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Cameroon

Country Reports on Human Rights Practices - [2005](#)

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Cameroon is a republic dominated by a strong presidency and has a population of approximately 16.3 million. Despite the country's multiparty system of government, the Cameroon People's Democratic Movement (CPDM) has remained in power since the early years of independence. In October 2004 CPDM leader Paul Biya won re-election as president. The election was flawed by irregularities, particularly in the voter registration process, but observers believed the election results represented the will of the voters. The president retains the power to control legislation or to rule by decree. He has used his legislative control to change the constitution and extend the term lengths of the presidency. Although civilian authorities generally maintained effective control of the security forces, there were frequent instances in which elements of the security forces acted independently of government authority.

The government's human rights record remained poor, and the government continued to commit numerous serious human rights abuses. The following human rights violations were reported:

- severe limits on citizens' ability to change their government
- numerous unlawful killings by security forces
- regular torture, beatings, and other abuses of persons, particularly detainees and prisoners, by security forces
- impunity among the security forces
- harsh and life-threatening prison conditions
- arbitrary arrest and detention of Anglophone citizens advocating secession, local human rights monitors/activists, and other citizens
- prolonged--and sometimes incommunicado--pretrial detention
- infringement on citizens' privacy rights
- restrictions on freedoms of speech, press, assembly, and association
- abuse and harassment of journalists
- limits on freedom of movement
- widespread corruption
- violence, including rape, and discrimination against women
- trafficking in persons, primarily children
- societal discrimination against indigenous Pygmies and ethnic minorities
- discrimination against homosexuals
- restrictions on worker rights and the activities of independent labor organizations
- child labor, slavery, and forced labor, including forced child labor

The government took steps to advance human rights during the year. There was a more systematic effort to investigate, suspend and prosecute security force members accused of killings and other abuses. Control and administration of the prisons was moved to the Ministry of Justice, allowing for better tracking of prisoners from arrest to final trial sentencing. The government also opened a new Department of Human Rights in the Ministry of Justice to investigate any abuses committed in areas under the ministry's responsibility.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Unlike in the previous year, there were no reports that government agents committed politically motivated killings. However, throughout the year security forces continued to commit unlawful killings, including killings resulting from torture and the use of excessive force.

In March the National Assembly lifted the parliamentary immunity of member of parliament (MP) Doh Gah Gwanyin III, exposing him to judicial investigation for the August 2004 killing of John Kohntem, which may have been politically motivated. On June 20 and 21, in Ndop superior court in Ngoketunja' Division, North West Province, the prosecutor interrogated the MP and 11 other suspects arrested in

September 2004. The preliminary investigation was still underway at year's end. The National Commission on Human Rights and Freedoms (NCHRF) was also still investigating the case.

Prisoners died in custody during the year due to torture and abuse by security forces, harsh prison conditions, and inadequate medical treatment (see section 1.c.). For example on February 8, Emmanuel Moutombi, a banker, died after being tortured in the Bonanjo and Akwa-Nord gendarmerie offices of Douala. After police arrested Moutombi on embezzlement charges on January 17, gendarmes at the Bonanjo station tortured him. On January 20, after Moutombi continued to refuse to plead guilty, the Bonanjo gendarmes transferred him to Akwa-Nord, where gendarmes tortured him again. The following week, an investigating magistrate ordered Moutombi to be transferred to a hospital, where he died. On February 16, the minister of defense suspended the six officers allegedly involved in torturing Moutombi and ordered their arrest and transfer to Yaounde. The officers were: Barthelemy Munguen, Leon Tchapi, Jean-Claude Menanga Ahanda, Ndogmo, Pierre Likeng Ndjemba, and Desire Nti Essimi. On September 27, a military tribunal reclassified the charges against four of the officers. The hearing was postponed, and as of year's end, no new date had been set.

There were no developments in the January 2004 beating to death of Emmanuel Song Bahanag by New Bell prison wardens; the April 2004 torturing to death of Laurent Gougang in the Douala Judiciary Police headquarters; or the 2003 death of Emmanuel Banye in police custody.

During the year there were reports that police used excessive force to disperse demonstrators, resulting in the deaths of protesters (see section 2.b.).

