

UNITED REPUBLIC OF CAMEROON

CERD 29th No. 18 (A/9618) (1974)

170. The Committee welcomed the statements, contained in the initial report of the United Republic of Cameroon, that the Government of the reporting State had, before acceding to the Convention, already adopted legislative, judicial and administrative measures condemning racial discrimination and that its accession to the Convention had not resulted in the repeal of existing legislation or in the adaptation of the new laws with a view to giving effect to the provisions of the Convention. The report contained also a list of certain articles of the Penal Code, and certain Acts and Decrees.

171. The Committee welcomed the assurances and the information contained in the report. Members of the Committee, however, found it necessary to have the texts of the provisions mentioned in the report in order to be able to consider them and ascertain the manner in which and the extent on which the provisions of the Convention was implemented in the reporting State. Taking note of the information provided by the Secretary-General to the effect that, in compliance with the request made by the committee at its 162nd meeting on 17 August 1973, he had already taken steps with a view to obtaining copies of the legislative texts mentioned in the report, the Committee decided to suspend its consideration of that report until the tenth session and to send a communication to the Government of the reporting State requesting it to furnish it with the texts mentioned in its report.

172. By the opening of the tenth session, the requested texts mentioned in the preceding paragraph had not been received. The action by the Committee with regard to that situation is described in paragraph 68 above.

CERD 30TH No.18 (A/10018) (1975)

156. Members of the Committee noted that the second periodic report of Cameroon provided much of the information which had been lacking in the initial report and showed that due account had been taken, in its preparation, of the views and wishes expressed during the discussion of the earlier report. The actual texts of some of the legislative provisions to which the two reports made reference were supplied. Furthermore, the report was not confined to legislative measures, but furnished information on court decisions as well. Information on the implementation of the articles 3, 4 (para.(a)) and 5 of the convention was given as well as information on the implementation of resolutions of the competent organs of the United Nations on relations with racists regimes, to which the Committee's general recommendation III referred. However, it was noted that information relating to the implementation of articles 4 (para.(b)) and 7 of the Convention was lacking, as was also the information envisaged in the Committees general recommendation IV (on the composition of the population).

157. The hope was expressed that future reports of Cameroon would supply the text of article 152 of the penal code (to which article 241 of that code referred) in order that the degree of compliance by the reporting State with its obligations under article 4, paragraph (a), of the Convention might be determined by the Committee. Inquiries were made about the provisions of Cameroonian legislation, if any, which ensured the application of the principle of the equality of Cameroonians and aliens before the law, affirmed in article 1 of the penal code, and about the cases cited in the report in connection with that article, and whether any of them concerned acts of racial discrimination within the meaning of article 1 of the Convention. Some members asked whether it was possible for an individual to institute an action based directly on the provisions of the preamble of the Constitution, which laid down the basic rights of all human beings. Questions were asked about the precise definition of the words "racism" and "tribalism" used in some of the articles of Cameroonian laws cited in the report, as well as the meaning of the words "with assimilated status" used in the report.

158. The representative of the United Republic of Cameroon assured the Committee that he would communicate to his government the comments made during the discussion.

CERD A/31/18 + Corr.1 (1976)

218. The third periodic report of the United Republic of Cameroon consisted of the statement that there had been no new developments in Cameroonian legislation with regard to racial discrimination during the biennium covered by the report. In his introductory statement, the representative of the Government of the reporting State answered some of the questions which had been raised during the Committee's consideration of his Government's second periodic report.

219. The representative of the Government of the United Republic of Cameroon read out the text of article 152 of the Penal Code, which had been requested by the Committee. In reply to the questions about ethnic composition of the population of the country, he said that 90 per cent consisted of indigenous groups -consisting of more than 100 tribes living in harmony with one another - the remaining 10 per cent being aliens. With regard to certain cases mentioned in the second periodic report, about which Committee members had asked for further details, he gave some information about identity of the accused and the nature of the charges, and observed that those cases demonstrated that all persons, regardless, of nationality or rank were treated equally before the law in his country. With reference to another question he explained the meaning of the term "assimilated status".

220. Members of the Committee expressed the hope that the text of the legal provisions read out by the representative of the Government of the United Republic of Cameroon and the texts of all other relevant legislative provisions not yet supplied to the Committee be incorporated in the next report; that further information on the implementation of articles 4 (para. (b)), 5, 6 and 7 of the Convention be provided; and that information on administrative and judicial measures giving effect to the provisions of the Convention in general recommendation III, be also supplied.

221. The representative of the Government of the United Republic of Cameroon supplied the Committee with information on the right of workers to form trade unions, on education programmes which promoted the ideas of tolerance and respect for others, and on the participation of his Government in international action to combat racism and apartheid. He assured the Committee that the observations made by its members would be transmitted to his Government, and that the information requested would be included in the fourth periodic report.

