on the measures taken to implement the recommendations contained in the Committee's previous concluding observations, including any relevant statistical data.¹ Please indicate which procedures are in place for the implementation of the Committee's Views under the Optional Protocol to the Covenant and describe the measures taken to ensure full and effective compliance with the Views adopted in respect of the State party. Please report on any other significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations.

B. Specific information on the implementation of articles 1 to 27 of the Covenant

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

2. Please provide examples of cases in which the provisions of the Covenant have been referred to by national courts. With reference to the Committee's previous concluding observations (para. 8),² please indicate the measures taken to guarantee the independence of the Cameroon Human Rights Commission and to ensure that it has the necessary financial, technical and human resources to carry out its functions effectively throughout the territory of the State party, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles). Please specify the measures that have been adopted to clarify and delimit the jurisdiction of the customary courts and ensure that they fully comply with the guarantees set out in the Covenant.

Combating impunity (arts. 2, 6 and 7)

3. Please describe all measures taken to end impunity, in particular in relation to the serious violations of human rights and international humanitarian law, including those allegedly committed by the security forces, that have taken place in the context of the crises affecting the Far North Region since 2013 and the two English-speaking regions since 2016. Please include statistics, broken down by type of violation and position of perpetrator, on the

* Adopted by the Committee at its 142nd session (14 October–7 November 2024).

¹ CCPR/C/CMR/CO/5.

² Unless otherwise indicated, paragraph numbers in parentheses refer to CCPR/C/CMR/CO/5.



investigations carried out, prosecutions initiated, sentences passed and penalties imposed, including against members of the defence and security forces. Please describe the measures taken to ensure that all victims receive adequate reparation, including compensation, restitution and rehabilitation, and psychological support.

Anti-corruption measures (arts. 2 and 25)

4. In the light of the Committee's previous concluding observations (paras. 9 and 10), please provide information on the steps taken and results achieved in tackling corruption at various levels, including within the police, the judiciary and the executive branch of government, and to ensure the independence of anti-corruption institutions and provide them with adequate resources. Please include information on investigations into cases of corruption, the prosecutions brought and penalties imposed, including high-level corruption involving politicians, senior civil servants, judges and prosecutors. Please provide information on the implementation of article 66 of the Constitution, which concerns the declaration of property and assets, and on the penalties imposed in the event of non-compliance with reporting requirements. Please indicate whether the State party intends to develop laws aimed at ensuring access to information of public interest and the protection of whistle-blowers, in line with the international standards in this area, and to allocate the necessary resources for that purpose.

States of emergency (arts. 4, 9 and 14)

5. In the light of the Committee's general comment No. 29 (2001) on derogations from provisions of the Covenant during a state of emergency: (a) please provide information on the laws governing states of emergency, including the states of exception referred to in article 9 (2) of the Constitution; and (b) please explain how the legal framework is compliant with article 4 of the Covenant, specifying whether the non-derogable rights enumerated in article 4 (2) are expressly listed. Please provide detailed information on any derogations from civil and political rights made in the context of a state of emergency during the reporting period and explain how they were compatible with the principles of necessity, proportionality, legality and non-discrimination.

Counter-terrorism (arts. 4, 9 and 14)

6. Taking into account the Committee's previous concluding observations (paras. 11 and 12), please indicate what steps have been taken to review Act No. 2014/028 of 23 December 2014 on the suppression of acts of terrorism, with a view to bringing it into compliance with the Covenant and other relevant international standards, in particular with regard to the definitions of "terrorist acts" in article 2 and "glorification of terrorist acts" in article 8 and the meaning of "exclusive competence of the military courts" in article 1, which implies that civilians are routinely prosecuted in military courts and may be sentenced to death. Please comment on allegations that this Act has been widely applied, in violation of the Covenant, against journalists, lawyers, human rights defenders and members of the political opposition, including for having legitimately exercised their rights to freedom of expression, peaceful assembly and association. Please provide information on the action taken by the State party to prevent human rights violations being committed while countering terrorism, including against persons who are suspected or accused of terrorist acts or related offences, in particular during counter-terrorism operations.

