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Cameroon: Domestic violence, including legislation; protection provided by the state and support services available to victims (2014-2016)

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Research Directorate, Immigration and Refugee Board of Canada, Ottawa

1. Overview

Sources indicate that domestic violence in Cameroon is "widespread" (Cameroon 5 Apr. 2016), [UN English version] "pervasive" (UN 28 Feb. 2014), "a widespread problem" (The Advocates for Human Rights 24 Jan. 2014) or [translation] "a real social problem" (Social worker 1 Apr. 2016). According to sources, domestic violence in Cameroon may include the following components: physical violence, psychological or emotional violence, sexual violence and economic violence (ibid.; ACAFEJ 30 Mar. 2016). In correspondence with the Research Directorate, two sources indicated that all regions of Cameroon were affected by domestic violence (ibid.; Cameroon 5 Apr. 2016).

The 2011 Demographic and Health Survey and Multiple Indicator Cluster Survey (DHS-MICS) [Enquête démographique et de santé et à indicateurs multiples, EDS-MICS], conducted in 2011 by the National Institute of Statistics of Cameroon [Institut national de la statistique du Cameroun], the Ministry of Economy, Planning and Regional Development [ministère de l'Économie, de la Planification et de l'Aménagement du territoire] and the Ministry of Public Health [ministère de la Santé publique] through interviews with over 15,000 women and 7,000 men, noted the following results concerning women who are or have previously been in relationships:

In their lifetime, 45 percent of women interviewed had experienced physical violence, 20 percent had experienced sexual violence, and 42 percent had experienced emotional violence from their husband or partner (ibid. Sept. 2012, 337-338);

In the 12 months prior to the survey, 68 percent of women interviewed had experienced physical or sexual violence from their husband or partner; 42 percent responded [translation] "sometimes" and 26 percent responded "often" (ibid., 343);

In the 12 months prior to the survey, 20 percent of women interviewed had been forced to have sex with their partner, 29 percent had experienced physical violence and 33 percent were victims of emotional violence from their partner (ibid., 337).

Further recent statistics on domestic violence in Cameroon could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2. Legislation

Sources indicate that there is no legislation addressing domestic violence (OECD 2014; US 25 June 2015, 26; UN 28 Feb. 2014, para. 18c). According to a statement submitted to the United Nations Committee on the Elimination of Discrimination against Women by The Advocates for Human Rights, a volunteer-driven organization that seeks to implement international human rights standards to promote civil society and reinforce the rule of law (The Advocates for Human Rights n.d.),

victims of domestic abuse have little recourse for protection. There is no domestic violence law in Cameroon that provides women with an order for protection against abusers. (ibid. 24 Jan. 2014, para. 18)

Sources also report that marital rape is not criminalized in Cameroon (ibid., para. 4b; UN 28 Feb. 2014, para. 18c; US 25 June 2015, 25).

The Advocates for Human Rights state that Cameroon has failed to create "a comprehensive legal regime that protects victims and holds perpetrators accountable" (The Advocates for Human Rights 24 Jan. 2014, para. 4b). According to the same source, a Family Code was drafted in 1997 to address issues of domestic violence but has still not been adopted (ibid., para. 18).

Sources indicate that a number of articles of the Penal Code [Code pénal] could be applied to domestic violence, although they are not being used (ACAFEJ 30 Mar. 2016; Cameroon 6 Apr. 2016).

In addition, the Concluding observations on the combined fourth and fifth periodic reports of Cameroon state that the Committee on the Elimination of Discrimination against Women [UN English version] "recognizes...the adoption of Act No. 2009/004 of 14 April 2009 on the organization of legal aid" (UN 28 Feb. 2014, para. 10). However, the same source states that the implementation of Act. No. 2009/004 of 14 April 2009 is [UN English version] "very limited" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

2.1 Implementation of Legislation

Sources indicate that few victims of domestic violence turn to the authorities (Bonaberi.com 25 Feb. 2013; Cameroon Sept. 2012, 345). In correspondence with the Research Directorate, a social worker and member of the Association to Fight Violence Against Women [Association de lutte contre les violences faites aux femmes, ALVF], a Cameroonian NGO, who has worked for 15

years in the field of women's rights within the United Nations stated that [translation] "very few women dare to take legal action to have their abusive husbands or partners punished" (Social worker 1 Apr. 2016). According to her,

[translation]

the reason is very simple: the social cost is far too high for women-isolation, threats, rejection and [sometimes] death are the reality for those who do (ibid.).

Sources indicate that the implementation of penalties is impeded by women's lack of knowledge of their rights (UN 28 Feb. 2014, para. 10; ACAFEJ 30 Mar. 2016). In correspondence with the Research Directorate, a representative of the Association of Women Jurists of Cameroon (Association camerounaise des femmes juristes, ACAFEJ), which [translation] "works to improve the socio-legal status of women and girls in Cameroon" (ibid. 25 Mar. 2015a), cited among the factors making it [translation] "difficult" to implement penalties for domestic violence "poverty... fear, social perception" as well as "the cost of proceedings and [in]efficiency in carrying out judicial decisions" (ibid. 30 Mar. 2016).

In addition, according to the Social Institutions and Gender Index 2014, released by the Organization for Economic Co-operation and Development (OECD),

[i]t is also reported that some judges see domestic violence as an expression of a husband's 'disciplinary rights' over his wife (OECD 2014).

Furthermore, in correspondence with the Research Directorate, a representative of the Ministry of Women's Empowerment and the Family (Ministère de la Promotion de la femme et de la famille, MINPROFF) stated that in the case of "legislative gaps," judges are tempted to apply customary rules that discriminate against women (Cameroon 6 Apr. 2016). Similarly, the Committee for the Elimination of Discrimination against Women states that it is [UN English version] "concerned" by "the number of decisions made by customary courts applying discriminatory customs and traditions" (UN 28 Feb. 2014, para. 10).

