



Cameroon's Compliance with Convention Against Torture: violence and discrimination on the grounds of sexual orientation or gender identity

Submitted by The Advocates for Human Rights

a non-governmental organization in special consultative status with ECOSOC since 1996

for the 81st Session of the Human Rights Committee
28 October – 22 November 2024

Submitted 30 September 2024

The Advocates for Human Rights (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law since its founding in 1983. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States, including LGBTIQ+ individuals who have experienced discrimination and violence based on sexual orientation, gender identity and expression, and sex characteristics.

Alternatives-Cameroun Alternatives-Cameroun is an organization working for equality, tolerance, and respect for people who suffer from social exclusion. Alternatives-Cameroun was founded in 2006 by young Cameroonian professionals fighting for human rights in Cameroon, especially for the rights of people who have sexual relations with people of the same sex.

EXECUTIVE SUMMARY

1. This report addresses Cameroon's compliance with its human rights obligations concerning people who are lesbian, gay, bisexual, transgender, intersex, queer, and other sexual and gender minorities (LGBTIQ+) individuals. The Government of Cameroon criminalizes same-sex sexual acts between consenting adults and criminalizes communications regarding sexual propositions of individuals of the same-sex.¹ The Government of Cameroon has not taken concrete steps towards repealing the articles criminalizing consensual same-sex sexual conduct between adults from the Criminal Code, nor has to the Government called for a moratorium on its enforcement.
2. LGBTIQ+ people face violence from State actors.² Police continue to arbitrarily arrest, harass, and threaten members of the LGBTIQ+ community.³ There is no evidence that the Government investigates reports and allegations of torture by law enforcement on the LGBTIQ+ community. The police participate in or condone attacks on LGBTIQ+ people.⁴
3. LGBTIQ+ people also face violence from non-State actors. Community members subject LGBTIQ+ people to manhunts and group attacks.⁵ They threaten, harass, and attack LGBTIQ+ people with physical and sexual violence.⁶ While there was a case of the Government of Cameroon upholding a conviction for an attack of an intersex person,⁷ there appear to be no other cases of the Government investigating and holding non-State actors criminally liable for attacks against LGBTIQ+ people. Many LGBTIQ+ people who experience violence do not report it for fear of being arrested and further victimized.⁸

¹ Code Penal Cameroun, art. 347—1, <https://www.droit-afrique.com/uploads/Cameroun-Code-2016-penal1.pdf>

² Human Rights Watch, *Cameroon: Wave of Arrests, Abuse Against LGBT People; Repeal Law, Protect LGBT Rights*, April 14, 2021, <https://www.hrw.org/news/2021/04/14/cameroon-wave-arrests-abuse-against-lgbt-people>.

³ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 41—52, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf. ; United States Department of State, *Cameroon 2023 Human Rights Report*, 45, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

⁴ United States Department of State, *Cameroon 2023 Human Rights Report*, 5, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

⁵ Moki Edwin Kindzeka, *Cameroon Says Citizens Abuse LGBTI People*, VOA, Nov. 28, 2021, <https://www.voanews.com/a/cameroon-says-citizens-abuse-lgbti-people/6330873.html>.

⁶ Illaria Allegrozzi, *Cameroon Court Punishes Anti-LGBTI Violence*, Human Rights Watch, Mar. 3, 2022, <https://www.hrw.org/news/2022/03/03/cameroon-court-punishes-anti-lgbti-violence>.

⁷ Commissariat Général aux Réfugiés et aux Apatrides, *COI Focus: Cameroun L'homosexualité*, by CEDOCA (Belgium, July 2021), 12, accessed July 10, 2024, https://www.cgra.be/sites/default/files/rapporten/coi_focus_cameroun._lhomosexualite_20210728.pdf.

⁸ The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4 UPR44 CMR E Main, Apr. 5, 2023, ¶20; Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>; ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

4. There is no evidence that Cameroon has taken steps to prevent violence or discrimination based on perceived or actual sexual orientation, gender identity, gender expression, or sex characteristics (SOGIESC) by State or non-State actors.
5. In this report, we use the acronym LGBTIQ+ to refer to individuals who self-identity as lesbian, gay, bisexual, transgender, intersex, and/or queer. These terms necessarily do not include everyone who may experience violations of their human rights on the basis of their real or perceived SOGIESC status, which is why we include the plus. Any use of a modified acronym is intentional in that we are speaking only about certain members of the LGBTIQ+ population.

Cameroon fails to uphold its obligations under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

I. The Government engages in or permits acts of cruel, inhuman or degrading treatment or punishment (List of Issues Prior to Reporting, para. 27):

6. In its List of Issues Prior to Reporting (“LOIPR”), the Committee Against Torture (“the Committee”) asked Cameroon to specify “whether the State party is considering repealing article 347-1 of the Criminal Code, which criminalizes consensual relations between adults of the same sex, and article 83 of Law No. 2010/012 of 21 December 2010 Relating to Cybersecurity and Cybercriminality in Cameroon, which criminalizes sexual proposals to an adult of the same sex using electronic means of communication, and announcing a moratorium on its application in the meantime.”⁹
7. The Committee also asked Cameroon to “indicate (a) the measures taken to prevent, investigate, prosecute, and secure convictions for violence based on sexual orientation and gender identity and (b) the measures in place to protect lesbian, gay, bisexual, and transgender persons and the human rights defenders who assist them, including to encourage victims to report such cases.”¹⁰ The Committee further requested updated information, including statistical data showing the number of “cases of hate crime identified since 2017, disaggregated by grounds for discrimination, including sexual orientation or gender identity, age group, sex and ethnic origin or nationality of victim and whether the perpetrator was a public official,” as well as data showing the result of “investigations and prosecutions conducted in each case and the sentences and penalties imposed.”¹¹
8. In its State Party Report under the List of Issues Prior to Reporting (“State Report”), the Government stated that the criminalization of same-sex sexual activity between consenting adults in “[s]ection 347(1) of the Penal Code. . . is a reflection of the values of the Cameroonian society approved by the social fabric,” but that despite this law, the Constitution and other tools

⁹ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc.CAT/C/CMR/QPR/6, ¶27.

¹⁰ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc.CAT/C/CMR/QPR/6, ¶27.

