

CAMEROON

CCPR A/44/40 (1989)

454. The Committee considered the initial report of Cameroon (CCPR/C/36/Add.4) at its 898th, 899th and 903rd meetings, held on 12 and 14 July 1989 (CCPR/C/SR.898, 899 and 903).

455. The report was introduced by the representative of the State party who, while emphasizing the efforts made by his Government to implement the provisions of the Covenant, nevertheless indicated additional efforts needed to be envisaged. The dialogue with the members of the Committee was a method of identifying the possible shortcomings in the Cameroonian legal framework as well as the improvements that should be made to it. He specified, however, that the study of the human rights situation in Cameroon should be placed in the social and historical context of an evolving young nation.

456. Members of the Committee welcomed the report of Cameroon. Nevertheless, they expressed regret that it had been submitted late, that it did not provide sufficient detail on the measures taken to assure the practical implementation of the Covenant and that it did not contain any statistical data.

457. With reference to article 2 of the Covenant, members of the Committee expressed the wish to have more information on the legal status of the international human rights instruments, and more especially the Covenant, in Cameroonian domestic law. They regretted in particular that the Constitution of 2 June 1972, unlike that of 4 March 1960, made no reference to the primacy of rules of international law over Cameroonian domestic law. However, noting that the Criminal Code provided that ratified and promulgated treaties should take precedence over Cameroonian criminal law, they wished to know what was the status of the many provisions of the Covenant that did not deal with criminal issues. Moreover, it was noted that provisions of the Covenant that did deal with criminal issues usually did not apply automatically but involved an obligation for the State party to provide penalties in its own legislation for the crimes or offences they defined. Consequently, it was asked whether such provisions had been adopted by the Cameroonian authorities. It was also asked whether such provisions of the Covenant could be invoked directly before the courts or the administration, whether the latter could apply them directly and, if so, whether examples could be given. Finally, it was asked whether any court could hear cases concerning human rights violations regardless of the nature of the infringement and the special competence of the court.

458. Members of the Committee also inquired whether the Covenant had been published, whether it had been translated into the various languages spoken in Cameroon and whether it had been distributed extensively, particularly within the legal and administrative departments responsible for applying it. Additionally, they wondered whether it was intended to establish a national human rights commission in Cameroon, and whether there were any non-governmental organizations dealing with human rights in the country and, if so, what kind of working relationship they had with the Government.

459. Members of the Committee requested more detailed information on the current political regime in Cameroon. They noted in particular that notwithstanding the constitutional provisions envisaging

the institution of a multi-party system, the country had decided upon a single-party system, the Democratic Assembly Party of the Cameroonian People, while awaiting a change in people's attitudes to a multi-party system. They asked why the Government continued to think the country was not ripe for a multi party system; whether the existence of a single party was compatible with the provisions of the Constitution; and how the opinions of other political tendencies were taken into account under the current single-party regime. Several members were also at pains to stress that an effective defense of human rights went hand in hand with a multi-party system. With regard to the organization of elections in Cameroon, additional information was requested on the requirements that had to be met by a political party in order to have a legal existence; on whether movements had in effect expressed a desire to form political parties; on the need for a candidate for the post of President of the Republic to secure the support of "high-ranking traditional chiefs"; on the possibility for a single party to present several candidates at the same election; and on the outcome of the 1987 and 1988 elections. Lastly, clarification was sought about the meaning of the term "indirect universal suffrage" used in article 2 of the Constitution.

460. With regard to article 3 of the Covenant, members of the Committee asked which were the practical difficulties encountered by Cameroon on the subject of equality of men and women. They highlighted the cases in which a widow was required to observe a period of widowhood before she could remarry and in which case a married woman was required to produce her husband's authorization to be able to leave the national territory and they inquired whether there were other instances of inequality of men and women. They also inquired whether there was not a certain degree of resistance to the right stemming from the population, particularly that of the Muslim religion, to equality of men and women in matters of succession; what was the proportion of women in comparison with men in parliament; and whether Cameroonian courts were required to follow the judicial precedent of the Supreme Court upholding the civil equality of men and women.