Sources also indicate that the judicial system uses family mediation in cases of domestic violence (ibid., para. 18b; The Advocates for Human Rights 24 Jan. 2014). Without providing further details, The Advocates for Human Rights stated that this practice "puts women at risk" (ibid.).

With regard to legislation addressing domestic violence, the MINPROFF representative stated that "very often judges are reluctant to apply international legal instruments ratified by [Cameroon]" (Cameroon 6 Apr. 2016).

Moreover, the report submitted by Cameroon in November 2012 to the Committee for the Elimination of Discrimination against Women states the following regarding punishment of marital rape:

[translation]

a husband who uses violence to force his wife to have sex with him could be prosecuted for battery depending of the severity of the violence, this being a question of fact left to the discretion of the judge hearing the case of the victimized wife (ibid. 2 Nov. 2012, para. 64).

3. Protection Provided by the State

3.1 Police

According to the Social Institutions and Gender Index 2014, law officials view domestic violence as a "private" matter, which deters women from reporting it (OECD 2014).

According to the ACAFEJ representative,

[translation]

when the victim decides to report her abuser, ... the police response is not always helpful. Often times the victim is even accused of being responsible for the situation and sent back to go reconcile with her husband (ACAFEJ 30 Mar. 2016).

The MINPROFF representative stated that, in her opinion, the police consider cases of domestic violence to be "a waste of time" and treat them with "bias and laxity" (Cameroon 6 Apr. 2016). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

3.2 Government

Sources report that there are no centres for victims of domestic violence in Cameroon (ACAFEJ 30 Mar. 2016; Social worker 1 Apr. 2016). The MINPROFF representative stated that her ministry had a shelter for women in the neighbourhood of Essos, in Yaoundé, but that "unfortunately, this shelter [did not] provide effective protection as it [had] a lack of adequate resources" (Cameroon 6 Apr. 2016).

According to the same source, the MINPROFF has set up five "call centres" located in Douala, Yaoundé and Bertoua (ibid.). On its Internet site, ACAFEJ describes the Douala centre as follows:

[translation]

The Call Centre is open to all female victims of violence. A toll-free number is available to the public... If women are victims of any type of violence, they can call the number 234 425 668, explain their problem and receive assistance from MINPROFF and its partners, including ACAFEJ Littoral, which is the focal point of GBV [gender-based violence] in Douala (ACAFEJ 30 Jan. 2015).

Without providing details, the MINPROFF representative stated that her ministry also provided financial assistance to victims of domestic violence and their families (Cameroon 6 Apr. 2016).

In addition, without providing details, the ACAFEJ representative stated that the Ministry of Social Affairs [ministère des Affaires sociales, MINAS] could hear from victims and, as appropriate, summon the perpetrator of the violence (ACAFEJ 30 Mar. 2016). That person is [translation] "heard (when he agrees to appear) and asked to adopt a more responsible attitude" (ibid.). According to the same source [translation] "MINAS can refer the victim to advocacy organizations or police services" (ibid.). The same source adds that [translation] "it is important to note that MINAS has no real coercive power over perpetrators of violence" (ibid.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the social worker, [translation] "social services...provide basic support to individuals exposed to and/or subjected to domestic violence" (Social worker 1 Apr. 2016).

4. Support Services

According to the social worker, [translation] "it is non-governmental organizations that provide services specifically for domestic violence" (ibid. 1 Apr. 2016). The MINPROFF representative

stated that certain non-governmental organizations, including ALVF, ACAFEJ and Horizons Femmes, provided services for victims (Cameroon 5 Apr. 2016).

The ACAFEJ website states that the association provides legal aid services, called [translation] "legal clinics" (ACAFEJ 25 Mar. 2015b). These services are available at the ACAFEJ's offices in Yaoundé, Bafoussam, Douala and Bertoua (ibid. n.d.). According to the ACAFEJ representative, the [translation] "legal clinic" program comprises two components: "mobile clinics," through which ACAFEJ members visit prisons, schools and associations to, for example, "educate and provide guidance to women and victims of violence," and "fixed clinics" (ibid. 30 Mar. 2016). According to the representative, fixed clinics are

[translation]

centres for information, help and legal assistance where ACAFEJ members and volunteers welcome, listen to and provide guidance for free to women and young girls who are victims of violence at home (ibid.).

According to the same source, the legal assistance provided by the ACAFEJ is characterized by

[translation]

[the] payment of procedural costs, fees for court decisions, lawyer fees and extrajudicial documents such as bailiff reports, medical and legal certificates..., drafting motions and conclusions as part of legal proceedings initiated at the request of victims and also...seizing certain authorities in order for victims to regain their rights (ibid.).

In an interview with Bonaberi.com, the president of the Association for Prevention of Domestic and Family Violence [Association pour la prévention des violences conjugales et familiales, APVCF], stated that APVCF puts emphasis on [translation] "awareness" through the door-to-door project "PAP (Porte à porte)" which involves

going to men, women, young people and children in their own settings (home, school, office, association, etc.) and talking to them about the physical, psychological, material, social and financial consequences of violence on the family (Bonaberi.com 25 Feb. 2013).

According to the same source, APVCF activities in 2013 were limited to Yaoundé; expansion of the organization's activities to rural areas was [translation] "in the planning stages" (ibid.). No information on the geographical area covered by APCVF's activities at present could be found among the sources consulted by the Research Directorate within the time constraints of this Response.

UN Women's website states that the organization put in place a "one stop center" for the [translation] "prevention and management of victims of gender-based violence" (UN n.d.). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

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