(CERD A/34/18) (1979)

378. The Committee considered the fourth periodic report of the United Republic of Cameroon (CERD /C/18/Add.4) together with the introductory statement of the representative of the reporting State, who supplemented the information given in the report and replied to some questions raised and observations made during the consideration of his country's third periodic report. He stated, in particular, that the fourth periodic report confirmed the information contained in the previous reports, especially the initial report and recalled that after the national referendum of May 20 1972, the federal State had been replaced by a unitary State and that the Government had to carry out a vast operation of unifying all the political, administrative and legislative structures. The texts of laws and presidential decrees implementing the provisions of the Convention would be provided to the Committee at a later stage.

379. Members of the Committee recalled that under article 9 of the Convention States parties were required to provide written reports to the Committee and took note of the fact that no written information or reply to questions raised by the Committee during its consideration of previous reports was given in the fourth periodic report of the United Republic of Cameroon. It was recalled, in particular, that the Committee had requested the Government to provide the text of article 152 of the Penal Code and other legal provisions related to the Convention and to provide information on the implementation of the articles 4 (b), 5,6, and 7 of the Convention. The representative of the reporting State had provided a considerable amount of oral information, which could have been included in the fourth periodic report, but it was difficult for the Committee to take any position on the basis of information or texts that were presented orally.

380. The Committee therefore reiterated its request, already made on previous occasions, that full written information should be provided by the United Republic of Cameroon and particularly that all its relevant administrative and legislative texts on the implementation of the provisions of the Convention should be made available to the Committee. Members of the Committee also expressed the view that it would be useful if in the Government's next periodic report information were to be provided on the demographic and ethnic composition of the country.

381. The representative of the United Republic of Cameroon assured members of the Committee that the texts of the instruments relevant to the implementations of the Convention would be supplied with the next periodic report.

CERD (A/38/18) (1983)

124. The fifth and sixth periodic reports of the United Republic of Cameroon, submitted in one document (CERD/C/90/Add.1 and Add.5), were considered by the Committee together with the introductory statement made by the representative of the reporting State, who highlighted some points of the reports and provided the Committee with some additional information.

125. Members of the Committee noted with satisfaction that the report of the United Republic of Cameroon showed some improvement over the earlier ones and that it reflected the country's distinguished record in the world-wide struggle for the elimination of racial discrimination. It was noted with interest that the Government had set itself a massive task in undertaking to revise all juridical texts and institutions. Members expressed the hope that a full report would be submitted to the Committee as soon as work was completed, together with the texts and laws enacted to implement the provisions of the Convention. Noting the description of the United Republic of Cameroon as a microcosm of Africa, members of the Committee requested more information on the demographic and ethnic composition of the population for an appreciation of the complex situation in a republic encompassing Muslims and Christians, French-speaking and English-speaking groups in various parts of the country. Finally, the Government was invited in its next periodic report to follow the Committee's guidelines so as to enable it to focus on whether the requirements of the Convention were being squarely met.

126. With regard to the implementation of article 2 and 5 of the Convention, more information was asked for concerning the Government's socio-economic policies including details of how it had used its oil wealth to develop the country and to what extent that had been a factor in maintaining the regional, ethnic and cultural balance; how the various ethnic groups were being brought into the national mainstream; what steps were being taken to protect the more backward ethnic groups; what was being done to lessen the disparities between the regions; what was the level of representation of the different ethnic groups at the local and national levels; and whether the different ethnic groups in the country had the educational opportunities necessary to obtain the intellectual aptitude required. Some members also wondered whether refugees from other African countries constituted a major problem and, if so, how the problem was being tackled. More information was requested regarding aliens in the category of migrant workers, in particular, if there were any agreements with other countries concerning such workers; whether the public posts which were open to all, aliens and Cameroonians, including military and high political posts, and whether aliens were allowed to form their own cultural associations.

127. Clarification was sought concerning the implementation of article 5, paragraphs (a) (d) and (e), of the Convention. It was noted that the main basis for the United Republic of Cameroon's legal system was French law, but it had taken from British law the System of the Attorney-General. In this connection, some members asked how that synthesis of the two legal systems had been effected and requested detailed information concerning its judicial organization and court procedures as well as the relevant texts.

128. Referring to the measures adopted by the Government concerning the economic, social and cultural rights, questions were asked on whether the peasants were able to ensure the economic and

social well-being of their families, what steps had been taken to reduce unemployment and to promote industrialization with particular reference to small-scale industries, and whether the Government guaranteed the proper marketing of agricultural output. It was also important to have information about the literacy rate, on the Government's efforts to make health centers generally available, especially in remote areas and on the provision of pensions or retirement funds for the elderly. Finally, further clarification was requested on how trade union rights and the freedom of the press, guaranteed by the Constitution, were implemented in practice.