461. With regard to article 4, of the Covenant, members of the Committee expressed their concern about the conditions in which a state of emergency might be proclaimed in Cameroon. Noting that, in the past, the President of the Republic had himself issued the decree proclaiming a state of emergency, they inquired to what extent both the proclamation of the state of emergency and the enforcement measures taken could be subjected to legislative or judicial control or supervision. Further, they inquired which rights set forth in the Covenant could be suspended during the state of emergency and whether there was any machinery to guarantee that the stipulation of article 4, paragraph 2, of the Covenant were respected. In connection with the extension of the state of emergency, they asked whether the President's option of extending the state of emergency for periods of six month was not likely to keep the country indefinitely in this exceptional situation. Noting that certain regions were in effect under a state of emergency due to acts of flagrant banditry and a high crime rate, they stressed that this reason alone would not warrant the maintenance of the state of emergency under the terms of the Covenant. They also asked whether the proclamation of the state of emergency had been duly notified to other State parties to the Covenant and what remedies were available to citizens who considered that they were victims of an arbitrary or unjust act during this period, particularly in respect of restricted residence measures, house searches and measures restricting freedom of expression.

462. Explanations were requested on article 5 of the Covenant, notably the possibility that an official might be brought before the courts for infringement of the provisions of the Covenant.

463. Turning to article 6 of the Covenant, members of the Committee asked for clarification on the crimes and offences punishable by the death penalty. They wished to know whether, in conformity with the provisions of the Covenant, minors were exempted from this penalty; whether the death sentence could be pronounced for a political offence; how many executions had been carried out and how many pardons granted in recent years; and how many prisoners were awaiting execution. They also wondered whether a death sentence could be appealed against on legal grounds or whether its commutation depended entirely on presidential pardon. More detailed information was requested on the criteria used by the President of the Republic in exercising his right of pardon and on the provisions regulating capital punishment incurred for cases of violence or physical assaults committed against a government employee. With regard to abortion, the question was asked why only the mother, considered to be a principal in the first degree or an accomplice in the murder of her child in the month of its birth, was punishable whereas the other principals or accomplices were not, and more generally, clarifications were demanded on the subject of the prohibition of abortions.

464. With regard to articles 7 and 10 of the Covenant, members asked which remedies were available to victims of the acts of torture and which penalties were prescribed for officials guilty of committing such acts. More specifically, the question was raised as to whether cases of that kind had occurred in Cameroon and, if so, whether the culprits had been found and punished. Information was also requested about legislation relating to other cruel, inhuman or degrading treatment or punishment. Members asked whether cases occurred in which juvenile prisoners were not segregated from adults owing to lack of room in the detention center for juveniles; what were the measures taken by law, that according to the report, were applied to criminally responsible juveniles between 10 and 14 years of age; whether prisoners received the income earned from their productive activities; and in the final analysis, whether the minimum rules for the treatment of prisoners were respected in Cameroon.

465. One member asked whether the arrangements for national civic service and community service were in conformity with the provisions of article 8 of the Covenant.

466. In relation to article 9 of the Covenant, members of the Committee wished to obtain more information on the difficulties mentioned in the report relating to pre-trial detention and custody. For instance, it was asked what was the mandate of the committee to consider the problems of pre-trial detention and custody and whether the latter had already submitted any conclusions or observations. More detailed information was requested about the annual meetings of public prosecutors to assess the progress made in the sphere of the protection of individual liberties and in relation to the functions of the special operations brigade. Concern was also expressed about the conditions of custody and in particular its exertion beyond the legal period of 96 hours. Clarification was sought as to whether prisoners were held in administrative detention beyond the expiry of their sentences because they had not repented and were believed to represent a continuing threat. Further, explanations were requested about detention of persons sentenced for political reasons, the right of anyone held in custody to be visited by a lawyer and by members of his family, and conditions of detention for abandoned children or persons suffering from mental problems. It was also inquired whether habeas corpus existed in Cameroon and, if so, how it was implemented.

