



Cameroon - Researched and compiled by the Refugee Documentation Centre of Ireland on 10 March 2010

Information on the legal status of women in Cameroon. Information on the current situation and treatment of women in Cameroon and whether they are being discriminated against on account of their gender.

The *UN International Covenant on Civil and Political Rights* under the heading 'Article 3: Gender Equality', paragraph 258 states:

“The principle of gender equality is guaranteed in the Cameroonian legislation and promoted through Government policy.” (*UN International Covenant on Civil and Political Rights (11 May 2009) CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 40 OF THE COVENANT - Fourth periodic reports of States parties CAMEROON**)

Under the heading 'Institutional measures', paragraph 265 of the report continues:

“The improvement of the situation of the Cameroonian woman as a condition for sustainable development positively influences all measures taken in her favour. Unfortunately, residual practices thwart the effects of these efforts.” (ibid)

Under the heading 'Denial of a Fair Public Trial', the *United States Department of State* notes:

“Customary law is deemed valid only when it is not "repugnant to natural justice, equity, and good conscience." However, many citizens in rural areas remained unaware of their rights under civil law and were taught that they must abide by customary laws. Customary law ostensibly provides for equal rights and status; however, men may limit women's rights regarding inheritance and employment, and some traditional legal systems treat wives as the legal property of their husbands.” (United States Department of State (25 February 2009) *Cameroon: Country Report on Human Rights Practices – 2008*)

Under the heading 'Elections and Political Participation' the same report notes:

“Women held 23 of 180 seats in the National Assembly, six of 61 cabinet posts, and a few of the higher offices within the major political parties, including the ruling CPDM.” (ibid)

Under the heading 'Government Corruption and Transparency' this report continues:

“Despite these restrictions, numerous independent, domestic human rights NGOs operated in the country, including the National League for Human Rights, the Organization for Human Rights and Freedoms, the Association of Women against Violence, the Movement for the Defense of Human Rights and Freedoms, and the Cameroonian Association of Female Jurists. The government collaborated with domestic NGOs to address child labor, women's rights, and trafficking in persons.” (ibid)

Section 5 of this report under the heading ‘Discrimination, Societal Abuses, and Trafficking in Persons’ notes:

“The law does not explicitly forbid discrimination based on race, language, or social status, but does prohibit discrimination based on gender and mandates that “everyone has equal rights and obligations.” The government, however, did not enforce these provisions effectively. Violence and discrimination against women, trafficking in persons, and discrimination against ethnic minorities and homosexuals were problems.” (ibid)

Under the heading ‘Women’ it adds:

“A 2005 survey cited by the Cameroon Tribune indicated that 39 percent of women living with a man (married or unmarried) were victims of physical violence, and 28 percent were victims of psychological violence. The law does not specifically prohibit domestic violence, although assault is prohibited and is punishable by prison terms and fines. Women's rights advocates asserted that penalties for domestic violence were insufficient. Spousal abuse is not a legal ground for divorce.” (ibid)

It continues under the same heading stating:

“Despite constitutional provisions recognizing women's rights, women did not enjoy the same rights and privileges as men. Some points of civil law were prejudicial to women.

The law allows a husband to oppose his wife's right to work in a separate profession if the protest is made in the interest of the household and the family; a husband may also end his wife's commercial activity by notifying the clerk of the commerce tribunal of his opposition based upon the family's interest.

Customary law is far more discriminatory against women, since in many regions a woman traditionally was regarded as the property of her husband. Because of the importance attached to customs and traditions, civil laws protecting women often are not respected.” (ibid)

Under the heading ‘Trafficking in Persons’ the report adds:

“Women and children traditionally have faced the greatest risk of trafficking generally for sexual exploitation and forced labor. [...]” (ibid)

The annual report from *Freedom House* states:

“Many laws contain gender-biased provisions and penalties. There is widespread violence and discrimination against women, who often are denied

inheritance and property rights. Female genital mutilation is practiced in the Southwest and Far North provinces, and homosexuality is illegal. Cameroon is a market for child labor and a transit center for child trafficking. Abortion is prohibited except in cases of rape or to preserve the life of the mother.” (Freedom House (16 July 2009) *Freedom in the World 2009 - Cameroon* (2009))

A report from the *UN Committee on the Elimination of Racial Discrimination* CERD under the heading ‘The prohibition of discrimination in education’ paragraph 35 notes:

“Firstly, in accordance with the provisions of article 7 of Law No. 98/04 of 14 April 1998 on education guidelines in Cameroon, “[t]he law shall guarantee to every person equality of opportunity in regard to access to education, without distinction as to gender, political, philosophical and religious opinion, social, cultural, linguistic or geographical origin”. Law No. 2001/005 of 16 April 2001 on guidelines in higher education provides that higher education “shall contribute to promoting the rule of law by fostering a culture of respect for justice, human rights and freedoms; [...] shall contribute to the eradication of all forms of discrimination and encourage the promotion of dialogue and peace” (UN Committee on the Elimination of Racial Discrimination (11 March 2009) *Cameroon: "Reports submitted by states parties under article 9 of the convention; Eighteenth periodic reports of States Parties due in 2006; Cameroon [CERD/C/CMR/15-18]"*)

Under the heading ‘The right to take part in the conduct of public affairs’ section C of this report notes:

“140. The right to take part in the conduct of public affairs is guaranteed to all citizens. For one thing, voting by universal direct suffrage is enshrined in Cameroon’s Constitution.