¹¹ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc.CAT/C/CMR/QPR/6, ¶27.

protects all Cameroonians from discrimination.¹² The Government indicated that “investigations are systematically initiated in case of complaints or reports of violence or abuse, including against LGBTs.”¹³

9. The Cameroon Penal Code criminalizes same-sex sexual acts between consenting adults in article 347-1.¹⁴ Article 83 of Cameroon’s law relating to cybersecurity and cybercriminality “criminalises . . . electronic communication between individuals of the same sex for the purposes of sexual propositions.”¹⁵
10. Law enforcement regularly uses these laws to persecute and discriminate against LGBTIQ+ people based on their perceived or actual sexual orientation, gender identity, gender expression, and/or sex characteristics. Human Rights Watch recorded at least 24 arrests, incidents of targeting, threats, and assaults of sexual and gender minorities by law enforcement between February and April 2021.¹⁶ In 2022, law enforcement arrested and detained at least 47 individuals “on grounds of homosexuality.”¹⁷ Reports show that arrests are followed by periods of detention, convictions, and sentencing, leading to fines and/or prison sentences.¹⁸ Since 2021, Alternatives Cameroun recorded 14 cases of arbitrary detention, and, of those, six led to convictions and of imprisonment.¹⁹
11. In addition to actual convictions under section 347-1 of the law (See paragraph 9 above), there are credible reports that police officers will use the threat of prosecution to demand payment in exchange for release from custodial detention.²⁰
12. While the Government stated in the State Report that the Constitution protects Cameroonians from discrimination,²¹ according to the U.S. Department of State human rights report, “the law does not explicitly prohibit discrimination based on sexual orientation, gender identity or

¹² Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶186.

¹³ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶186.

¹⁴ Code Penal Cameroun, art. 347—1, <https://www.droit-afrique.com/uploads/Cameroun-Code-2016-penal1.pdf>

¹⁵ Loi N°2010/012 du 21 Décembre 2010 relative a la cybersécurité et la cybercriminalité au Cameroun, art. 83, https://www.art.cm/sites/default/files/documents/Loi_2010-012_cybersecurite_cybercriminalite.pdf; ILGA, “Cameroon”, accessed July 9, 2024, <https://database.ilga.org/cameroon-lgbti>

¹⁶ Human Rights Watch, *Cameroon: Wave of Arrests, Abuse Against LGBT People; Repeal Law, Protect LGBT Rights*, April 14, 2021, <https://www.hrw.org/news/2021/04/14/cameroon-wave-arrests-abuse-against-lgbt-people>.

¹⁷ Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 12.

¹⁸ Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 12—13, 14.

¹⁹ Email from Alternatives Cameroun to The Advocates for Human Rights (July 31, 2024) (on file with authors).

²⁰ The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4_UPR44_CMRE_Main, Apr. 5, 2023, ¶45, 50; United States Department of State, *Cameroon 2022 Human Rights Report*, 46, accessed July 11, 2024, https://www.state.gov/wp-content/uploads/2023/02/415610_CAMEROON-2022-HUMAN-RIGHTS-REPORT.pdf.

²¹ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶186.

expression, or sex characteristics” and there is no legal recognition for “LGBTQI+ individuals, couples or their families.”²²

13. According to the U.S. Department of State’s 2023 human rights report, multiple Cameroonian “LGBTQI+ human rights organizations continued to report arbitrary arrests of LGBTQI+ persons.”²³ Civil society groups reported “an uptick in violence and abuse against LGBTQI+ people in Cameroon” through arbitrary arrests, detentions, and beatings “for alleged same-sex conduct and gender nonconformity.”²⁴
14. State actors, such as police, will target individuals they suspect of being gay, through arrests, beatings, “anal exams,” assaults, insults, and extortionary practices, according to the International LGBTI Association (ILGA).²⁵ Police and other “[s]ecurity forces sometimes harassed detained and assaulted persons based on their perceived sexual orientation or gender identity,” which they determined based off items found on or around the people they had arrested.²⁶ The police reportedly conducted searches without a warrant when there was no crime or suspicion of a crime, despite the legal requirement of needing to see a person commit a crime or have suspicion of a crime being committed in order to conduct a search. The police also “monitor [] online communications without appropriate legal authority.”²⁷
15. Moreover, if police intervened in community attacks against LGBTQI+ individuals, they did so “with little or no action . . . to protect them [LGBTI+ individuals] or pursue their attackers.”²⁸ Human Rights Watch reported that when police intervene in an attack against LGBTI individuals, the police took the victims to the police station, where they were beaten, humiliated and had to pay a bribe to be released.²⁹ Other incidents report the police arresting the attackers and the victims, and then releasing the attackers after they give a statement but only releasing the victim of the attack after they have paid a fine.³⁰

²² United States Department of State, *Cameroon 2022 Human Rights Report*, 46, accessed July 11, 2024, https://www.state.gov/wp-content/uploads/2023/02/415610_CAMEROON-2022-HUMAN-RIGHTS-REPORT.pdf.

²³ United States Department of State, *Cameroon 2023 Human Rights Report*, 44-45, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

²⁴ Human Rights Watch, *Cameroon Events of 2022*, Tirana Hassan, accessed July 15, 2024, <https://www.hrw.org/world-report/2023/country-chapters/cameroon>.

²⁵ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 41—52, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

²⁶ United States Department of State, *Cameroon 2023 Human Rights Report*, 45, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

²⁷ United States Department of State, *Cameroon 2023 Human Rights Report*, 12—13, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

²⁸ United States Department of State, *Cameroon 2023 Human Rights Report*, 5, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

²⁹ Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>.

³⁰ Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>.

16. Further, police regularly “detained LGBTQI+ individuals based solely on their perceived sexual orientation, gender identity, or gender expression.”³¹ These arbitrary arrests and detentions often require the payment of a bribe to be released, anywhere from “15,000 CFA (US\$D 24)” to “50,000 CFA (\$82)” or even “100,000 CFA (USD \$164).”³²
17. Despite the conviction and sentencing of someone for attacking an intersex person, (See paragraph 30 below) State actors generally perpetuated anti-LGBTIQ+ messaging and discrimination through their actions. For example, in June 2023, “the National Communication Council (CNC) issued a statement denouncing the ‘increasing presence of foreign-produced programs promoting homosexual practices in the media’” which go against “‘traditional values and national legislation.’”³³ The communication led to the suspension of TV station Canal + Elles for “broadcasting ‘scenes with homosexual people.’”³⁴
18. In June 2023, the French ambassador for the Rights of LGBT+ People, Jean-Marc Berthon, was scheduled to come to Cameroon.³⁵ Before the ambassador’s arrival, Cameroon’s government objected to the trip, with “Foreign Minister Lejeune Mbella Mbella [saying] in the media that the visit would contravene Cameroonian law,”³⁶ referring to article 347-1 of the penal code (See paragraph 9 above). The visit was cancelled, but prior to the cancellation, individuals on social media “called for mob justice and violence against LGBT persons” and described LGBTIQ+ people as “‘against nature,’ ‘an anomaly,’ ‘vampire citizens,’ ‘destructive of the family,’ ‘destructive of the state,’ or as using ‘satanic and demonic practices.’”³⁷ A member of the LGBTIQ+ community and activist described a pervasive fear across the community and hearing threats of burning all LGBTIQ+ individuals everywhere.³⁸

³¹ United States Department of State, *Cameroon 2023 Human Rights Report*, 43, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

³² Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>.