467. With regard to articles 12 and 13 of the Covenant, members asked for explanations on the restrictions to the right to leave Cameroonian territory, particularly those relating to the reasons that justified leaving the country and the obligation imposed on a Cameroonian national desiring to leave the territory to prove that he was to provide himself with accommodation and to meet his own needs and the obligation for a married woman to produce her husband's authorization. Members commented that these conditions seemed to them to be incompatible with the article 12 of the Covenant. Furthermore, it was asked whether the passport of a Cameroonian national who was present in the country remained in his possession or was required to be deposited, whether it was necessary for nationals to obtain an exit visa to leave the country and how the right to freedom of movement within the country was applied in practice. Additionally, it was inquired whether, in case of expulsion, aliens had a right of recourse before an impartial body and whether, such recourse had a suspensive effect on the deportation order. Finally, in the case of aliens whose departure was opposed by the government departments, State-owned establishments and partly State-owned companies, it was asked what particular remedies were available to them against such decisions.

468. In relation to article 14 of the Covenant, specific information was requested on the way in which the independence of the judiciary was guaranteed and on the conditions for the recruitment, appointment and promotion of judges. In particular, in view of the possibility for the President of the Republic to designate persons to the Supreme Court when it ruled on Constitutional affairs, it was asked how the independence and the impartiality of the Supreme Court could be truly guaranteed. Members wished to have additional information on the spheres of the competence of the military courts and their relationship with ordinary courts. Noting that these military courts could in certain cases try civilians, that their proceedings were held *in camera* and that their decisions did not appear to be appealable, several members inquired about the compatibility of these practices with the provisions of article 14 of the Covenant. It was also asked what was meant by the descendants in the report according to which the accused could reject any member of the judiciary whose impartiality he had serious cause to doubt. With regard to the organization of the judiciary, additional information was requested on the courts of traditional (or customary) law and their relationship with the courts of modern law; on legal aid, particularly for minors; and on the organization of the defense and the period of time the accused person was allowed for the preparation of his defense. Further information was also sought on the penalties applicable to minors aged 14 and over. Information was also sought on the possibility for the Ministry of Justice to order new hearings on all proceedings relating to threats to state security and on the difficulties that might arise.

469. With regard to article 17 of the Covenant, members of the Committee sought more information about unlawful entry and search of premises ordered by the Ministry of Armed Forces. Furthermore, it was asked whether there was any monitoring of the correspondence of banned political parties and, if so, under what authority. It was also asked whether there were any secret societies in Cameroon and, if so, on the methods adopted to combat this phenomenon in view of the need to protect privacy.

470. In relation to article 18 of the Covenant, members inquired about the legal bases for the restrictions imposed on the exercise of freedom of religion, particularly with respect to the prohibition of certain sects, such as Jehovah's Witnesses and their compatibility with the requirements of the article and the limitations it authorized.

471. With reference to the freedom of expression, members of the Committee wished to receive further information on prior censorship, which the law of 21 December 1966 made provision for, and on its compatibility with the requirements of article 19 of the Covenant. It was further asked whether spreading false news was an offence under Cameroonian law and, if so, whether the burden of proof lay with the accused or with the public prosecutor. Additional information was also sought on the issue of the state monopoly of the audio-visual media, particularly with regard to the special provisions made for private bodies. Referring to the freedom of expression created by the monopoly of this kind, members sought information on the regulation of the use of information organs by citizens. Finally, clarification were also sought on the right of reply provided when an individual had incurred charges prejudicial to his honor.

472. In respect of articles 21 and 22 of the Covenant, members inquired as to how the rights of association and of peaceful assembly and the right to strike were regulated, and how many trade unions there were in Cameroon and how the conciliation and arbitration procedures prior to the exercise of the right to strike functioned. Additionally, it was inquired whether the right to peaceful assembly was accorded to aliens as well as to citizens and, if so, what legislation governed the holding of meetings by aliens.