During the year police used excessive force, including deadly excessive force, on a number of occasions. There were numerous incidents where police beat and shot suspects, many of whom were fleeing the police. The government took more steps to investigate and prosecute officers who used excessive force than in previous years (see section 1.d.).

On January 31, a Yaounde police officer with the last name of Baba shot and killed Denis Serge Etoundi while responding to a call about a domestic dispute at Etoundi's residence; Etoundi reportedly resisted arrest and asked to see an arrest warrant. At year's end Baba was in detention and a judicial investigation was ongoing.

On March 25, Police Commissioner Japhet Bello Miagougoudom shot and killed Jean-Pierre Mpochede during a night search of his residence in the South Province town of Kribi. The reasons for the shooting remained unclear. On March 30, the president signed an order relieving Bello of his duties, and on April 1, police arrested Bello and transferred him to Ebolowa, South Province, where the judicial investigation continued at year's end.

On April 7, Police Commissioner Lawrence Tang Enow Oben of the South West Province town of Limbe shot and killed taxi driver Elvis Sigala Tasama during a police operation. On April 11, the general delegate for national security (DGSN) suspended the officer from his duties for three months while the courts began an investigation of the case.

On April 9, police officers from the Yaounde Mobile Intervention Unit No. 1 (GMI) shot and killed Aurelien Mayouga Noundou, a young student who was inside his car with a girl friend; the motive for the killing was unknown. On April 11, the DGSN suspended for three months Denis Serges Ndongo, Benoit Ossobo, Serges Hemery Nsili, and Jean Lereste Atangana, the four Yaounde police officers involved in the shooting. On April 14, the Yaounde prosecutor interrogated the four officers and placed them under preventive detention at the Kondengui Central Prison, pending trial. They had not been tried by year's end.

On April 16, police officer Herve Touodo Djomo shot and killed his police colleague Claude Obam Ndoum in Ndoum's Douala residence following a dispute. Littoral Province's judicial police arrested Touodo and detained him. On April 18, the DGSN, who directed the national police, suspended Touodo from his duties and ordered that he be stripped of his rank and benefits. At year's end, Touodo was being detained at the Douala New Bell prison and the case had not been tried.

On May 30, the prosecutor completed his investigation into the March 2004 fatal shooting of Abel Ngosso by Samuel Mpacko Dikoume, an officer of the Douala antigang police unit. On August 9, the Douala superior court held the preliminary hearing of the police officer's trial, which did not resume as scheduled by year's end.

On March 1, the general prosecutor of the Buea superior court ordered the arrest and detention of Police Inspector Stephen Ngu, the main suspect in the May 2004 beating and burning of Afuh Bernard Weriwo, who died as a result of his injuries. As part of the case's preliminary investigation, the prosecutor also summoned all the police officers who worked at the checkpoint where the incident occurred, including Police Inspector John Kunde and a police inspector with the last name of Tonye. On March 14, the Kumba superior court held the first hearing of the trial. The trial continued at year's end.

There were no new developments in the following 2004 cases: the February fatal shooting by a police officer of security guard Justin Abena Ngono in the Central Province town of Mbandjock, or the June killing by a gendarme of Desire Etoundi in Yaounde.

In September the Douala military tribunal added torture as a new charge in the high-profile case against Sergeant Jean Claude Mbita who shot and killed Luc-Benoit Bassilekin in 2000.

There were no new developments in the 2003 appeal of the acquittal of six army officers who had been charged with the execution of nine youths in Bepanda.

On March 24, unidentified armed groups widely believed to be from the Central African Republic (CAR) attacked the Adamawa Province village of Yarmang III, killed traditional leader Ardo Mbakana, and caused thousands of area residents to flee (see section 2.d.).

Mob violence and summary justice against those suspected of theft and the practice of witchcraft continued to result in deaths and serious injuries. Public frustration over police ineffectiveness and the release without charge of many individuals arrested for serious crimes contributed to mob violence (see section 1.d.).

On February 25, a crowd from the Douala neighborhood of Texaco Axe-Lourd burned to death Papi Gosse, who was reportedly caught trying to steal a motorbike. There were no reports of any investigation into the case.

On March 23, citizens of the Douala neighborhood of Bepanda burned to death Jonas Benang and another individual. The crowd reportedly caught the two individuals while they were allegedly breaking into a phone shop. No investigation was underway by year's end.