Non-discrimination (arts. 2, 20, 23 and 26)

7. Please describe the legal framework prohibiting discrimination, incitement to hatred and hate crimes and provide information, disaggregated by grounds of discrimination, on the complaints lodged, including with the Cameroon Human Rights Commission, and related court decisions, including information on the legal basis for such decisions. With reference to the recommendations made by the Committee on the Elimination of Racial Discrimination,³ please indicate what measures the State party has taken to combat discrimination, incitement to hatred and crimes motivated by ethnicity or language, including

³ CERD/C/CMR/CO/22-23, paras. 14 and 15.

by civil servants and politicians. In the light of the Committee's previous concluding observations (paras. 13 and 14), please provide information on the steps taken by the State party to combat discrimination, hate speech, harassment and acts of violence targeting lesbian, gay, bisexual and transgender persons and indicate whether the State party is considering developing laws to: (a) decriminalize sexual relations between consenting adults of the same sex; (b) explicitly prohibit discrimination against persons based on their sexual orientation or gender identity; and (c) review article 83 of Act No. 2010/012 of 21 December 2010 on cybersecurity and cybercrime, which criminalizes sexual proposals to an adult of the same sex by electronic communication.

Equality between men and women (arts. 2, 3, 23, 25 and 26)

8. Please report on the reforms adopted to bring the State party's laws, in particular the provisions of the Civil Code that discriminate against women, into line with the Covenant and provide information on the measures taken to ensure the practical and effective application of laws governing equal access to divorce, land ownership and inheritance. Please describe and analyse the impact of the measures taken to secure the equal representation of women in public administration, including judges and prosecutors, in elected positions and in decision-making posts in both the public and private sectors. Please provide information on the measures taken to reduce the proportion of women working in the informal sector and guarantee that women's labour rights and access to social protection are protected by law.

Violence against women and harmful practices (arts. 2, 3, 6–8 and 26)

9. In the light of the Committee's previous concluding observations (paras. 19 and 20), please provide information on the steps taken and the results achieved in addressing violence against women and girls, including harmful customary and cultural practices such as female genital mutilation and breast ironing, which, although prohibited by law, are reported to remain widespread in some communities. Please include information on: (a) the preliminary bill on gender-based violence, as finalized in November 2023, specifying whether it will explicitly criminalize domestic violence and marital rape; (b) the criminal prosecution of gender-based violence, including up-to-date information on the penalties and sentences imposed on perpetrators; and (c) the measures taken to improve mechanisms for the protection and care of victims. Please provide information on the training given to judges, prosecutors, lawyers, law enforcement officers, medical personnel and social workers on the investigation and pretrial investigation of cases of gender-based violence and on the care of victims.

Voluntary termination of pregnancy and access to sexual and reproductive health information and services (arts. 3, 6 and 7)

10. With reference to the Committee's previous concluding observations and in the light of its general comment No. 36 (2018) on the right to life, please indicate whether the State party intends to amend its laws on voluntary termination of pregnancy, including by introducing further exceptions to the abortion ban and decriminalizing abortion in all other cases, in order to prevent clandestine abortions that endanger women's lives. Please describe the measures taken to ensure that women and adolescent girls have access to information on abortion and to remove current obstacles to women's and girls' effective access to safe and legal abortion. Please provide information on the action taken by the State party to help women avoid unwanted pregnancies, in particular by strengthening its family planning and sex education programmes, including for men and adolescents, with an emphasis on the importance of contraception and the right to sexual and reproductive health.