129. Members of the Committee observed that article 152 of the Cameroonian Penal Code did not fully cover the requirements of article 4 of the Convention. Moreover article 241 of the Penal Code, which provided penalties for "any person who commits an offence as defined in article 152, against a race or religion to which some citizens or residents belong", was very restrictive in relation to article 4, in so far as it related not to groups but only to individuals. Furthermore, the report had not made it clear under what norms the members and leaders of associations with an exclusively tribal and clannish character could be punished and whether any penalties had been imposed if any such organizations were discovered.

130. In connection with article 6 of the Convention, further details were requested on what means of resource were available to citizens when their rights were violated by racist or discriminatory actions, and whether those claiming injury on the basis of racial discrimination had recourse to the courts and could seek compensation.

131. With regard to article 7, members of the Committee requested more information concerning cultural and educational activities to combat racial prejudice: for example, what was the situation with regard to the different dialects spoken by the various groups, what place did they have in government policy so far as schools were concerned in the various regions, and were there any regions in which some ethnic groups were somewhat neglected. Information should also be provided concerning measures taken to promote public awareness of the provisions of the Convention, the Universal Declaration of Human Rights and the United Nations Charter. It was also asked what was the Government doing to disseminate information concerning other countries and civilizations and what role did the media play in those efforts, whether the government had signed cultural co-operation agreements with other countries and whether it intended to establish a human rights commission as other countries in the region were planning to do.

132. In reply to a number of questions raised, the representative of the United Republic of Cameroon indicated that the government was currently revising its legal system, which reflected dual English and French colonial heritage; as soon as the work was completed, the results would be communicated to the Committee. He also said that his Government would endeavor to follow the Committee's general guidelines and would provide extensive quotations from the articles of the Penal Code relating to various restrictions. The representative was unable to furnish any quantitative data with regard to the distribution of ethnic and linguistic groups at the local level. However, his Government was working to achieve a balanced development of all regions and to ensure that the rights of all groups within each region were protected.

133. In the field of education, his Government was endeavoring to eradicate prejudices by teaching both French and English and by providing educational and information programs in both languages

on the radio. A similar effort was being made in the universities, where students could choose their language of instruction. Those efforts had helped to eliminate prejudice and discrimination. The educational system in the United Republic of Cameroon was designed to help all citizens attain their career goals. As a result of a literacy campaign some 70 per cent of the population was literate, a remarkable achievement in view of the Government's limited resources. Secondary education was directed towards enabling students to earn a living. Whereas during 1960s and 1970s higher education had been very general in scope, various schools were currently being established to provide vocational training. They include a national polytechnic institute and a national agricultural school.

134. Regarding the question of refugees, he stated that his country had experienced refugee problems but, with the help of the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Committee of the Red Cross (ICRC), those problems had been overcome. As far as refugees from Guinea were concerned, some has decided to stay in his country, while with help of UNHCR the majority had been repatriated. With respect to agreements concerning migrant workers, he said there was such an agreement between his country and Gabon but could not say with any certainty whether similar agreements existed with other countries.

135. In reply to other questions, the representative said that each year the Government sponsored a week-long cultural festival which was organized at local and national levels. The promotion of local languages, of which there were many, was conducted largely enough through the mass media. Each province had its own radio station, and all programs except for national news were broadcast in local languages. Efforts to promote traditional culture, while intended for every one, were directed especially towards young people so that they might keep in touch with that culture,

136. The Cameroonian Government conducted a number of activities to inform citizens about racial discrimination. Each year, prior to Human Rights Day, provincial radio stations broadcast programs prepared by the Ministry of Information and Culture which dealt with the situation in South Africa.

137. Lastly, he assured the Committee that more extensive information would be provided in the next periodic report, which would follow the guidelines of the Committee, and that his Government would include the relevant texts which the Committee had requested.

CAMEROON

CERD A/42/18 (1987)

806. The seventh periodic report of Cameroon (CERD/C/117/Add.9) was considered by the Committee at its 797th to 799th meeting on 16 and 17 March 1987 (CERD/C/SR.797-SR.799).