³³ ILGA, “Cameroon”, accessed July 9, 2024, <https://database.ilga.org/cameroon-lgbti>.

³⁴ European Union Agency for Asylum (EUAA), *Cameroon: Situation of lesbian women, including legislation, treatment by the state, treatment by society, availability of state protection, and access to support services*, (Malta, Jan. 2024), 4, accessed July 10, 2024, https://www.ecoi.net/en/file/local/2103023/2024_01_EUAA_COI_Query_Response_Q73_Cameroon_Lesbian_Women.pdf.

³⁵ Larissa Kojoué, *Online Incitement Against LGBT People in Cameroon: Planned Visit by French Expert Met with Online Hate*, Human Rights Watch, July 11, 2023, <https://www.hrw.org/news/2023/07/11/online-incitement-against-lgbt-people-cameroon>; Amindeh Blaise Atabon, Sofia Christensen, Mark Potter, *Cameroon opposes French LGBT+ rights ambassador’s visit*, Reuters, June 21, 2023, <https://www.reuters.com/world/africa/cameroon-opposes-french-lgbt-rights-ambassadors-visit-2023-06-21/>

³⁶ Larissa Kojoué, *Online Incitement Against LGBT People in Cameroon: Planned Visit by French Expert Met with Online Hate*, Human Rights Watch, July 11, 2023, <https://www.hrw.org/news/2023/07/11/online-incitement-against-lgbt-people-cameroon>; Code Penal Cameroun, art. 347—1, <https://www.droit-afrique.com/uploads/Cameroun-Code-2016-penal1.pdf>.

³⁷ Larissa Kojoué, *Online Incitement Against LGBT People in Cameroon: Planned Visit by French Expert Met with Online Hate*, Human Rights Watch, July 11, 2023, <https://www.hrw.org/news/2023/07/11/online-incitement-against-lgbt-people-cameroon>.

³⁸ Larissa Kojoué, *Online Incitement Against LGBT People in Cameroon: Planned Visit by French Expert Met with Online Hate*, Human Rights Watch, July 11, 2023, <https://www.hrw.org/news/2023/07/11/online-incitement-against-lgbt-people-cameroon>.

19. Non-State actors regularly turn over, or report to the authorities, individuals they suspect of being LGBT.³⁹ There are reports that people opposed to LGBTIQ+ rights infiltrate LGBTIQ+-friendly spaces looking to extort and report members of the LGBTIQ+ community to law enforcement.⁴⁰ Families will also turn over family members to the police under suspicions of being gay: in March 2022 upon discovering their sons' relationship, two sets of parents reported their children to the police who then assaulted and imprisoned the men.⁴¹ There have been reports of landlords reporting tenants to the police under suspicions of being gay and neighbors reporting their fellow neighbors if they overhear those neighbors with someone of the same sex, or have seen their neighbors with a suspected partner.⁴²
20. On 8 February 2021, two transgender women – Shakiro and Patricia – were arrested by law enforcement and “charged with homosexuality-related offenses, lack of identity cards, and public indecency.”⁴³ The pair were arrested while out “at a restaurant in Douala” eating dinner, not being intimate.⁴⁴ The police were called after someone saw them kissing, but “Cameroon’s penal code doesn’t define a kiss as sexual intercourse.”⁴⁵ Upon their temporary release during their appeal, Patricia and Shakiro were “violently assaulted” by “a group of young men” on 7 August 2021.⁴⁶ The recording of the attack circulated on social media and the police allegedly “did not officially document the attack in an official report” despite being on the scene, but did escort “the two to the hospital.”⁴⁷
21. Local NGOs report attacks on LGBTIQ+ people after online encounters. For example, after agreeing to an in-person meeting with a man claiming “to be a contact from an LGBTIQ+ group,” a gay man was attacked by four men who “robbed him, stripped him, and made him

³⁹ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 50—52, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁴⁰ Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 13.

⁴¹ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁴² ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 51—52, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁴³ Human Rights Watch, *Cameroon: Wave of Arrests, Abuse Against LGBT People; Repeal Law, Protect LGBT Rights*, Apr. 14, 2021, <https://www.hrw.org/news/2021/04/14/cameroon-wave-arrests-abuse-against-lgbt-people>.

⁴⁴ Elian Peltier, *Cameroon Sentences Transgender Women to 5 Years in Prison*, New York Times, May 13, 2021, <https://www.nytimes.com/2021/05/13/world/africa/cameroon-transgender-women-sentenced-crackdown.html>.

⁴⁵ Elian Peltier, *Cameroon Sentences Transgender Women to 5 Years in Prison*, New York Times, May 13, 2021, <https://www.nytimes.com/2021/05/13/world/africa/cameroon-transgender-women-sentenced-crackdown.html>.

⁴⁶ US Department of State, *Cameroon 2021 Human Rights Report*, 52—53, accessed July 11, 2024, https://www.state.gov/wp-content/uploads/2022/03/313615_CAMEROON-2021-HUMAN-RIGHTS-REPORT.pdf; Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 12—13.

⁴⁷ US Department of State, *Cameroon 2021 Human Rights Report*, 53, accessed July 11, 2024, https://www.state.gov/wp-content/uploads/2022/03/313615_CAMEROON-2021-HUMAN-RIGHTS-REPORT.pdf

admit to being gay on video which was then disseminated to his family and friends.”⁴⁸ Multiple civil society groups reported on an online scam targeting LGBTIQ+ people where law enforcement, or members of the community posing as law enforcement, would extort from, steal from, and reveal the victim’s sexual orientation.⁴⁹ Law enforcement may be complicit in these schemes and special websites exist to help accomplish these attacks.⁵⁰ NGOs report that “[S]tate agents infiltrate online dating sites where they carry out a ‘manhunt’ by simulating a meet-up with homosexuals whom they then threaten and take to the police station or in prison.”⁵¹

22. There have been reports of group attacks by members of the community on trans women “because of their gender expression”⁵² as well as on individuals accused “of being gay.”⁵³ Attacks also involve the breaking into, entering, and “looting” of homes of members of the LGBTIQ+ community.⁵⁴
23. Physical attacks by non-State actors against individuals because of their real or perceived SOGIESC status, have been documented via video and other media, and are “widely circulated on social media platforms.”⁵⁵ Video recordings of an attack of an intersex person shows beatings; “assault,” and “pulling [the naked intersex person’s] legs apart and saying the person is a man dressed as, and behaving as a woman.”⁵⁶ The videos showed the attack “last[ing] several hours.”⁵⁷ In addition, some lesbian women allege that strangers, friends, and family

⁴⁸ United States Department of State, *Cameroon 2023 Human Rights Report*, 45, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

⁴⁹ *COI Focus: Cameroun L'homosexualité*, by CEDOCA (Belgium, July 2021), 16, accessed July 10, 2024, https://www.cgra.be/sites/default/files/rapporten/coi_focus_cameroun._lhomosexualite_20210728.pdf.