On September 3, inhabitants of the Douala neighborhood of Bonaberi beat and burned an individual whom they reportedly caught in the act of breaking into a residence. The Littoral Province judicial police were investigating the case at year's end.

There were no new developments in any of the killings by mobs in 2004 or 2003.

b. Disappearance

There were no reports of politically motivated disappearances during the year.

Some disappearances of persons who were in the custody of security forces in past years may be attributed to summary executions by security forces either in Douala or the northern regions; in these instances, bodies rarely were found, but the suspects were presumed dead.

On March 30, the government-owned radio station Cameroon Radio Television (CRTV) reported that road bandits took more than 20 persons hostage in the East and Adamawa provinces. The bandits reportedly demanded \$80 thousand (44 million CFA francs) for their return. They killed one traditional ruler and released another one for eight thousand dollars (4.4 million CFA francs). At year's end the status of the others kidnapped was not known.

At the beginning of the year, without Cameroonian government permission, agents of Equatorial Guinea's government captured 20 Cameroonians and took them to Equatorial Guinea for alleged crimes. At year's end neither the nature of the crimes of which they were accused nor the status of the Cameroonians was known.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices; however, there were credible reports that security forces continued to regularly torture, beat, and otherwise abuse prisoners and detainees. In the majority of cases of torture or abuse, the government rarely investigated or punished any of the officials involved; however, in at least one case during the year, gendarmerie officers who tortured a citizen to death were detained and investigated (see section 1.a.). There were reports that security forces detained persons at specific sites where they tortured and beat detainees (see section 1.a.). Security forces also reportedly subjected women, children, and elderly persons to abuse. Numerous international human rights organizations and some prison personnel reported that torture was widespread; however, most reports did not identify the victim because of fear of government retaliation against either the victim or the victim's family. Most victims did not report torture for fear of government reprisal or because of ignorance of or lack of confidence in the judicial system.

In New Bell and other nonmaximum security penal detention centers, prison guards inflicted beatings, and prisoners were reportedly chained or at times flogged in their cells. Authorities often administered beatings in temporary holding cells within a police or gendarme facility. Two forms of physical abuse commonly reported by male detainees were the "bastonnade," where authorities beat the victim on the soles of the feet, and the "balancoire," during which authorities hung victims from a rod with their hands tied behind their backs and beat them, often on the genitals.

Security forces continued to subject prisoners and detainees to degrading treatment, including stripping, confinement in severely overcrowded cells, and denial of access to toilets or other sanitation facilities. Police and gendarmes often beat detainees to extract confessions or information on alleged criminals. Pretrial detainees were sometimes required, under threat of abuse, to pay "cell fees," a bribe paid to prison guards to prevent further abuse.

During the year there were reports that persons in police and gendarmerie custody died as a result of torture (see section 1.a.).

On January 8, Minister of Tourism Baba Hamadou reportedly led a group of five police officers to a gas station in Yaounde where they repeatedly beat Genevieve Toupouwou and Gregoire Angotchou, employees of the gas station. The minister had been angered by Angotchou's insistence on checking a gas coupon the minister had presented as payment. The Center Province office of the judicial police was investigating the incident at year's end.

On February 3, police officers of the GMI of the North West Province town of Bamenda assaulted and seriously wounded Nelson Ndi Nagyinkfu, the province's executive secretary of the NCHRF. During a drivers' strike, Ndi witnessed police beating street vendors and asked

Celestin Abana, the commander of the police patrol, to stop the beatings. Abana ordered his troops to "finish" Ndi. Ndi filed a complaint with the province's governor, and an investigation was underway at year's end.

In March security forces beat and arrested 50 students in the West Province town of Bafoussam for participating in an illegal demonstration. The students were protesting the conviction of one of their professors who was sentenced to 12 years in prison for theft of academic materials.

There were no new developments in the January 2004 beating of a man named Bikele by police officers; or the June 2004 assault and arrest of barrister Epie Nzoukwelle by a local government official.

Security forces physically abused and harassed journalists during the year (see section 2.a.).

Unlike in the previous year, there were no reports that security forces sexually abused individuals during the year.

There were no new developments in the January 2004 sexual abuse of Biloa Ndongo by a gendarmerie mobile unit in the Melen neighborhood of Yaounde.