807. The report was introduced by the representative of Cameroon who highlighted and enlarged upon relevant parts thereof. He referred specifically to the measures taken by Cameroon in the struggle against apartheid and informed the Committee that in May 1986, his country hosted the United Nations seminar on international assistance and support to peoples and movements struggling against colonialism, racism, racial discrimination and apartheid under the Program of Action for the Second Decade to Combat Racism and Racial Discrimination. A new electoral law would be promulgated to regulate the municipal elections of 1987 and the legislative elections of 1988, with a view to allowing candidates to stand for election without having to go through party channels and even in a completely independent capacity. In the field of education, the Government was in the process of drafting a bill. It has been decided to establish English- Language centres in the eight French-speaking provinces, with a view to achieving a balance between the teaching of English and French.

808. Members of the Committee congratulated the representative of Cameroon on the good report submitted by his Government and on the comprehensive introductory statement which had supplemented the information provided therein. The report conformed to the Committee's guidelines (CERD/C/70/Rev.1). Members were also gratified by the dialogue that the Cameroonian Government established with the Committee.

809. Members of the Committee commended Cameroon for the efforts it was making to enable the population to transcend the tribal structure and adjust gradually to the national dimension, as well as for the Government's constructive approach, which regarded differences not as a source of conflict but as a source of enrichment and social and cultural development.

810. However, they wished to receive additional information showing how, in practice, the cultures of the various ethnic groups, including their languages and religions, were being preserved in the framework of the Government's policy of promoting national culture as a factor of national integration. Furthermore, in order better to evaluate the progress achieved, especially in the economic, social and cultural fields, the Committee needed detailed information on the composition of the population by ethnic group. It was asked, in particular, how many Bantu and Pygmies live in Cameroon and what the trends were in their demographic growth.

811. In relation to the article 3 of the Convention, members of the Committee commended Cameroon for its active participation in the struggle against apartheid and its efforts to isolate the South African regime, as well as for its support to the liberation movements of the oppressed peoples of South Africa and Namibia. They also welcomed the fact that a United Nations seminar within the context of the Second Decade to Combat Racism and Racial Discrimination had taken place in Cameroon.

812. With Regard to the implementation of article 4 of the Convention, members observed that the Penal Code of Cameroon did not cover all possible forms of racial discrimination. Members of the Committee suggested that, in order to give full effect to all the provisions contained in that article of the Convention, the Government should consider the possibility of adopting measures to supplement its penal legislation so as to declare punishable, for example, all forms of assistance to racist activities, including financial assistance, and to prohibit racist organizations. Members of the Committee noted that the Penal Code contained an article on slavery and asked whether such practices still occurred in Cameroon.

813. Concerning the application of article 5 of the Convention, taken in conjunction, with article 2, members of the Committee observed that, under article 5 of the Constitution, the President of Cameroon enjoyed extensive discretionary powers which could affect the application of the Convention. They inquired as to whether an authoritarian political system might not be justified by those powers and by the State philosophy, according to which freedom and security were guaranteed provided that they did not interfere with respect for others and “superior interest of the State”. They wished to know about the relationship between the executive, legislative and judicial powers, as well as the real powers exercised by the President and their limits. They also asked whether the Constitution provided for the sharing of parliamentary seats and ministerial posts between English-speaking and French-speaking Cameroonians, whether there was any provision to the effect that a President belonging to the other group, whether the Constitution provided for the designation of a political figure to replace the President in the event of his inability to discharge his duties or whether it was for the President to nominate his own replacement.

814. Members of the Committee noted with satisfaction the liberalism demonstrated by the government in releasing many political prisoners and opposition activists and in adopting reforms with a view to democratizing the electoral system, as described by the representative from Cameroon. They asked whether the opposition party, the Union of Cameroonian Peoples, was still banned and, if so, how that ban could be reconciled with the public freedoms and democratic principles guaranteed by the Constitution and whether all the persons suspected of involvement in the attempted coup d’etat of April 1984 had been brought to trial.

815. Members were interested to know how article 5 of the Convention was applied in practice and asked whether the Government had statistics showing the percentage of the various ethnic groups participating in public life, in the army, the police, the judiciary and the administration, as well as the percentage of those continuing their studies and having access to a university. If the Government did not have such statistics, it was asked how it could properly fulfil its obligation to guarantee the rights in article 5 of the Convention without discrimination. Members said they would like such data if they were available and asked whether the Government was using them as a basis for a policy designed to promote equal opportunities regarding the rights set out in article 5 of the Convention, particularly in employment and education.

816. Further information was requested regarding relations between the English-speaking and French-speaking communities and it was asked whether the unrest that had broken out in the English-speaking areas in 1986 had been caused by language differences alone, or whether it had been compounded by ethnic problems. Members wished to know what measures were being taken

by the Government to promote bilingualism, what percentage of the population spoke English and what percentage spoke French, whether primary education was provided in both English and French, how a unitary State with two official languages functioned in practice, which languages were used by people who spoke neither English nor French, whether the people of Cameroon had a common mother tongue and how Cameroon could succeed in achieving a 70 per cent literacy rate without providing education in local languages.