⁵⁰ Commissariat Général aux Réfugiés et aux Apatrides, *COI Focus: Cameroun L'homosexualité*, by CEDOCA (Belgium, July 2021), 10, accessed July 10, 2024, https://www.cgra.be/sites/default/files/rapporten/coi_focus_cameroun._lhomosexualite_20210728.pdf.

⁵¹ Commissariat Général aux Réfugiés et aux Apatrides, *COI Focus: Cameroun L'homosexualité*, by CEDOCA (Belgium, July 2021), 10, accessed July 10, 2024, https://www.cgra.be/sites/default/files/rapporten/coi_focus_cameroun._lhomosexualite_20210728.pdf.

⁵² ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁵³ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁵⁴ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 52, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁵⁵ Moki Edwin Kindzeka, *Cameroon Says Citizens Abuse LGBTI People*, VOA, Nov. 28, 2021, <https://www.voanews.com/a/cameroon-says-citizens-abuse-lgbti-people/6330873.html>.

⁵⁶ Moki Edwin Kindzeka, *Cameroon Says Citizens Abuse LGBTI People*, VOA, Nov. 28, 2021, <https://www.voanews.com/a/cameroon-says-citizens-abuse-lgbti-people/6330873.html>.

⁵⁷ Illaria Allegrozzi, *Intersex Person Victim of Horrific Attack in Cameroon*, Human Rights Watch, Nov. 20, 2021, <https://www.hrw.org/news/2021/11/20/intersex-person-victim-horrific-attack-cameroon>.

members have threatened them with corrective rape.⁵⁸ There are further reports that lesbian women’s “families arrange ‘corrective rapes or non-consensual marriage.’”⁵⁹

24. There are credible reports of hospital staff refusing to treat people based on their perceived sexual orientation and/or gender identity, which they base off of the individuals’ clothes or appearance.⁶⁰ Some LGBTIQ+ individuals are unable to disclose information about their sexual activities to medical professionals for fear of being refused treatment.⁶¹
25. Individuals are not just targeted by State actors, the Government has also placed restrictions on NGOs, has “co[-]opted” NGOs, and will use law enforcement to target NGOs.⁶² While there is no law prohibiting the formation or existence of LGBTIQ+ organizations, NGOs must register “either as general human rights organizations or as health focused organizations” to exist in Cameroon, for example as organizations providing HIV treatment and services.⁶³ In February 2021, law enforcement targeted an organization named Colibri that offered HIV services,⁶⁴ and arrested its members and clients.⁶⁵ The victims alleged that they were threatened, assaulted, and interrogated while in detention.⁶⁶ Some were forced “to undergo a HIV test and [an] anal examination.”⁶⁷ Officials “harass[ed] [NGO] members, limit[ed] access to prisoners, and refus[ed] to share information.”⁶⁸

⁵⁸ BBC, *LGBT Rights: I was threatened with “corrective rape” for being gay in Cameroon*, video clip, Nov. 14, 2023, accessed July 15, 2024, <https://www.bbc.com/news/av/world-africa-67414297>.

⁵⁹ European Union Agency for Asylum (EUAA), *Cameroon: Situation of lesbian women, including legislation, treatment by the state, treatment by society, availability of state protection, and access to support services*, (Malta, Jan. 2024), 6, accessed July 10, 2024, https://www.ecoi.net/en/file/local/2103023/2024_01_EUAA_COI_Query_Response_Q73_Cameroon_Lesbian_Women.pdf; See also, Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 9.

⁶⁰ Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 11—12.

⁶¹ European Union Agency for Asylum (EUAA), *Cameroon: Situation of lesbian women, including legislation, treatment by the state, treatment by society, availability of state protection, and access to support services*, (Malta, Jan. 2024), 7, accessed July 10, 2024, https://www.ecoi.net/en/file/local/2103023/2024_01_EUAA_COI_Query_Response_Q73_Cameroon_Lesbian_Women.pdf.

⁶² Freedom House, *Cameroon, Freedom in the World 2024*, accessed July 9, 2024, <https://freedomhouse.org/country/cameroon/freedom-world/2024>.

⁶³ United States Department of State, *Cameroon 2023 Human Rights Report*, 47, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>

⁶⁴ The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4_UPR44_CMR_E_Main, Apr. 5, 2023, ¶39.

⁶⁵ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 50, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁶⁶ The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4_UPR44_CMR_E_Main, Apr. 5, 2023, ¶39.

⁶⁷ The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4_UPR44_CMR_E_Main, Apr. 5, 2023, ¶39.

⁶⁸ United States Department of State, *Cameroon 2023 Human Rights Report*, 33, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

26. There are reports of NGOs filing police reports on the treatment of victims while in detention,⁶⁹ and for the destruction of property.⁷⁰ The authorities did not look into these reports.⁷¹ The reports remain pending, with no signs of investigations.⁷² NGOs alleged their reports are responded to with violence.⁷³

II. The Government does not investigate reports of torture against LGBTIQ+ individuals and does not offer redress to victims of torture (LOIPR paras. 19, 20, 21, 22, 23, 27)

27. In the LOIPR, the Committee asked Cameroon to show proof of, and outcomes of investigation against law enforcement who face accusations of torture and mistreatment.⁷⁴ The Committee requested information on hate crime cases, by State and non-State actors, on the “outcome of the investigation and prosecutions conducted in each case, and on the sentences as well as penalties imposed” on the perpetrator.⁷⁵ The Committee also requested proof of redress provided to victims of torture and data on the number of cases.⁷⁶

28. In the State Report, the Government alleged that “sanctions were imposed on law enforcement officials for offences, such as torture or inhuman treatment” and cited examples of sanctions imposed.⁷⁷ The Government indicated that in principle “law enforcement officials” can face “disciplinary and judicial sanctions” for not respecting the Criminal Procedure Code (CPC).⁷⁸ The State says that it uses these sanctions to crack down on police officers and gendarmes that arbitrarily detain individuals.⁷⁹ The Government alleged that “investigations are systematically initiated in case of complaints or reports of violence or abuse, including against LGBTs.”⁸⁰

⁶⁹ Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>.

⁷⁰ Ghislain J. Nkontchou, *Vandalism at LGBTI group’s office; attacks and death threats against activist*, Erasing 76 Crimes, Sept. 14, 2023, <https://76crimes.com/2023/09/14/cameroon-lgbti-community-and-defenders-remain-target-of-homophobic-acts/>.