141. The Electoral Code lays down the provisions governing election and the right to stand for election without discrimination of any kind. Women, who are often the subject of gender-based discriminatory practices, in fact take part in the conduct of public affairs on the same footing as men, as the tables mentioned above demonstrate. Table 16, annexed, summarizes the relative performance of the ministries in promoting gender equality for 2008.” (ibid)

Paragraph 11 of a report from the *UN Human Rights Council* notes:

“On gender discrimination, the Minister noted that some traditions remain sources of discriminatory practices and violence against women. Also of note are the quasi-economic dependence of women in certain regions, the under-education of girls in certain parts of the country, and insufficient budget allocations for programmes and projects in this regard.” (UN Human Rights Council (3 March 2009) *Cameroon: "Report of the Working Group on the Universal Periodic Review; Cameroon [A/HRC/11/21]"*)

Paragraph 20 on page 7 of this report states:

“Noting that various NGOs had reported instances of torture, particularly torture of children by members of the security forces, Argentina asked about measures to avoid such practices. According to CEDAW, marked cultural

stereotypes, as well as customs and traditions discriminating against women, persisted in Cameroon. Argentina inquired about the policies for promoting gender equality, including eliminating FGM.” (ibid)

Paragraph 38 of this report states:

“On eliminating practices concerning, inter alia, women and children, such as FGM, forced marriage and other forms of discrimination, the reform of the criminal code is underway, and in particular, the forthcoming adoption of the code of the family and of the child. These codes will make it possible to address these issues and bring legislation in line with international commitments.” (ibid)

Paragraph 40 continues:

“The Ministry of the status of women since 2004 has been visiting regions to meet institutional leaders and engage in dialogue. The Government has identified areas with low school attendance and has embarked on campaigns with target groups, backed by UNICEF. On access to health and education in rural areas, a number of programs are being carried out by the Government.” (ibid)

Paragraph 44 adds:

“Cognizant of the challenges of developing countries and of concerns raised by special procedures, South Africa recommended: (a) ratifying the OP-CAT; (b) adopting legislative and administrative measures to compensate and resettle indigenous communities forcibly removed from their land; (c) abolishing domestic legislation that reinforced discrimination against women; and (d) implement the recommendations of the Committee on the Rights of the Child.” (ibid)

The 'Conclusions and Recommendations' section of the report notes:

“13. Improve domestic legislation to fight discrimination against women (South Africa); promote equality between men and women (France);

14. Continue to improve its policies and programmes towards advancing the status of women, girls’ education, children with disabilities, as well as strengthening measures and mechanisms on administration of justice, investments in prison infrastructure, protection of detainees’ rights, and the overall enjoyment of civil and political rights (Nigeria);

16. Take into account the comments of CRC and CEDAW in order to ensure better harmonisation of the national legislation with conventions and to allow women and children to fully enjoy their rights (Turkey);

17. Make all possible efforts to achieve the complete elimination of all kinds of violence against women and girls, including domestic violence (Mexico); consider adopting a comprehensive strategy at all levels to combat all forms of violence against women, including domestic violence (Malaysia); continue to be supported in its endeavours to address the issue of violence against women (Pakistan);” (ibid)

The *UN Development Fund for Women* states:

“Cameroon had made strong progress in drafting its long-overdue Family Code, meant to protect women’s rights, including the right to live free from violence. Cameroonian women face not only domestic violence and sexual abuse, but also harmful traditional practices. These include female genital mutilation and widowhood rites that cause physical and psychological suffering.

As sometimes happens, however, changes in government officials meant the proposed legislation suddenly stalled. Three NGOs — the Centre for Human Rights and Peace Advocacy (CHRAPA), Help Out and Human Rights Focus — will use a grant from the UN Trust Fund to End Violence against Women to advocate for getting it back on track. In the process, they hope to stir greater public awareness of the problem of violence against women, and what needs to be done to stop it.

“Right now, since there is no law, there is a high level of tolerance,” says CHRAPA’s Chongsi Ayeah Joseph. “Even if people know that violence is wrong, there is nowhere to complain. Women end up just swallowing a bitter pill.” (UN Development Fund for Women” [...] (22 November 2006)
Cameroon: Human Rights Groups Advocate Legislation to End Violence)

The *United States Department of State*’s report ‘Trafficking in Persons Interim Assessment’ notes:

The Government of Cameroon demonstrated minimal progress to combat trafficking in persons since the release of the 2009 Report. While state prosecutors coordinated efforts with Interpol to investigate and prosecute trafficking offenders, particularly in the North West Region, there have been no new reports of trafficking prosecutions or convictions. The government has neither taken steps to educate law enforcement officials and social workers about the law against child trafficking nor made efforts to finalize and enact the draft law prohibiting trafficking of adults. Moreover, the Cameroonian government has not investigated reports of hereditary slavery in the Northern Province. (United States Department of State (24 February 2010) *Trafficking in Persons Interim Assessment - Cameroon*)

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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