Use of force and firearms (arts. 2 and 6)

11. Please provide information on the legal framework in the State party governing the use of force and firearms by the law enforcement authorities, explaining how this framework is consistent with international standards and indicating what measures are in place to ensure that it is respected in practice. Please describe the measures taken by the State party to ensure that all allegations of abuse are promptly, independently and impartially investigated, that perpetrators are brought to justice and appropriately punished and that victims receive

adequate reparation. Please provide information on cases involving the use of lethal force by law enforcement officers, including during the policing of demonstrations, and the outcomes of the investigations carried out. Please specify whether an investigation is automatically initiated whenever lethal force is used by the law enforcement authorities.

Protection of civilian populations in the context of armed conflict (arts. 2, 3, 6, 7, 9, 23 and 24)

12. In view of the large number of serious human rights violations against the civilian population by armed separatist groups in the English-speaking regions and by armed Islamist groups linked to Boko Haram in the northern regions since the beginning of the respective crises, please describe the measures taken to strengthen the protection of the civilian population against the abuses committed by these non-State groups, in particular: (a) murders and other arbitrary deprivations of life; (b) kidnappings and enforced disappearance; (c) torture or any other ill-treatment; and (d) gender-based violence, including sexual violence. Please provide information on the measures taken to prevent the forced recruitment of children in armed conflicts, guarantee comprehensive support for victims and prosecute those responsible. Please also provide specific information on the measures aimed at protecting internally displaced persons and refugees, especially women and children.

13. In view of the numerous documented allegations of serious human rights violations committed by members of the Cameroonian security forces as part of efforts to repress the separatist movement in the English-speaking regions and the terrorist attacks in the northern regions, which include extrajudicial executions, enforced disappearance, arbitrary detention, acts of torture and ill-treatment, and sexual violence, please specify all measures taken to prevent the commission of such acts and ensure that, in the event of violations, all victims benefit from adequate reparation measures. In the light of the State party's acknowledgement of the use of self-defence militias ("vigilance committees") by the security forces during the counter-terrorism operation in Ngarbuh in February 2020, which resulted in serious human rights violations, including the death of civilians, please indicate the measures taken to prevent the mobilization of such militias as part of counter-terrorism operations.

Death penalty (arts. 6 and 7)

14. Notwithstanding the de facto moratorium on the death penalty, which has been in place since 1997, please indicate what steps have been taken to restrict the scope of the death penalty in law to the most serious crimes and to commute death sentences to prison terms. Please provide, for each year of the reporting period, statistical information on the number of persons sentenced to death, the crimes for which they received that punishment, the number of persons currently on death row and their conditions of detention. Please specify whether the State party is considering abolishing the death penalty and acceding to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty.

Prohibition of torture and other cruel, inhuman or degrading treatment or punishment, and treatment of persons deprived of their liberty (arts. 6, 7, 9 and 10)

15. Please provide information on the measures taken to strengthen the prevention of acts of torture and ill-treatment and specify the time frame for ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which the State party signed in 2009. With reference to the Committee's previous concluding observations (para. 28), please describe the measures taken to ensure that all alleged cases of torture and ill-treatment are thoroughly investigated, that perpetrators are appropriately punished and that victims receive full reparations. Please specify the measures taken to improve conditions of detention in the State party and bring them into line with the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules), and to provide for regular, independent and impartial monitoring of places of detention to ensure that the fundamental rights of detainees are duly upheld.

Liberty and security of person (art. 9)

16. In the light of the Committee's previous concluding observations (paras. 33 and 34) and its general comment No. 35 (2014) on liberty and security of person, please provide

information on the measures taken or planned to ensure compliance with the maximum duration of police custody without judicial review of 48 hours, including for terrorism-related cases, ensuring that any renewal is limited to duly justified exceptional circumstances and respects the principles of necessity and proportionality. Please respond to allegations that: (a) as part of counter-terrorism efforts, members of the security forces often arbitrarily arrest individuals because of their alleged links with armed groups and detain them without bringing them before a judicial authority within the legal time limits; (b) persons are frequently held in pretrial detention for long periods, including without respecting the legal time limits; and (c) excessive use is made of pretrial detention. In view of the numerous allegations of incommunicado detention practised by the security forces, please provide information on the measures taken to ensure that persons deprived of their liberty are held only in officially recognized places of deprivation of liberty that are regularly monitored by the courts at all stages of the proceedings, and that all cases of deprivation of liberty, without exception, are recorded in official registers that are kept up-to-date and duly accessible.