⁷¹ United States Department of State, *Cameroon 2023 Human Rights Report*, 33, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

⁷² United States Department of State, *Cameroon 2023 Human Rights Report*, 33, accessed July 9, 2024,

<https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

⁷³ Ghislain J. Nkontchou, *Vandalism at LGBTI group’s office; attacks and death threats against activist*, Erasing 76 Crimes, Sept. 14, 2023, <https://76crimes.com/2023/09/14/cameroon-lgbti-community-and-defenders-remain-target-of-homophobic-acts/>.

⁷⁴ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc. CAT/C/CMR/QPR/6, ¶19—20.

⁷⁵ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc. CAT/C/CMR/QPR/6, ¶27.

⁷⁶ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc. CAT/C/CMR/QPR/6, ¶22—23.

⁷⁷ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc. CAT/C/CMR/6, ¶9-10.

⁷⁸ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc. CAT/C/CMR/6, ¶29.

⁷⁹ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc. CAT/C/CMR/6, ¶39.

⁸⁰ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc. CAT/C/CMR/6, ¶186.

The Government further alleged that investigations and proceedings commence following a report or complaint, but “[a]ggregate statistics on the number of complaints, outcomes of investigations, and sentences passed in the specific proceedings related to human rights defenders were not available.”⁸¹

29. While the Government maintains that it investigates reports of torture, violence, or abuse against the LGBTIQ+ community, the criminalization of same-sex sexual activity between consenting adults (See paragraph 9 above),⁸² may explain why there are so few investigations into reports of violations against LGBTIQ+ individuals, as law enforcement ignores reports, and police may further victimize victims for being part of the LGBTIQ+ community.⁸³
30. In March 2022, “a court . . . handed down a 6-month prison sentence and a fine of 650,000 CFA (US\$1,106) to one of the perpetrators of a violent attack on an intersex person” which occurred in Yaoundé in 2021 (see paragraph 17 above).⁸⁴ Although the decision was an important step in holding individuals responsible for their violations of an intersex person’s rights, this is an isolated case and most LGBTIQ+ people whose rights have been violated have not seen similar action taken against their victimizers.⁸⁵ A Cameroonian LGBTIQ+ organization – CAMFAIDS – filed the police report to initiate an investigation into the attack.⁸⁶ The court only “convicted and sentenced” one of the attackers while the other alleged offenders are unlikely to face punishment.⁸⁷ A report published by the Unity platform documented fewer “incidents of violence and violations in 2023” on “anti-LGBTI violence and human rights abuses.”⁸⁸ This decrease in incidents could be due to data compilation errors or difficulties collecting data; it may also be the result of greater public awareness campaigns within LGBTIQ+ communities on how to increase their personal safety.⁸⁹
31. Despite this historic conviction (See paragraph 30 above), many members of the LGBTIQ+ community may not file a report with police following a violation of their human rights. The fear of being charged under article 347-1 of the Penal Code, article 83, or the threat of prison means that “members of the LGBTIQ+ community are often afraid to report” instances of

⁸¹ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶177-78.

⁸² Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶186.

⁸³ Commissariat Général aux Réfugiés et aux Apatrides, *COI Focus: Cameroun L’homosexualité*, by CEDOCA (Belgium, July 2021), 12, accessed July 10, 2024, https://www.cgra.be/sites/default/files/rapporten/coi_focus_cameroun_lhomosexualite_20210728.pdf.

⁸⁴ Illaria Allegrozzi, *Cameroon Court Punishes Anti-LGBTI Violence*, Human Rights Watch, Mar. 3, 2022, <https://www.hrw.org/news/2022/03/03/cameroon-court-punishes-anti-lgbti-violence>.

⁸⁵ Email from Cameroonian LGBTIQ+ NGO to The Advocates for Human Rights (Sept. 20, 2024) (on file with authors).

⁸⁶ Illaria Allegrozzi, *Cameroon Court Punishes Anti-LGBTI Violence*, Human Rights Watch, Mar. 3, 2022, <https://www.hrw.org/news/2022/03/03/cameroon-court-punishes-anti-lgbti-violence>.

⁸⁷ Illaria Allegrozzi, *Cameroon Court Punishes Anti-LGBTI Violence*, Human Rights Watch, Mar. 3, 2022, <https://www.hrw.org/news/2022/03/03/cameroon-court-punishes-anti-lgbti-violence>.

⁸⁸ Jean Jacques Dissoke, *Study Finds Less Anti-LGBTI Violence in Cameroon. Is it Accurate?*, Erasing 76 Crimes, June 7, 2024, <https://76crimes.com/2024/06/07/study-finds-less-anti-lgbti-violence-in-cameroon-is-it-accurate/>.

⁸⁹ Jean Jacques Dissoke, *Study Finds Less Anti-LGBTI Violence in Cameroon. Is it Accurate?*, Erasing 76 Crimes, June 7, 2024, <https://76crimes.com/2024/06/07/study-finds-less-anti-lgbti-violence-in-cameroon-is-it-accurate/>; Email from Cameroonian LGBTIQ+ NGO to The Advocates for Human Rights (Sept. 20, 2024) (on file with authors).

“private violence, murder, sexual assault/‘corrective rape’, psychological abuse and extortion.”⁹⁰ “Fear of retaliation and stigma” may stop victims from filing reports or taking “legal action” after an attack,⁹¹ as law enforcement will often “arrest and detain those who report it” rather than protect the members of the LGBTIQ+ community who experience or witness a human rights violation.⁹² When responding to the violent assault of Shakiro and Patricia (See paragraph 20 above) by “a group of young men . . . on the street,” “police reportedly did not officially document the attack in an official report.”⁹³ These incidents and the criminal code likely explain why the number of violations reported to the police is so low.

32. Impunity for members of law enforcement continues to be a larger issue across the country, despite the Government attempting to “identity, investigate, prosecute, and punish officials who committed human rights abuse or corruption,” as the Government does not consistently take these steps and there are few public proceedings against law enforcement officers who are formally accused of committing human rights violations.⁹⁴
33. Human Rights Watch documented allegations that law enforcement officers used machetes to beat and insulted LGBTIQ+ people in detention.⁹⁵ There are multiple allegations of police subjecting individuals suspected of being GBQ+ to “forced anal examinations [while] in detention.”⁹⁶ There are reports of the use of “other forms of torture and ill-treatment, forced confessions, denial of access to counsel, and blatant anti-LGBT bias on the part of judges,” as well as “rape and beatings of LGBT people by detainees in Cameroon’s prisons, undeterred by

⁹⁰ The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4_UPR44_CMRE_Main, Apr. 5, 2023, ¶45.

⁹¹ The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4_UPR44_CMRE_Main, Apr. 5, 2023, ¶20; Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>; ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

⁹² Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>.

⁹³ US Department of State, *Cameroon 2021 Human Rights Report*, 52-53, accessed July 11, 2024, https://www.state.gov/wp-content/uploads/2022/03/313615_CAMEROON-2021-HUMAN-RIGHTS-REPORT.pdf.