Some illegal immigrants were subjected to harsh treatment and imprisonment. Police and gendarme often targeted Nigerian and Chadian communities when seeking to identify illegal immigrants. During raids, members of the security forces extorted money from those who did not have regular residence permits or those who did not have valid receipts for store merchandise.

Prison and Detention Center Conditions

Prison conditions remained harsh and life threatening. Prisons were seriously overcrowded, unsanitary, and inadequate, especially outside major urban areas. Due to a lack of funds, serious deficiencies in food, health care, and sanitation were common in almost all prisons, including "private prisons" operated by traditional rulers in the north. Prisoners were kept in dilapidated colonial-era prisons, where the number of inmates was four to five times the intended capacity. According to a 2004 report by the International Center for Prison Studies, published by the Catholic newspaper *La Croix*, there were 67 prisons for the country's approximately 20 thousand detainees. Overcrowding was exacerbated by the large number of long pretrial detentions (see section 1.d.).

During the year 800 individuals hired and trained to work in the prison system entered into full-time duty. In December 2004 the government shifted the responsibility for administering and overseeing prisons and detention centers and all individuals arrested by security forces from the Ministry of Territorial Administration and Decentralization to the Ministry of Justice. In addition the government created a human rights body within the Ministry of Justice to monitor abuses in prisons and jails (see section 4).

There were deaths in prisons due to harsh conditions and neglect. For example in early March Djabba Bouba, a prisoner in the Douala prison, was found dead in his cell due to a lack of food. All 30 other suspects arrested in March with Bouba on charges of banditry were held in the same cell. They were not given food or water during the first three nights and two days of their detention. Before Bouba's death the 31 prisoners had requested a larger cell and water and said they were suffocating from the lack of room and heat. An internal investigation was underway at year's end.

Some prisoners also died due to lack of adequate medical care. Health and medical care were almost nonexistent in the country's prisons and in its detention cells, which were housed in gendarmeries and police stations. On August 12, Daniel Moses Etock, a detainee awaiting trial since 2003 in the Kumba prison of South West Province, died due to a lack of medical care. Prisoners' families were expected to provide food for their relatives in prison. Douala's New Bell Prison contained 7 water taps for a reported 3,500 prisoners, contributing to poor hygiene, illness, and death.

Prison officials regularly tortured, beat, and otherwise abused prisoners with impunity. Corruption among prison personnel was widespread. Prisoners sometimes could bribe wardens for special favors or treatment, including temporary freedom. Prisoners in New Bell prison could pay bribes for more comfortable sleeping arrangements and to avoid doing prison chores.

During the year prison officials failed to prevent and reportedly encouraged violence among prisoners. On January 3 in the Douala New Bell Prison, Jean-Pierre Boudi (also known as Ibrahim Baba) died from a beating he received from 30 inmates belonging to an "antigang," a group of convicts serving long prison terms whom prison wardens used to control other prisoners. Following the beating of Boudi, 15 inmates were seriously wounded when other prisoners attacked the antigang members. The results of an investigation by the prosecutor of the Douala court were pending at year's end. On January 26, following a visit by government officials to Kondengui Central Prison in Younde, the government banned antigangs. There were no other reports during the year of antigang violence in prisons.

There were separate prisons for women. There were also a few pretrial detention centers for women; however, women routinely were held in police and gendarmerie complexes with men, occasionally in the same cells. In July 2004 the Center for Human Rights and Peace Advocacy, a human rights organization based in Bamenda in the North West Province, criticized this practice. Mothers sometimes chose to be incarcerated with their children or babies while their children were very young or if they had no other child care option.

Juvenile prisoners often were incarcerated with adults, occasionally in the same cells or wards. There were credible reports that adult inmates sexually abused juvenile prisoners. Pretrial detainees routinely were held in cells with convicted criminals. Some high-profile prisoners were separated from other prisoners and enjoyed relatively lenient treatment.

In temporary detention centers--usually housed in gendarmeries and police stations--adults, juveniles, and women were held together. Prisoners usually received no food, water, or medical care. Detention center guards at times resorted to corruption, accepting bribes from detainees and allowing them access to better conditions, including permission to stay in an office instead of a cell. Those whose families were informed of their incarceration, relied on their relatives for food and medical care. Overcrowding was common in the detention centers and was often aggravated by the practice of "Friday Arrests" (see section 1.d.).