473. Concerning articles 23 and 24 of the Covenant, members asked whether there were instances of resistance to modern law in respect of the consent of the spouses to marriage, according to what criteria dispensations from the minimum age for marriage could be granted and whether there was a difference in status between legitimate children and illegitimate children, particularly in questions of succession. Information was also sought on the practical application of the provisions relating to the limitations on the parents' choice of name and first name for their child.

474. Pointing out that the provisions of the article 25 of the Covenant were not confined to the exercise of the right to vote and could not be equated with the right to self-determination, members sought additional information on the application of this provision in Cameroon. In particular, they requested more detailed information on the subject of admission to the Civil Service and the equal participation of Cameroonians, particularly those coming from the north of the country or from provinces formerly under British trusteeship, in the affairs of the country.

475. In connection with article 27 of the Covenant, members wished to obtain more information on the day-to-day situation prevailing in the country in respect of the rights of minorities and on the ethnic composition of the population. In particular, it was asked what measures were taken to preserve the cultures, languages and religions peculiar to certain regions and to better integrate certain ethnic groups such as the "bamilekes" into the political life of the country.

476. In reply to questions concerning the status of the Covenant in Cameroonian law, the representative of the State party explained that the provisions of the Covenant had been incorporated in the legal system of Cameroon. He added that once an international instrument had been ratified by the president acting with the authority of the legislative, the provisions of that treaty automatically become an integral part of domestic legislation. Freedom and equality had always to be seen against the political background and the existing legal system, whose archaic structures had been criticized by the President himself. However a new dynamic policy was being pursued with

the aim of establishing a genuine democracy in which all citizens would be free to act as they wished under the law and a charter of basic freedoms was to be promulgated shortly. Although a single-party political system was in force at present, pluralistic democracy was the ultimate aim.

477. Commenting on questions raised under article 3 of the Covenant, the representative drew attention to the fact that several key posts in the Government were held by women, including that of Ambassador to the European Commission at Brussels, and that there was no discrimination between men and women candidates for posts in the public service. The requirement that a woman must obtain her husband's permission to travel before applying for a visa was not in any way contrary to the provisions of the Covenant and was intended solely to preserve and strengthen the stability of family life.

478. Referring to the number of questions raised and observations made in connection with articles 7 and 10 of the Covenant, the representative recalled that his country had ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and has submitted an initial report to the Committee against Torture.

479. With reference to article 9 of the Covenant, the representative stated that he was unaware of the existence of any special police brigade.

480. Referring to a number of questions raised in connection with articles 12 and 13 of the Covenant, the representative of the State party said that visa charges were fully justifiable in view of the expenses that might be incurred in connection with repatriation and that therefore the procedure could not be regarded as discriminatory.

481. In reply to questions raised by members of the Committee concerning article 14 of the Covenant, the representative said that although appointed by the executive the judiciary was, in fact, highly independent. The crucial question was not so much the system of appointment of members of the judiciary but the quality of justice dispensed. No disciplinary action had ever been taken against any judge in Cameroon in respect of any judgment rendered. With regard to the nomination and promotion of judges, a strict seniority roll of serving judges was maintained by the Ministry of Justice and promotions were approved by the President on the advice of a Higher Council composed of senior judges and magistrates, the possibility of political bias thus being excluded. Steps had been taken to ensure that trained and licenced lawyers were available throughout the country to provide legal advice and assistance to those requiring it. Referring to the concerns expressed about military tribunals, the representative explained that provisions had been made, save in case of violation of arms regulations, for persons convicted by the military tribunal to appeal to a higher instance.