817. It was asked whether the efforts made by the Government to settle the 50,000 Pygmies from Cameroon's south-eastern forests had influenced their economic situation and what policies were being pursued by the Government to improve living conditions and agricultural production in the village communities established in that connection. It was also asked what the Government was doing in terms of education and vocational training in order to integrate the Pygmies and what language was used for their education.

818. Additional information was requested on the 60,000 foreigners living in Cameroon and it was inquired whether there were any political or other refugees in the country and, if so, how many there were and where they came from .

819. Clarification was sought as to whether the right to leave and to return to one's country was guaranteed in Cameroon.

820. It was noted that the Constitution guaranteed the right of every child to education and that private and religious educational establishments received grants from the State, and it was asked why the 1976 law governing those matters was going to be changed. Information was requested on literacy and school attendance rates.

821. In relation to the implementation of article 6 of the Convention, members of the Committee requested further information on and clarification of the recourse procedures available in Cameroon for racial discrimination violations and the types of complaints that victims could lodge in the courts, and asked whether there was an institution responsible for defending the rights of the individual against Government authorities, such as the ombudsman. Concern was expressed in connection with the recent judicial reform in Cameroon and it was asked how much credence should be given to reports indicating that the independence of the bar was restricted because it was subject to the authority of the Ministry of Justice, which was responsible, *inter alia*, for awarding degrees to law students and for granting authorization for the establishment of partnerships between lawyers.

822. Members of the Committee observed that the rights and freedoms guaranteed by the constitution were protected by the Penal Code which proclaimed the equality of everyone before the law. They inquired as to whether there had been any cases of arrest or detention that had infringed those rights, and whether proceedings had ever been instituted against the Government for failure to respect human rights in general or the rights of ethnic groups in particular.

823. Concerning article 7 of the Convention, members noted that measures had been adopted to encourage understanding and tolerance among individuals and among ethnic and racial groups. They asked whether human rights were taught in the schools and at the university.

824. In reply to the question raised and observations made by the members of the Committee, the representative of Cameroon said that the report did not contain any information on the distribution of the population, because only estimates had been available at the time of its preparation; a new census was under way. He confirmed that all political prisoners had been released. The Union of Cameroonian Peoples had actually outlawed itself by electing to carry on its activities outside Cameroon. It had not been officially banned and there was nothing to prevent its members from returning to Cameroon to participate in elections; under the electoral law candidates were required to conduct their campaign inside the country. In fact, some of its members formally active in Ghana, had decided to return to Cameroon where they had been given an enthusiastic welcome. None the less, the parties that has been established inside the country had agreed to merge into a single party called the Cameroonian People's Democratic Assembly.

825. English and French were the official languages of the Administration and the vehicles of communication among the upper levels of society and all official texts were published in both languages. In addition to French and English, some 200 "national" languages were spoken by as many ethnic groups. In western Cameroon, the language of instruction in schools was English, and in eastern Cameroon it was French. The English-speaking group accounted for slightly more than a quarter of the population. However all schoolchildren were required to study both languages. In the various regions, the "national" languages were used by all. For trading purposes a mixed language known as "pidgin" was employed.

826. Cameroon was a secular State, but the Government subsidized private schools when they were in financial difficulties. Many parents could not afford to pay the fees charged, and teachers had gone on strike. In such cases the Government intervened. In 1986, a very large sum was paid out in subsidies to private schools and the law was going to be amended to reflect that situation.

827. The Constitution contained no provisions for the ethnic distinction of posts. Political logic required that account be taken of all sectors of society. The Constitution did not state that the President of the Republic must be of any specific origin. The President of the Republic nominated one of his ministers when he himself was unable to perform his duties. If the post of President of the Republic fell vacant, his powers were exercised by the President of The National Assembly until a new President was elected. The Acting President of the Republic could not at amend the Constitution, alter the composition of the Government or call a referendum.

828. The figure of 60,000 in the report referred only to duly registered foreigners holding residence permits; it did not include the Nigerian nationals living in the western and northern frontier areas.

829. In 1978, Cameroon had signed a host country agreement with the United Nations High Commissioner for Refugees (UNHCR) and another agreement concerning the maintenance and repatriation of refugees. However there was no special legislation covering refugees as such. The Government provided material and administrative assistance to the local UNHCR representative; in addition it issued refugee cards, equivalent to residence permits, to refugees whose application for that status was deemed acceptable.

830. He said that the Committee's comments with regard to the application of article 4 of the Convention would be conveyed to the Government so that it could remedy the shortcomings in the

Penal Code in that respect. The purpose of article 293 of the Penal Code, which referred to slavery, was purely preventive.