⁹⁴ OSAC, *Cameroon Country Security Report*, accessed July 9, 2024, <https://www.osac.gov/Content/Report/c59ef585-a9ca-42fa-92e3-1c5d88360d7c>

⁹⁵ Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>.

⁹⁶ Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>.

guards.”⁹⁷ Human Rights Watch has recorded the use of “forced anal exams” reports in “court, contributing to convictions of individuals charged with consensual homosexual conduct.”⁹⁸

34. There are multiple credible reports of authorities performing anal exams on LGBTQ+ people in detention.⁹⁹ (See paragraph 33 above). Anal examinations are used in some countries as proof that “a person has engaged in homosexual intercourse,”¹⁰⁰ despite providing no actual evidence that they have engaged in receptive anal intercourse. The Special Rapporteur on torture has stated that “[h]umiliating and invasive searches may constitute torture or ill-treatment” and that “anal examinations intended to obtain physical evidence of homosexuality, [is] a practice that is medically worthless and amounts to torture or ill-treatment.”¹⁰¹ Additional groups have condemned the practice, too.¹⁰²

III. The Government does not protect rights to a fair trial and prison conditions do not meet international human rights standards (LOIPR paras. 3, 4, 5, 12, 14, 15, 16).

35. In the LOIPR, the Committee asked Cameroon to provide information on measures taken to ensure law enforcement respect the rights of people deprived of their liberty, including proof of access to medical care.¹⁰³ The Committee requested Cameroon to identify steps taken to modify the CPC regarding maximum police detention times and limit when extending detention is possible.¹⁰⁴ The Committee further requested evidence of programs regarding the

⁹⁷ Neela Ghoshal, *In Cameroon Transgender Women Given Five-Years in Prison: Release Trans Women, End Anti-LGBT Persecution*, Human Rights Watch, May 12, 2021, <https://www.hrw.org/news/2021/05/12/cameroon-transgender-women-given-five-years-prison>.

⁹⁸ Human Rights Watch, *Cameroon: Wave of Arrests, Abuse Against LGBT People; Repeal Law, Protect LGBT Rights*, April 14, 2021, <https://www.hrw.org/news/2021/04/14/cameroon-wave-arrests-abuse-against-lgbt-people>.

⁹⁹ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 42, 43, 50, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf; Human Rights Watch, *Cameroon: Rising Violence Against LGBTI People, No Protection from Group Attacks; Authorities Arrest, Detain Victims*, May 11, 2022, <https://www.hrw.org/news/2022/05/11/cameroon-rising-violence-against-lgbti-people>; Neela Ghoshal, *In Cameroon Transgender Women Given Five-Years in Prison: Release Trans Women, End Anti-LGBT Persecution*, Human Rights Watch, May 12, 2021, <https://www.hrw.org/news/2021/05/12/cameroon-transgender-women-given-five-years-prison>; The Advocates for Human Rights, Alternatives Cameroon, *Cameroon Stakeholder Report for the United Nations Universal Periodic Review*, JS4_UPR44_CMR_E_Main, Apr. 5, 2023, ¶6.

¹⁰⁰ Elian Peltier, *Cameroon Sentences Transgender Women to 5 Years in Prison*, New York Times, May 13, 2021, <https://www.nytimes.com/2021/05/13/world/africa/cameroon-transgender-women-sentenced-crackdown.html>.

¹⁰¹ Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Note by the Secretariat*, (Jan. 5, 2016), U.N. Doc. A/HRC/31/57, ¶36.

¹⁰² Office of the United Nations High Commissioner for Human Rights, *Born Equal and Free: Sexual Orientation, Gender Identity and Sex Characteristics in International Human Rights Law*, HR/PUB/12/06/ Rev. 1, 2019, 31.

¹⁰³ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc. CAT/C/CMR/QPR/6, ¶3.

¹⁰⁴ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc. CAT/C/CMR/QPR/6, ¶5.

appropriate treatment of “vulnerable groups.”¹⁰⁵ The Committee also asked Cameroon to report on the conditions within its prisons.¹⁰⁶

36. In its State Report, the Government stated that the CPC provides rights to “[p]ersons deprived of liberty”¹⁰⁷ and requires compliance from law enforcement officials, subject to penalties.¹⁰⁸ Leaders of various law enforcement offices, State officials, the Cameroon Human Rights Commission (CHRC), or third parties “guarantee the respect of these rights [through] controls,” though the Government does not further explain what these “controls” are or how they operate.¹⁰⁹ The Government indicated that the CPC limits “police custody” to 48 hours, which can be extended “once by the [Judicial Police Officer] JPO, or twice by the State Counsel who shall give reasons for each extension.”¹¹⁰ “Extensions” are to “be exceptional,” “balance[ing] between . . . complex investigation[s],” location of imprisonment, and with “the need to respect the fundamental rights of the suspect.”¹¹¹ The Government stated that, in principle, people’s rights derive from the CPC and a violation of these rights will void an individual’s arrest. Moreover, a violation should lead to sanctions against the law enforcement officer who violated the individual’s rights.¹¹² The Government further alleged that “victims of wrongful or illegal police detention may file a *habeas Corpus* application.”¹¹³
37. In the State Report, the Government of Cameroon stated that “[i]n almost all the prisons in Cameroon, there are distinct quarters for men, women and minors,” and people deprived of their liberty may be transferred to another prison to ensure they can be housed in these separate quarters.¹¹⁴ The Government of Cameroon stated that “[w]omen are kept in separate quarters in almost all prisons.”¹¹⁵
38. Individuals deprived of their liberty “undergo a medical check-up” when beginning their detention, “lead[ing] to the identification of suspected cases of torture or poor treatment” that occurred prior to being housed in a prison. The Legal Department is then supposed to begin an

¹⁰⁵ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc. CAT/C/CMR/QPR/6, ¶12.

¹⁰⁶ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc. CAT/C/CMR/QPR/6, ¶15.

¹⁰⁷ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶27.

¹⁰⁸ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶29.

¹⁰⁹ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶28.

¹¹⁰ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶43.

¹¹¹ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶44.

¹¹² Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶44.

¹¹³ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶45.

¹¹⁴ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶89.