482. Regarding questions raised under article 19 of the Covenant, the representative emphasized that it was only natural that the State should retain the right to exercise a sufficient measure of supervision. Moreover the press in Cameroon was regarded not only as a means of disseminating information but also as an educational institution, providing the framework within which citizens could learn how to live in freedom, stimulating a form of social dynamism for the achievement of national unity and encouraging creative participation in public affairs. A proof of the success of the press in performing that role was afforded by the fact that Cameroon was ahead of many countries

in respect of the degree of popular participation in public affairs and access to the public service.

483. Lastly, with respect to article 27 of the Covenant, the representative said that many “bamilekes” occupied leading positions in the economic sector.

484. Members of the Committee thanked the representative of the State party for his co-operation. They observed, however, that, while he had endeavored to reply to some questions, many important ones remained unanswered. The concerns of members in respect of issues such as those relating to the detention system, the military courts, freedom of association, rights of minorities, equality of the sexes and the single-party system, in particular, had not been allayed. Some of the information relating to censorship and to the internal structure and evolution of the country also gave grounds for special concern. Members of the Committee expressed the hope that the Committee’s observations would be brought to the attention of the Government and would be taken into account in preparing Cameroon’s second periodic report.

485. The representative of the State party assured the Committee that its recommendations would be conveyed to the Government and that the second periodic report of his country would contain answers to the questions that has remained unanswered.

486. In concluding the consideration of the initial report of Cameroon, the Chairman welcomed the State party’s clear intention to engage in a dialogue with the Committee. He thanked the representative for his efforts to reply to the Committee’s questions but nevertheless regretted that, owing to absence of experts from the capital, it had not been possible to have a more comprehensive and successful dialogue. It was all the more important, therefore, that the second periodic report of Cameroon should be submitted in good time and that the government representatives sent to present it should be sufficiently well informed to answer the Committee’s legitimate questions.

CCPR A/49/40 (1994)

183. The Committee considered the second periodic report of Cameroon (CCPR/C/63/Add.1) at its 1306th to 1308th meetings, held on 30 and 31 March 1994 (see CCPR/C/SR.1306-1308), and adopted 26/ the following observations:

1. Introduction

184. The Committee thanks Cameroon for its report and welcomes the Government's willingness to pursue the dialogue entered into with the Committee. The report, although a summary and rather theoretical, otherwise conforms to the Committee's guidelines regarding the form and contents of periodic reports (CCPR/C/20/Rev.1), and the oral comments were a valuable complement to the information given in writing. The replies to the questions of Committee members by a competent high-level delegation helped to make the dialogue between the delegation and the Committee frank and fruitful.

2. Factors and difficulties impeding the application of the Covenant

185. The ignorance of individuals as to their rights impedes the enjoyment thereof and contributes to their failure to provide remedies for violation of those rights. Accordingly, there remain many unaddressed human rights violations. The survival of certain traditions and customs sometimes constitutes an obstacle to the application of the Covenant, particularly with regard to equality of men and women.

C. Positive aspects

186. The establishment of the National Committee for Human Rights and Freedoms represents a notable advance in the promotion of human rights in Cameroon.

187. The acts passed in 1990, in particular Act No. 90-56 of 19 December 1990 concerning political parties, establishing a multiparty system, constitute an encouraging factor for the implementation of the Covenant.

188. The detailed information given orally by the delegation on the situation of minorities in Cameroon is indicative of the positive approach of the country's authorities to the implementation of article 27 of the Covenant.

26/ At its 1316th meeting (fiftieth session) , held on 7 April 1994.

4. Principal subjects of concern

189. The Committee regrets the fact that the Secretary-General was not notified in the correct manner, in accordance with the requirements of article 4 of the Covenant, of the proclamation of a state of emergency at the time of the events that took place in the country's Nord-Ouest province in 1992.

190. The Committee deplores the fact that the State party has not embarked on all the necessary reforms to combat the factors still impeding equality of men and women.

191. The Committee is concerned that, in spite of a recent reduction, the number of offences punishable by the death penalty in the Criminal Code is still excessive, in particular aggravated theft or traffic in toxic or dangerous wastes, and at the number of death sentences handed down by the courts.