831. In reply to a question raised in connection with the independence of the magistrature, the representative stressed that the distribution of powers provided for in the Cameroonian Constitution was the same as in all democratic countries, namely the executive, the legislature and the judiciary, headed by the Minister of Justice who acted as co-ordinator in the judicial sphere. The magistrates were independent but, for administrative purposes, came under the Ministry of Justice. As in other countries, the magistrature comprised prosecutors and judges; to a certain extent, the prosecutors operated under the Ministry of Justice, since their task was to protect society and to press for the enforcement of the law; the judges, on the other hand were completely independent. It was true, however, that there were recently some problems with the Bar Association, which had sought to intervene in a particular case. It had been informed that it would be authorized to do so on completion of the investigation and referral of the case to the courts.

832. There was no ombudsman in Cameroon as yet. The legal system was a hybrid, combining elements of English and French law. However, there was a judge for referrals who had power to decide which court was to consider cases requiring immediate settlement.

833. He informed the Committee that human rights were taught in the framework of the curricula of primary and secondary schools, in the form of civic education. The postgraduate establishments, especially the faculties of law and literature, organized lectures to commemorate Human Rights Day and cultural events focusing on various themes, including human rights and the prevention of racial discrimination.

CERD A/45/18 (1990)

299. The eighth and ninth periodic reports of Cameroon, submitted in a single document (CERD/C/171/Add.1), were considered by the Committee at its 800th and 881st meetings, held on 17 August 1990 (CERD /C/SR.880 AND 881).

300. The reports were introduced by the representative of the State party, who drew attention to the many changes in her country's legal system relating, in particular, to the organization of the military court, the regulation of the legal profession, the powers and competence of the courts of first instance, the functions of the Supreme Court and the enforcement of judgements. Since, despite the release of Mr. Nelson Mandela, the apartheid system was still in force in South Africa, the position of Cameroon under article 3 of the Convention remained unchanged. With regard to article 4 of the Convention, she emphasized that there was not a racial problem in Cameroon; there were, on the contrary, more than 200 tribal or racial groups, for all of which the Government was ensuring enjoyment of the same rights and benefits. Referring to the application of the various rights listed in article 5 of the Convention, she said that a commission had been set up by a decree of the Chief of State of 20 July 1990 to review the laws relating to civil liberties and many decrees ordering the release of prisoners perilously convicted of subversion had been signed on 11 April 1990. Depending on the new code of criminal procedures based either on common law or on French law and the new code of criminal procedure that was in preparation was intended to harmonize the two types of procedure. She also said that the need to retain the requirement of an exit visa for Cameroonian citizens was at present under review and that an insult to a person's race or religion had been declared a punishable offence by the Cameroonian Penal Code.

301. Members of the Committee took note with satisfaction of the reports submitted by the Government of Cameroon which had been prepared in accordance with the Committee's guidelines (CERD/C/70/Rev.1) and commended the representative of the State party on her presentation. It was, however, regretted that some information not directly relevant to the provision of the Convention had been included in the reports. Members wished to receive additional information on the composition of the population as determined by the 1986 census, and on the implementation of the recent Acts establishing urban communes with municipal councils presided over by elected mayors and concerning the election of representatives to the National Assembly. In the latter connection, it was asked whether the governors of the 10 provinces were still appointed by the Federal Government or whether they were now elected and what progress had been made toward the multi-party system. Information was also requested concerning measures taken to ensure equality of the sexes.

302. With regard to article 2 of the Convention, members wished to receive additional information regarding any positive measures taken to ensure the adequate development and protection of certain minority groups in less developed areas of the country.

303. In connection with article 3 of the Convention, the position of the Government of Cameroon towards the struggle against apartheid was commended.

304. With reference to articles 4 and 6 of the Convention, members observed that the provisions of

the Penal Code did not appear to cover all cases of racial discrimination that might arise and wondered in that regard, whether the provisions of the Convention could be invoked directly vis-a-vis the administrative authorities and in the courts.

305. In connection with article 5 of the Convention, members wished to receive additional information on the economic and social rights enjoyed by the minority and ethnic groups in Cameroon, in particular in respect of health, education, religion, traditions and training. It was asked to what extent the identity, languages and cultures of the various ethnic groups, including Pygmies and Bantus, were preserved; how those groups were represented in the elected bodies; what were the illiteracy and school enrolment rates; whether the British or the French approach to education prevailed in the country; and what were the effects of the coexistence of two different systems of law on the implementation of article 5 (b) of the Convention. Additional information was requested on the specific situation of Pygmies in Cameroon and, in particular, on any measures taken to improve their living conditions in the resettlement areas, to develop the new Pygmy village communities, and to further integrate them into public life, the army, the judiciary, the administration and the police. It was also asked whether they could preserve their identity and whether they have access to education. Additional information was further sought on the number and economic and social situation of refugees, in particular those from Chad. With reference to the updating of the Cameroonian Penal Code and the Code of Criminal Procedure, information was sought on legal provisions relating to house searches; and on the situation of a number of opponents of the regime who had, reportedly been detained without charge or trial for attacks against public order under emergency provisions. Lastly, information was sought on the restrictions of freedom of expression and of the press required to safeguard national unity and security, public orders and morals.