¹¹⁵ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶108.

investigation into incidents of suspected torture or poor treatment.¹¹⁶ The Government of Cameroon alleges that prison staff are trained on “the prevention of violence in prison” and that people in detention who engage in violence are “identified, tried before the competent court and convicted in accordance with the law.”¹¹⁷ The Government further indicated the existence of training programs for State employees on how to treat vulnerable people, referring only to asylum seekers and “victims of torture or other types of violence” as vulnerable groups, but did not provide information on the treatment of LGBTIQ+ people.¹¹⁸

39. In the State Report, the Government provided information regarding the availability of health care in prison; the health care budget; and statistics on the ratio of individuals deprived of their liberty to medical care providers, internal and external consultations, and the number of hospitalizations.¹¹⁹
40. Following the arrest of Shakiro and Patricia in 2021 (See paragraph 20 above), they were imprisoned. While in prison, Shakiro and Patricia were “beaten and insulted by guards and other inmates,”¹²⁰ and both women “alleged that they had been sexually assaulted while in prison.”¹²¹ The pair were held with men in crowded cells, “Shakiro [was] in a cell with about 70, while Patricia in another cell with about 50 men,” who would tell the pair “they are not supposed to exist.”¹²² The pair said that they were chained during their detention and forced to pay the guards in exchange for their release.¹²³
41. The Government’s decision to house transgender women in a men’s prison contravenes the Nelson Mandela Rules. Rule 7 of the Nelson Mandela Rules asks States to respect one’s self-perceived gender.¹²⁴ Further, the Office of the High Commissioner’s report *Born Free and Equal: Sexual Orientation, Gender Identity and Sex Characteristics in International Human Rights Law* recommends compliance with the Mandela Rules, specifically with Rule 7,

¹¹⁶ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶103.

¹¹⁷ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶111-112.

¹¹⁸ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶¶82-83.

¹¹⁹ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶101-102.

¹²⁰ Neela Ghoshal, *In Cameroon Transgender Women Given Five-Years in Prison: Release Trans Women, End Anti-LGBT Persecution*, Human Rights Watch, May 12, 2021, <https://www.hrw.org/news/2021/05/12/cameroon-transgender-women-given-five-years-prison>

¹²¹ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 50, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹²² Human Rights Watch, *Cameroon: Wave of Arrests, Abuse Against LGBT People; Repeal Law, Protect LGBT Rights*, Apr. 14, 2021, <https://www.hrw.org/news/2021/04/14/cameroon-wave-arrests-abuse-against-lgbt-people>.

¹²³ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 50, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹²⁴ UN General Assembly, *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules)*, 2015, Rule 7.

regardless of whether a detained individual's legal documents do not correspond with their self-identified gender.¹²⁵

42. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment found that “[t]ransgender persons tend to be placed automatically in male or female prisons or wards without regard to their gender identity or expression,” making them particularly vulnerable to torture and other forms of inhuman treatment.¹²⁶ The Special Rapporteur notes that officials have a responsibility to protect transgender people, as well as other members of the LGBTIQ+ community, and must take measures to do so.¹²⁷ States should take an individual's gender identity into consideration when making housing decisions in detention facilities¹²⁸ and train detention officials on the particular issues detained members of the LGBTIQ+ community may face.¹²⁹ The Yogyakarta Principles Plus 10 further note a State's responsibility to respect an individual's gender identity when housing them in prison and to provide sufficient training to prison staff.¹³⁰
43. The U.S. Department of State reported that “[p]rison conditions were harsh and life threatening due to food shortages, gross overcrowding, physical abuse, inadequate sanitary conditions, and a lack of medical care.”¹³¹ Overcrowding is also a problem in urban areas and prisons are often over capacity.¹³² Detention cells in “gendarmerie and police stations were often worse.”¹³³
44. Individuals in detention experienced the “use of shackling as a disciplinary measure. . . lack of access to food, potable water, medical care, sanitation, heating, ventilation and lighting”, which create a high risk of disease.¹³⁴ There are also reports of violence between individuals deprived of their liberty and “credible allegations of mistreatment” by law enforcement that went uninvestigated.¹³⁵ Another report indicated that prisoners are “given just one meal per day.”¹³⁶

¹²⁵ Office of the United Nations High Commissioner for Human Rights, *Born Free and Equal: Sexual Orientation, Gender Identity and Sex Characteristics in International Human Rights Law*, (2019), U.N. Doc. HR/PUB/12/06/Rev. 1, p. 43.

¹²⁶ Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Note by the Secretariat*, (Jan. 5, 2016), U.N. Doc. A/HRC/31/57, ¶34.

¹²⁷ Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Note by the Secretariat*, (Jan. 5, 2016), U.N. Doc. A/HRC/31/57, ¶35.

¹²⁸ Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Note by the Secretariat*, (Jan. 5, 2016), U.N. Doc. A/HRC/31/57, ¶70, (s).

¹²⁹ Human Rights Council, *Report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, Note by the Secretariat*, (Jan. 5, 2016), U.N. Doc. A/HRC/31/57, ¶70, (z).

¹³⁰ Yogyakarta Principles plus 10, 2017.

¹³¹ United States Department of State, *Cameroon 2023 Human Rights Report*, 6, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>

¹³² United States Department of State, *Cameroon 2023 Human Rights Report*, 6, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

¹³³ United States Department of State, *Cameroon 2023 Human Rights Report*, 6, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

¹³⁴ United States Department of State, *Cameroon 2023 Human Rights Report*, 6, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

¹³⁵ United States Department of State, *Cameroon 2023 Human Rights Report*, 6, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>.

¹³⁶ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha,

45. ILGA reported on men, reported on by their parents and presumably arrested for “homosexuality” (See paragraph 19 above). Government officials kept them in “pre-trial detention for around four months” without access to a lawyer.¹³⁷ Two months after first meeting with a lawyer, their trial commenced and the men were convicted – presumably on charges of “homosexuality” – and the court sentenced them to eight months in prison (with time in pre-trial detention counted toward their sentence), a fine of 200,000 CFA per person, and court costs of 38,700 CFA each.¹³⁸ Another report indicated that some LGBTIQ+ individuals are held in pre-trial detention with no conviction, which contravenes the CPC.¹³⁹ There are also reports of “detention, illegal medical examinations, secret court hearings and judgments” limiting the access to a fair trial, and legal representation.¹⁴⁰
46. There are reports that individuals deprived of their liberty are dependent upon their families to provide additional food and supplies while in detention beyond the single meal a day that prison officials provide. For LGBTIQ+ individuals who are in detention centers, there is a risk that their families may choose not to provide any additional food because they have disowned their family members because of their family members’ sexual orientation, gender identity, gender expression, and/or sex characteristics.¹⁴¹
47. Individuals who become sick during detention may not receive medical attention if they cannot afford treatment.¹⁴² Despite the medical exam upon his entrance into prison, a victim who had been attacked by a mob because the mob had believed him to be gay did not receive any medical care other than pain killers. Law enforcement held him overnight in a cell despite being severely injured.¹⁴³

(Geneva: ILGA, November 2023), 42, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹³⁷ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹³⁸ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹³⁹ Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 12—13.