192. It deplores the infringements of the right to life by representatives of the security forces, the Army and even paramilitary groups in respect of civilians, not only during the events of 1992 but also in March 1993 and, more recently, in March 1994.

193. The Committee deplores the multiple cases of torture, ill-treatment, extrajudicial execution and illegal detention, suffered in particular by journalists and political opponents. Torture and ill-treatment seem to be practised systematically by the security forces, and on several occasions their brutality has caused the death of the victims.

194. It also deplores the fact that such brutality is practiced in prisons, as well as non-respect for the provisions of article 10 of the Covenant in detention centers where men and women, convicted and unconvicted prisoners, adult and juvenile offenders are held in the same, generally insalubrious, cells.

195. The Committee notes that freedom of expression is not guaranteed, owing to the requirement of prior deposit of all publications, censorship and the control exercised by the authorities over the press, radio and television.

196. The Committee questions the independence of the judiciary; in particular, the composition of the Supreme Council of Justice does not seem such as to guarantee respect for this principle.

197. The Committee expresses its regret at the difficulties encountered by workers in exercising freely and peacefully their rights under articles 21 and 22 of the Covenant.

198. The Committee is concerned about the conditions in which the presidential elections of 11 October 1992 were held, and, in particular, it expresses its concern at the numerous allegations of fraud made during the different ballots.

5. Suggestions and recommendations

199. The Committee recommends that the Cameroonian authorities avail themselves of the

constitutional reform to incorporate in the national legal system all the rights guaranteed by the Covenant, and that each article of the draft be systematically checked against the provisions of the Covenant.

200. Measures should be taken to organize free, equitable and transparent elections.

201. The Committee invites the Government to disseminate the Covenant by culturally appropriate means, so that everyone has a knowledge of his rights, whatever his place of residence and his situation in Cameroonian society.

202. The Committee urges the authorities of Cameroon to revise the Criminal Code with a view to restricting the number of offences carrying the death penalty.

203. The Committee strongly recommends that the Government take all necessary measures to prevent summary executions, torture, ill-treatment and illegal detention, that all such cases be investigated in order to bring those suspected of having committed such acts before the courts, that those found guilty be punished and that the victims be compensated.

204. The Committee invites the Cameroonian authorities to modify their legislation applicable to administrative detention so as to make it limited in time and subject to appeal in accordance with article 9, paragraph 4, of the Covenant. The Committee urges the Cameroonian authorities to require law-enforcement officers to have a strict respect for the provisions of article 9 of the Covenant, in order to put an end to arbitrary or illegal detention, by organizing specific training for them if necessary.

205. The Committee invites the Cameroonian authorities to adopt as a matter of urgency the measures necessary to ensure that in prisons and detention centers all the provisions of article 10 of the Covenant are fully respected.

206. Measures should be taken, if necessary in the form of constitutional reform, to guarantee the independence and impartiality of the judiciary, in accordance with article 14, paragraph 1, of the Covenant.

207. The Committee invites the Government to improve the situation of women, with a view to achieving the effective application of article 3 of the Covenant, in particular by adopting the necessary educational and other measures to overcome the weight of certain customs and traditions and by proceeding as soon as possible with its plan to amend the Family Code.

208. The Committee recommends that the Cameroonian authorities remove censorship once and for all and amend the Act of 19 December 1990, with a view to ensuring its conformity with article 19 of the Covenant.

CCPR A/55/40 (2000)

183. The Committee considered the third periodic report of Cameroon (CCPR/C/102/Add.2) at its 1798th to 1800th meetings (CCPR/C/SR.1798-1800), held on 27 and 28 October 1999, and adopted, at its 1807th and 1808th meetings, held on 3 November 1999, the following observations:

1. Introduction

184. The Committee notes that the third periodic report of Cameroon was incomplete and did not address all of the concerns expressed by the Committee in its previous concluding observations on Cameroon's second periodic report (A/49/40, paras. 183-208). It welcomes, however, the updated information, including written information and legislative texts, provided by the delegation. It further welcomes the willingness of the State party to make additional submissions in writing with respect to particular concerns articulated by members of the Committee.