306. With reference to article 7 of the Convention, members wished to receive information concerning the efforts that had been undertaken in Cameroon to promote public awareness of the provisions of the convention,

307. Replying to questions raised by members of the Committee, the representative of the State party stated that the results of the 1986 census would be provided in the country's next periodic report. The census had been carried out not only in urban areas but also in remote districts and, therefore, difficulties had been encountered in collecting the relevant data. According to the 1987 Act on the Election of the Municipal Councillors, there were 39 mayors in the country. Governors were, however, still appointed by the Government since, under the Constitution, it was the duty and prerogative of the Head of State to appoint civil officials and military personnel. She further stated that parliamentary elections in Cameroon were based on electoral constituencies and were held at the district, subdivisinal, and provincial levels; that, consequently, those elections cut across ethnic groups; and that, in his statement of 28 June 1990, the Head of State had announced moves towards greater democracy, including lifting of restrictions on the press, freedom of association and freedom of movement.

308. With regard to questions raised in connection with article 4 of the Convention, the representative acknowledge that, in view of the historical, political and legislative changes that had occurred in the country, the Cameroonian Penal Code did not at present cover all the principles mentioned in that article. She however added that sections 241 and 242 of the Penal Code provided

for punishment for racial or religious discriminations and that questions raised by members of the Committee would be fully taken into account in the process of updating the Penal Code.

309. With regard to the implementation of article 5 of the Convention, the representative emphasized that, in order to facilitate communication in education and training, English and French were official languages in Cameroon. Furthermore, all Cameroonian legislation was published in those two languages and the Convention formed part of Cameroonian law . All citizens enjoyed the right to medical care and education on an equal basis. There were hospitals and schools on district, subdivisional, divisional and provincial levels and, as a result, those facilities were available to all persons wherever they lived. She added that the Government had tried to establish a balance between various ethnic groups and provinces in the country by means of its planning system; That the Ministry of Information and Culture had offices all over the country which arranged all kinds of cultural activities, publicizing the art, poetry and song of all ethnic groups; that her Government was trying to ensure the Pygmies access to education; that there were still many refugees in Yaounde and that the Government would not send them back against their will. Responding to other questions, the representative said that it was difficult to prevent discrimination in recruitment to employment. Moreover, since 1974, Cameroon had been trying to harmonize the British and the French criminal law systems that it had inherited from colonial days. Furthermore a new draft criminal procedure ordinance provided that police officers who harassed witnesses or entered a private house without a warrant were liable to criminal prosecution. Referring to alleged cases of detention without trial, she emphasized that a decree signed on 11 August 1990 had led to the release of all those detained during the attempted coup in Cameroon, except those prisoners who had been lawfully convicted and sentenced to a term of six years' imprisonment or more.

CERD A/52/18 (1997)

235. At its 1201st meeting, held on 13 March 1997 (see CERD/C/SR.1201), the Committee reviewed the implementation of the Convention by Cameroon based upon its previous report (CERD/C/171/Add.1) and its consideration by the Committee (see CERD/C/SR.880-881). The Committee noted with regret that no report had been submitted to the Committee since 1989.

236. The Committee welcomed, however, the presence of a delegation of the State party at its meeting and the oral information provided on developments relevant to the implementation of the Convention in the State party. The Committee welcomed, in particular, the information that Cameroon will resume its reporting obligations under the Convention shortly.

237. The Committee therefore invites the State party to submit its next report in time for the fifty-first session of the Committee and to include in that report information on the legislative, judicial, administrative or other measures giving effect to the Convention, in accordance with the Committee's general guidelines regarding the form and contents of reports to be submitted by a State party under article 9, paragraph 1, of the Convention.

238. The Committee suggests that the Government of Cameroon may wish to avail itself of the technical assistance offered under the advisory services of the United Nations High Commissioner for Human Rights/Center for Human Rights, with the aim of drawing up and submitting as soon as possible an updated report.

CERD A/53/18 (1998)

255. At its 1265th, 1266th and 1267th meetings, the Committee considered the tenth to fourteenth periodic reports of Cameroon, submitted in a single document (CERD/C/298/Add.3). At its 1273rd meeting, on 20 March 1998, the Committee adopted the following concluding observations.