In the North and Extreme North provinces, the government continued to permit traditional chiefs, or *Lamibe*, to detain persons outside the government penitentiary system, in effect creating private prisons. Within the palaces of the traditional chiefdoms of Rey Bouba, Gashiga, Bibemi, and Tcheboa, there were private prisons that had a reputation for serious abuse. In Garoua, in the North Province, palace staff estimated that a total of 50 prisoners were held in the palace prison annually, normally between 1 and 2 weeks. Individuals who were found guilty in Garoua were often beaten or subject to other forms of physical abuse. According to members of all the chiefdoms' palace staffs, individuals accused of serious crimes such as murder were turned over to local police. In June the minister of territorial administration told diplomatic observers that authorities had destroyed the prison in Garoua.

The government permitted international humanitarian organizations access to prisoners. Both the local Red Cross and the NCHRF made infrequent, unannounced prison visits during the year. The government continued to allow the International Committee of the Red Cross (ICRC) to visit prisons. During the year the ICRC stated that the government allowed international nongovernmental organizations (NGOs) to have increased access to prisons.

On July 28, during a visit by diplomatic observers to the Douala New Bell Prison, the prison administrator said that the prison, built to hold 700 inmates, had 3,194. Of these, 2,300 were pretrial detainees, who were not held separate from convicted prisoners. On August 4, during a similar visit to the Yaounde Kondengui prison, the same observers learned that the prison, built for 800 inmates, held 3,521—3 thousand of whom were awaiting trial. In May 2004 a senior official estimated that 1,600 out of 1,800 inmates in Bafoussam prison were pretrial detainees.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, security forces continued to arrest and detain citizens arbitrarily.

Role of the Police and Security Apparatus

The national police, the National Intelligence Service (DGRE), the gendarmerie, the Ministry of Territorial Administration, the army's military security department, the army, the minister of defense, and, to a lesser extent, the Presidential Guard are responsible for internal security; the national police and gendarmerie have primary responsibility for law enforcement. The Ministry of Defense, including the gendarmerie, national police, and DGRE, are under an office of the presidency, resulting in strong presidential control of security forces. The national police includes the public security force, judicial police, territorial security forces, and frontier police. In rural areas, where there is little or no police presence, the primary law enforcement body is the gendarmerie.

Citizens viewed police as ineffective, which frequently resulted in mob violence (see section 1.a.). It was widely believed that individuals paid bribes to law enforcement and the judiciary to secure their freedom. Police officers and members of the gendarmerie were widely viewed as corrupt and frequently arbitrarily arrested and detained citizens. Police demanded bribes at checkpoints, and influential citizens reportedly paid police to make arrests or abuse individuals in personal disputes (see section 1.c.). According to Transparency International's (TI) 2005 Global Corruption Barometer, citizens viewed the police as extremely corrupt. Impunity remained a problem but was less severe than in previous years. Insufficient funding and inadequate training contributed to a lack of professionalism in the national police.

Edgar Alain Mebe Ngo'o, who in 2004 was appointed DGSN, took significant steps during the year to investigate, suspend, and prosecute security forces accused of abuses. In March Ngo'o rehabilitated the "police of the police," an internal affairs unit of undercover agents that had been dormant for many years. By year's end the unit was functioning and had received funding, although there were no public reports of any cases investigated by this unit. During the year Ngo'o also sanctioned at least 10 members of the national police force who violated laws and regulations during the year (see section 1.a.). For example on March 8, Ngo'o suspended for three months a Douala police officer and a Yaounde police inspector for behavior that "tarnished the image of the police." On the same day Ngo'o suspended another Yaounde-based police inspector for two weeks for keeping a citizen's driving license unnecessarily.

During the year courts convicted a few police officers for violations committed in the past. For example on May 26, the Douala military tribunal sentenced two police inspectors from the Douala Central Police Station No. 1 to six months in jail for the 2001 armed assault and robbery of three Nigerian citizens. On August 23, the Bamenda Court sentenced the Bamenda judicial police commissioner to pay damages of \$1,200 (600 thousand CFA francs) to Edwin Nkwain Mbang for arbitrarily arresting and detaining him during 18 days in 2001.