¹⁴⁰ Commissariat Général aux Réfugiés et aux Apatrides, *COI Focus: Cameroun L’homosexualité*, by CEDOCA (Belgium, July 2021), 7, accessed July 10, 2024, https://www.cgra.be/sites/default/files/rapporten/coi_focus_cameroun._lhomosexualite_20210728.pdf; Email from Cameroonian LGBTIQ+ NGO to The Advocates for Human Rights (Sept. 20, 2024) (on file with authors).

¹⁴¹ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹⁴² ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹⁴³ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions*, 2nd Edition, by Kellyn Botha,

48. Reports also show that prison officials routinely deny individuals deprived of their liberty their HIV medication.¹⁴⁴ Some civil society organizations attempt to raise issues regarding “detention conditions in general, [and] access to HIV treatment” with police departments, but some have experienced backlash from police departments.¹⁴⁵

IV. The Government does not provide redress to LGBTIQ+ victims of torture (LOIPR paras. 22, 23).

49. In the LOIPR, the Committee asked the Government to indicate whether “victims of torture and ill-treatment” receive compensation or reparations.¹⁴⁶ The Committee also requested statistics regarding the number of applications for reparation and redress, the amount provided, and the number of unsuccessful claims.¹⁴⁷
50. In the State Report, the Government provided some information about the compensation provided to victims of torture in four separate cases, all of which involved the Government paying damages to the victims’ families and their convicting and sentencing the perpetrators.¹⁴⁸
51. Anal examinations are a form of torture (See paragraphs 33-34 above). There is no indication that the Government is providing redress to GBTQ+ victims of torture at the hands of Government actors. There are no reports of the Government providing redress to victims of torture committed at the hands of non-State actors, either, with the exception of one case of redress (See paragraph 30 above).

V. The Government permits statements made under torture to be used in courts (LOIPR para. 22)

52. In the LOIPR, the Committee requested information showing that Cameroon has undertaken measures to ensure that statements and “evidence obtained under torture” are excluded from courts.¹⁴⁹
53. In the State Report, the Government indicated that the CPC states that “[a] confession shall not be admissible in evidence if it is obtained through duress, violence, or intimidation or in exchange of a promise for any benefit whatsoever or by any other means contrary to the free will of the maker of the confession” and that confessions obtained in this manner will nullify

(Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹⁴⁴ United States Department of State, *Cameroon 2023 Human Rights Report*, 44, accessed July 9, 2024, <https://www.state.gov/wp-content/uploads/2024/02/528267-CAMEROON-2023-HUMAN-RIGHTS-REPORT.pdf>

¹⁴⁵ Confédération Suisse, *Focus Cameroun Minorités Sexuelles et de Genre*, Secrétariat d’Etat aux migrations SEM (Berne Wabern, July 2024), 15.

¹⁴⁶ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc.CAT/C/CMR/QPR/6, ¶22.

¹⁴⁷ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc.CAT/C/CMR/QPR/6, ¶23.

¹⁴⁸ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶147—148

¹⁴⁹ Committee against Torture, *List of issues prior to submission of the sixth periodic report of Cameroon*, (Dec. 17, 2020), U.N. Doc.CAT/C/CMR/QPR/6, ¶24.

the legal proceedings.¹⁵⁰ The Government allegedly held training sessions on evidence obtained via torture.¹⁵¹ The Government provided an example of a nullified proceeding and stated that, in principle, “an investigation is systematically opened” whenever there is an allegation of torture.¹⁵²

54. In 2022, however, two sets of parents turned over their sons to the police because they suspected them of being gay (See paragraph 19 above).¹⁵³ Once in prison, the police beat the men “to extract a confession and transferred them to Kondengui Prison.”¹⁵⁴ There are no reports indicating that the men’s sentences were nullified or voided.

VI. Recommendations:

55. The coauthors suggest the Committee make the following recommendations to the Government of Cameroon:

- Decriminalize sexual activity between consenting adults of the same sex under the 2016 Penal Code by repealing Article 347-1.
- Repeal article 83 Law No. 2010/012 on the cybersecurity and cybercriminality law that criminalizes the sending of sexual propositions.
- Immediately release and expunge the records of all individuals in detention whose sole conviction was for engaging in consensual same-sex sexual activity between adults or for sending a sexual proposition.
- Instruct police officers to stop arresting individuals for engaging in same-sex sexual activity between consenting adults and/or sending sexual propositions.
- Take measures to prevent law enforcement from arbitrarily arresting individuals based solely on their perceived or actual sexual orientation, gender identity or expression, and/or sex characteristics.
- Draft and implement legislation explicitly prohibiting discrimination based on sexual orientation, gender identity or expression, and sex characteristics.

¹⁵⁰ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶149.

¹⁵¹ Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶150.

¹⁵² Committee against Torture, *Sixth periodic report submitted by Cameroon under article 19 of the Convention pursuant to the simplified reporting procedure, due in 2021*, (Mar. 21, 2022), U.N. Doc.CAT/C/CMR/6, ¶151—152.

¹⁵³ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

¹⁵⁴ ILGA World, *Our identities under arrest: A global overview on the enforcement of laws criminalising consensual same-sex sexual acts between adults and diverse gender expressions, 2nd Edition*, by Kellyn Botha, (Geneva: ILGA, November 2023), 51, accessed July 9, 2024, https://ilga.org/wp-content/uploads/2023/12/Our_Identities_Under_Arrest_2023.pdf.

- Draft and adopt legislation in consultation with LGBTIQ+ organizations that permits transgender individuals to change their legal gender.
- Impartially and in a timely manner, investigate and prosecute all claims of acts committed by State actors of violence and torture, including “corrective rape” and anal examinations, committed against LGBTIQ+ people, so as to eliminate impunity.
- Impartially and in a timely manner, investigate and prosecute all claims of acts committed by non-State actors of violence, torture, including “corrective rape,” committed against LGBTIQ+ people, so as to eliminate impunity.
- Investigate and prosecute claims that police have failed to act on reports of violence against LGBTQ+ individuals by non-State actors.
- Eliminate barriers to registration for LGBTIQ+ NGOs and take measures to ensure their protection from harassment by State and non-State actors.
- Train police on how to properly investigate allegations of violence and torture by State and non-State actors directed at LGBTIQ+ individuals.
- Impartially investigate and prosecute all claims and allegations of torture in detention.
- Ensure that all housing decisions for detention centers are based on an individual’s self-declared gender identity and not on their legal gender, as mandated by the Nelson Mandela Rules and the Yogyakarta Principles Plus 10.
- Ensure that all detention conditions comply with the Nelson Mandela Rules and the Bangkok Rules, including providing sufficient food and supplies to all individuals in detention so as not to require individuals in detention to rely on the contributions of family and friends.
- Provide redress and/or compensation for any individual who experienced torture while in detention.
- Take measures to end torture in pre-trial detention and ensure that confessions made under torture are not permitted in court. Void the convictions of and release all individuals in detention who were convicted based on a confession obtained under torture.