**Administration of justice, independence of the judiciary and right to a fair trial
(art. 14)**

17. Please describe the measures taken to strengthen the capacity of the judiciary, in particular with the aim of reducing the average amount of time needed to process cases and ensuring effective access to justice for all, including access to free legal aid for disadvantaged persons, and to protect victims and witnesses. Taking into account the Committee's previous concluding observations (paras. 37 and 38), please describe the measures adopted to safeguard the independence and impartiality of the judiciary, ensuring that it is able to prevent and address political interference, including in relation to the selection, appointment, promotion, disciplining and dismissal of judges and prosecutors. Please also describe the measures taken or envisaged to withdraw the jurisdiction of military courts to try civilians and ensure that, in the meantime, this practice remains exceptional and that trials of civilians before military courts take place in conditions offering the guarantees set forth in article 14 of the Covenant.

Elimination of slavery and servitude (arts. 6–8 and 24)

18. With reference to the Committee's previous concluding observations (para. 32), please report on the efforts made, including the human and financial resources allocated, to combat trafficking in persons and the exploitation of children, in particular the measures taken to: (a) improve the early identification of victims and their referral to appropriate assistance; (b) step up the criminal prosecution of those responsible, including, where appropriate, complicit officials; and (c) ensure the protection of victims and their access to an effective system of support and reparation. Please also provide information on awareness-raising campaigns organized to combat trafficking in persons and the training provided in this area, particularly for members of the law enforcement and security forces, judges, prosecutors, lawyers, social workers, medical personnel and civil society organizations.

Right to freedom of movement (art. 12)

19. Please provide information on the measures adopted by the State party to ensure the free movement of persons, in particular in response to the restrictions, such as "ghost town Mondays", imposed by armed separatist groups in the English-speaking regions. Please comment on allegations that civilians have been extorted by members of the law enforcement and security forces, particularly during checks on public transport. Please explain the compatibility with article 12 of the Covenant of the prefectoral order issued by the administrative authorities of Mfoundi Department on 16 July 2024, which provides for a ban on residence in the Department on various grounds, including for anyone who dangerously offends the institutions of the Republic or the person representing them.

**Freedom of expression and protection of journalists and human rights defenders
(arts. 2, 6, 7, 9, 14 and 19)**

20. Please indicate whether the State party plans to review the legislative and institutional framework governing freedom of expression, in particular by ensuring that offences relating to freedom of expression, such as defamation and the dissemination of false news, are consistent with the permissible restrictions set out in article 19 (3) of the Covenant, that are clearly defined and that the penalties are commensurate with the offence, including under Act No. 2014/028 on the suppression of acts of terrorism and Act No. 2010/012 on cybersecurity and cybercrime. Please provide detailed information on the sentences and penalties relating to the exercise of the right to freedom of expression, including suspensions of the operating licences of media outlets and journalists, that have been imposed during the reporting period and describe the measures taken to ensure the protection of journalists, academics, bloggers, politicians, activists, lawyers and human rights defenders against threats, harassment, arbitrary detention or other acts of violence or intimidation. Please provide information on the investigations carried out, prosecutions initiated and penalties imposed on those responsible for such acts, including updated information on the investigations into the murder of journalists Martinez Zogo and Jean-Jacques Ola Bebe and on the reparation provided to victims.