A. Introduction

256. The Committee welcomes the submission of the State party's periodic report and the presence of and the opportunity to resume a dialogue with a delegation from the country. It notes with satisfaction that the report complies with its guidelines and takes into account its latest conclusions concerning the State party. The Committee further notes that the oral information provided in a spirit of frank and open dialogue by the delegation of Cameroon was a useful supplement to the written report.

B. Factors and difficulties impeding the implementation of the Convention

257. Note is taken of Cameroon's considerable ethnic, religious, linguistic, cultural, geographical and economic diversity.

C. Positive aspects

258. The Committee notes the State party's adoption on 18 January 1996 of a new Constitution that guarantees, *inter alia*, the protection of the rights of minorities and indigenous peoples and its ratification of numerous human rights conventions.

259. The Committee welcomes the establishment by a decree dated 8 November 1990 of the National Committee on Human Rights and Freedoms. It notes with interest the activities of that body.

260. The information provided on the composition of the population and the country's social, economic and cultural indicators is also considered very positive.

D. Principal subjects of concern

261. The inadequacy of the present legislation, especially the Penal Code, to enable the State party fully to discharge its obligations under article 4 of the Convention is a subject of concern.

262. It is regrettable that the report provides no figures concerning representation of ethnic groups at the various levels of political life and the civil service.

263. Protection of the rights of minorities and indigenous peoples to enable them to live in harmony in their environment is, especially as regards the Pygmies and Boro, a subject of concern in the light of article 2, paragraph 2, of the Convention and of the Committee's general recommendation XXIII (51) of 18 August 1997 on the rights of indigenous peoples.

264. Information is required on the legal regime applicable to aliens living in the State party.

265. Concern was expressed with respect to article 5 (b) of the Convention about allegations of infringements of the right to security of person.

266. The absence of information on individual population groups' enjoyment of economic, social and cultural rights and access to development programs and projects is regretted.

267. The State party's assertion that no cases involving discrimination, in particular based on article 242 of the Penal Code, are ever brought before the courts and that there is therefore no case law in the matter is a subject of concern in the light of articles 4 and 6 of the Convention.

268. With respect to the implementation of article 7 of the Convention, the information provided on measures to ensure equal treatment for ethnic groups regarding teaching, culture and information and to develop human rights training for law enforcement agents is inadequate.

E. Suggestions and recommendations

269. The Committee recommends that the State party take all appropriate measures to review domestic law, particularly the Penal Code, in order to include in it all the provisions required by article 4 of the Convention.

270. With reference to paragraph 8 of the guidelines, the Committee requests the State party to provide information on ethnic groups' representation at the various levels of political life and the civil service and on their enjoyment of economic, social and cultural rights.

271. With a view to promoting and protecting the rights of minorities and indigenous peoples, the Committee recommends that the State party take all appropriate measures, particularly as regards deforestation that may harm such population groups.

272. The Committee recommends that the State party take all appropriate measures provided for by the Convention to prevent and eliminate acts of racial discrimination against aliens.

273. The Committee recommends that the State party guarantee all persons within its territory, irrespective of race, color or ethnic origin, enjoyment of the right to security.

274. The Committee requests the State party to take all necessary measures to guarantee freedom of expression to all persons, irrespective of race, color or ethnic origin, and to guarantee freedom of the press.

275. With respect to the implementation of article 6 of the Convention, the Committee recommends that the State party facilitate access to the courts for victims of racial discrimination so that the perpetrators of racist acts can be brought to trial and the victims of such acts can obtain reparation.

276. The Committee recommends that the State party take all appropriate measures to give full effect to the provisions of article 7 of the Convention concerning education, training and human

rights information. Human rights training for agents of the State is especially recommended. The State party is also requested to take all appropriate steps to acquaint the population with the Convention and to publish the Government's periodic reports and the Committee's observations. The Committee further recommends that the State party strengthen its relations with associations and non-governmental bodies seeking to promote the rights recognized in the Convention.

277. The Committee recommends that the State party provide in its next report detailed information on the implementation of articles 4 to 7 of the Convention to supplement and update the still incomplete information given in the fourteenth report.

278. The Committee recommends that the State party ratify the amendments to article 8, paragraph 6, of the Convention, adopted on 15 January 1992 at the Fourteenth Meeting of States Parties.

279. It is noted that the State party has not made the declaration referred to in article 14 of the Convention. A number of members of the Committee have asked that the State party consider doing so.

280. The Committee invites the State party to submit its next periodic report, due on 24 July 2000, as an update, taking into account the points raised in the present observations.