2. Positive aspects

185. The Committee notes that under the revised Constitution of 1996 the Covenant has priority over national law, and welcomes the statement of the delegation that Covenant rights can be invoked directly in Cameroonian courts, and that these apply the provisions of the Covenant.

186. The Committee welcomes the efforts undertaken by the State party to inform the multi-ethnic population of Cameroon about their human rights, in particular through the establishment of legal clinics, educational campaigns, workshops and seminars held throughout the territory.

187. The Committee also welcomes the commitment to promote gender equality through the Ministry of Women Affairs as well as various measures initiated by the Ministry for that purpose.

188. The Committee welcomes recent amendments to the Criminal Code, including the enactment of a crime of torture under article 132 bis.

189. The Committee welcomes the establishment of the National Committee on Human Rights and Freedoms which is empowered to oversee all relevant Cameroonian authorities.

190. The Committee notes with satisfaction that there has been a noticeable increase in the number of judges and other court personnel.

3. Principal subjects of concern and recommendations

191. The Committee is concerned about the duality of statutory law and customary law, which sometimes results in unequal treatment between men and women, particularly in the areas of marriage and inheritance laws. The Committee is also concerned that where spouses do not agree, customary law incompatible with the Covenant is often applied.

192. The State party should adopt legislation that ensures that the laws applied will in all cases

be compatible with the Covenant. It emphasizes that law that gives effect to Covenant rights may fulfil an educational function. Educational campaigns should also be included in those areas in which customary practices lead to discrimination against women.

193. The Committee is also concerned at the continuing existence of polygamy, and the different ages for marriage between girls and boys.

194. The State party should ensure that the above are brought into conformity with the Covenant.

195. The Committee is further concerned with the high rate of illiteracy among women, unequal educational and employment opportunities for women and that husbands may seek a court order to prevent their wives from engaging in certain occupations.

196. The State party should ensure the equality of women with men, both in education and employment, particularly in employment of the woman's choice. It should also ensure that women receive equal pay for work of equal value.

197. The Committee is concerned at the fact that there is no specific law to prohibit female genital mutilation and that this practice continues in certain areas of Cameroonian territory in violation of article 7 of the Covenant.

198. The State party should take all measures, including legislation, to combat and eradicate the practice of female genital mutilation.

199. The Committee is concerned that the criminalization of abortion leads to unsafe abortions which account for a high rate of maternal mortality.

200. The State party must take measures to protect the life of all persons, including pregnant women.

201. The Committee recognizes that no death sentences have been carried out during the period under review, but is concerned that the death penalty is still being imposed, and that some of the crimes still punishable by the death penalty, such as secession, espionage or incitement to war, are loosely defined.

202. The State party is urged to ensure that the death penalty may be imposed only for the most serious crimes and to consider abolishing capital punishment altogether (art. 6).

203. The Committee is seriously concerned about allegations of widespread extrajudicial executions, particularly in connection with the operations by security forces to combat armed robbery. The Committee is also concerned about the death of detainees, including through torture and ill-treatment.

204. The State party is urged to overcome impunity and ensure that all allegations of killings by security forces are promptly investigated, the responsible persons brought to justice and the victims compensated.

205. The Committee is concerned by the existence of private militia, in particular those that act as "coupeurs de routes".

206. The State party should combat the phenomenon of private militia in order to eradicate it.

207. The Committee is seriously concerned at reports about abuse of the use of weapons by the police, leading to loss of life.

208. To secure compliance with articles 6 and 7 of the Covenant, the State party must take firm measures to limit the use of force by the police, to investigate all complaints regarding the use of force by the police, and take appropriate action when the use of force is in violation of the relevant regulations.