Freedom of peaceful assembly (art. 21)

21. With reference to the Committee's previous concluding observations (para. 42), and in the light of its general comment No. 37 (2020) on the right of peaceful assembly, please describe the measures taken by the State party to guarantee the full exercise of the right to freedom of peaceful assembly. Please comment on allegations that numerous assemblies and demonstrations organized by non-governmental organizations and opposition parties have been arbitrarily banned on the grounds of an alleged threat to public order, on the basis of article 8 (2) of Act No. 90/55 of 19 December 1990 on assembly and public demonstrations. Please also comment on allegations that the law enforcement authorities continue to use excessive force when policing demonstrations and provide information on the investigations into such allegations, the prosecutions initiated, the penalties imposed and the reparation provided to victims.

Freedom of association (art. 22)

22. Please provide information on the safeguards in place to ensure that broad and imprecise criteria – such as the references to “undermining national unity”, “public order” and “State security” in articles 4 and 12 of Act No. 90/053 of 19 December 1990 on freedom of association, article 22 (2) of Act No. 99/014 of 22 December 1999 on non-governmental organizations and article 9 of Act No. 90/056 of 19 December 1990 on the establishment of political parties – are not unduly applied to suspend, dissolve or deny registration to associations. Please comment on allegations that the authorities have failed to provide associations wishing to register, in particular those defending the rights of lesbian, gay, bisexual and transgender persons, with the necessary acknowledgment of receipt of proof of their existence in law, as provided for in article 7 of Act No. 90/053, despite the fact that the associations have submitted the required documentation. Please comment on reports that non-governmental organizations have been subjected to intimidation by the executive branch and that the legitimate activities of certain opposition parties have been impeded by unjustified interference in their operations.

Rights of the child (arts. 7, 16 and 24)

23. Please describe the measures taken to ensure the protection of children against violence and abuse, including sexual violence, to raise public awareness of this issue and to ensure that child victims of violence receive comprehensive assistance. Please provide information on the measures introduced by the State party to guarantee the registration of births and the issuance of birth certificates for all children born in its territory, including those of refugees and displaced persons. Please provide information on the action taken by the State party to eradicate early marriage, which is said to remain widespread despite being established as a crime in the Criminal Code.

Participation in public life (arts. 2 and 25)

24. Please describe the steps taken to provide a level playing field for all candidates and political parties during elections, including to ensure the independence and impartiality of the body responsible for managing elections (ELECAM) and effective access to an independent and impartial judicial remedy in the event of electoral disputes. Please indicate whether the State party intends to reform the Electoral Code in order to enable independent candidates to stand in all types of elections, to revise the amount of the deposit to be paid by candidates so that more individuals are able to run and to align the voting age with the age of majority established in the Criminal Code, which is set at 18 years. Please comment on allegations that opposition parties are regularly the target of measures, such as arbitrary bans on associations, assemblies and demonstrations, aimed at preventing them from functioning effectively, and that their leaders and supporters have been subjected to arbitrary arrests and detention by the police and security forces, including for having participated in peaceful demonstrations.

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

25. Bearing in mind the Committee's previous concluding observations and those adopted by the Committee on the Elimination of Racial Discrimination,⁴ please provide information on the measures taken and the progress made in addressing the discrimination faced by the English-speaking minority in the North-West and South-West Regions, in particular with regard to the effective implementation of reforms aimed at promoting bilingualism, such as the establishment, in 2017, of the National Commission on the Promotion of Bilingualism and Multiculturalism, and the measures aimed at guaranteeing the effective participation of the English-speaking minority in public life. Please also provide information on the measures taken to end the discrimination and marginalization suffered by Indigenous Peoples, including the Baka and Mbororo, in particular with regard to the implementation of the National Development Plan for Indigenous Peoples 2021–2025. Please include information on the progress made towards the adoption of a comprehensive legal framework on Indigenous Peoples, with the effective and meaningful participation of such Peoples, in order to ensure the protection of their rights, especially those concerning their land and resources.

⁴ Ibid., paras. 20 and 21.