209. The Committee is further seriously concerned at reports of disappearances of persons.

210. The State party must carry out investigations of disappearances and provide compensation to victims, or their families.

211. The Committee is deeply concerned that a person held in administrative detention under article 2 of Law No. 90/024 (19 December 1990) may have his detention extended indefinitely with the authorization of the Provincial Governor or the Minister for Territorial Administration, and that such person has no remedy by way of appeal or application of habeas corpus.

212. The State party should take immediate steps to bring the law into compliance with article 9, paragraphs 3 and 4, of the Covenant and ensure that the conditions in which any such person is held comply with the Covenant.

213. The Committee is concerned about the continued practice of torture by police officials and about the absence of an independent organ for investigation. The Committee acknowledges the information provided by the delegation about the prosecution of certain cases of torture. However, it regrets that the delegation did not provide any information concerning the number of complaints of torture, the methods of investigating such reports, or of the remedies offered to the victims.

214. The State party should establish an independent mechanism to investigate reports of torture in order to comply with article 7 of the Covenant.

215. The Committee is concerned about the jurisdiction of military courts over civilians and about the extension of that jurisdiction to offences which are not per se of a military nature, for example all offences involving firearms. The Committee is further concerned about reports whereby a person who was discharged by civilian judicial authorities may be brought before a different tribunal for trial, in contravention of article 14, paragraph 7.

216. The State party should ensure that the jurisdiction of military tribunals is limited to military offences committed by military personnel. It must also avoid any person being tried or punished again for an offence for which he/she has already been finally convicted or acquitted of.

217. The Committee is concerned that citizens' passports can be seized by the police on the order of the public prosecutor, but that no information has been provided as to the criteria adopted by the prosecutor in giving such an order in that procedure.

218. Criteria for the seizure of passports should be examined so as to ensure that they are compatible with the freedom of everyone to leave his own country under article 12, paragraphs 2 and 3, of the Covenant.

219. The Committee deplores the fact that prison conditions in Cameroon are characterized by severe overcrowding and inadequate food and medical care.

220. The Committee urges the State party to address the issue of prison overcrowding as a matter of priority and to ensure that prisoners are treated with humanity, in keeping with article 10 of the Covenant.

221. The Committee is deeply concerned at the prosecution and punishment of journalists for the crime of publication of "false news" merely on the ground that the news was false, in clear violation of article 19 of the Covenant.

222. The State party must ensure that any law restricting freedom of expression meets all the requirements set out in article 19, paragraph 3, of the Covenant.

223. The Committee recommends early action to review and reform laws relating to criminal defamation, to bring them into conformity with article 19 of the Covenant.

224. The Committee is concerned with the information provided by the State party in respect of the follow-up on the Committee's decisions on an individual case, Mukong v. Cameroon (case No. 458/1991), where the Committee has established a violation of the Covenant. In particular, the Committee does not consider it appropriate to expect a person found to be a victim of a human rights violation to have to submit still more information to the Cameroonian courts in order to obtain compensation.

225. The State party is urged to provide a remedy in accordance with the views adopted by the Committee on the individual case considered under the Optional Protocol.

226. The Committee regrets that the independence of the National Committee on Human Rights and Freedoms is not ensured, that its reports to the head of State are not made public and that there is no evidence that any remedies have been provided or prosecutions initiated as a result of its work.

227. The State party is urged to ensure the independence of the National Committee and to publicize its work and recommendations.

4. Dissemination of information about the Covenant (art. 2)

228. The Committee urges the State party to make available to the public as well as to the legislative and administrative authorities the text of the Covenant and of these concluding

observations in the languages used by the population, and to disseminate the Covenant by appropriate measures so that everyone becomes aware of their rights. The State party's next report should be prepared on an article-by-article basis, in accordance with the Committee's revised guidelines, and should give particular attention to the issues raised by the Committee in these concluding observations. The Committee sets the date for the submission of Cameroon's fourth periodic report at 31 October 2003.