Arrest and Detention

The law requires police to obtain an arrest warrant except when a person is caught in the act of committing a crime. Police legally may detain a person in connection with a common crime for up to 24 hours and may renew the detention 3 times before bringing charges; this provision was generally respected, although there were unverifiable reports that police occasionally violated it. The law provides for the right to judicial review of the legality of detention only in the country's two Anglophone provinces, and this provision was respected in practice. In the country's Francophone provinces, the French legal tradition applies, precluding judicial authorities from acting on a case until the authority that ordered the detention turns the case over to the prosecutor. In practice these processes took between 15 days to a month. In Francophone provinces after a magistrate has issued a warrant to bring the case to trial, he may hold the detainee in administrative or pretrial detention indefinitely, pending court action. During the year such detention often was prolonged, due to the understaffed and

mismanaged court system. The law permits detention without charge by administrative authorities such as governors and senior divisional officers for renewable periods of 15 days ostensibly to combat banditry and maintain public order. Persons taken into detention frequently were denied access to both legal counsel and family members. The law permits release on bail only in the Anglophone provinces; however, in practice bail was granted infrequently.

In June the National Assembly passed a Code of Criminal Procedure, which will enter into force in 2006. The code extends the right of individuals to be released on bail to the whole country. It also allows those arrested and held in police and gendarmerie facilities for investigation to be assisted by a lawyer from the beginning of their detention.

Police and gendarmes often arrested persons on spurious charges on Fridays at mid-day or in the afternoon. While the law in the Anglophone provinces provides for a judicial review of an arrest within 24 hours, the courts did not convene sessions on the weekend, so a detained individual who was arrested on a Friday typically remained in detention until at least Monday. Police and gendarmes made such "Friday arrests" after accepting bribes from persons who had private grievances. There were no known cases of policemen or gendarmes who were sanctioned or punished for this practice.

Security forces and government authorities continued to arbitrarily arrest and detain persons, often holding them for prolonged periods without charges or trials and, at times, incommunicado. There were reports of political detainees, including Anglophone citizens advocating secession, local human rights monitors/activists, journalists, and other critics of the government (see sections 2.a. and 2.b.). Police also arrested persons during unauthorized demonstrations (see section 2.b.).

During the year security forces arrested approximately 100 leaders, members and supporters of the Southern Cameroons National Council (SCNC), an Anglophone secessionist group (see sections 2.a., 2.b., and 5). The government considered the SCNC an illegal organization because it advocated secession, which the law prohibits. The majority of SCNC members arrested during the year were not charged with any crime and were released after brief detentions. However, during the year police detained seven members of the SCNC leadership for periods of up to three months, and at year's end all seven remained in detention awaiting trial. For example on September 21, security forces arrested several SCNC activists in the North West Province town of Belo while they were holding a meeting and distributing T-shirts. While most of these individuals were released from custody after brief detentions, authorities charged three SCNC leaders with disturbing the public order and transferred them to a prison in Bamenda. At year's end they remained in prison and their trials were ongoing.

The government arrested a labor leader during a sit-in (see section 6.a.).

There were no developments regarding the November 2004 arrest of a Human Rights Defense Group member by a North West Province chief.

Police frequently arrested persons without identification during sweeps (see section 1.f.).

The law stipulates that detainees must be brought promptly before a magistrate; however, arbitrarily prolonged pretrial detention remained a serious problem, and sometimes persons were held incommunicado for months or even years (see section 1.c.). For example in Douala's New Bell prison and Yaounde's Kondengui prison, of 6,715 detainees, 5,300 were in pretrial detention. This high number of pretrial detainees was due to a multitude of factors, including the complexity of cases, staff shortages, and corruption. The average pretrial detention period ranged from one to five years. Longer detention periods were often linked to the loss of a file and the absence of a lawyer to follow up on the case. On January 14, the Union of North West Human Rights Organizations said it had visited 20 detainees of the Bamenda prison who had each been awaiting trial for 10 years.

There was no information available on Barnabe Atangana or Benoit Bilongo, who remained in pretrial detention at the end of 2004 after 20 years and 7 years, respectively.

The law specifies that, after an investigation has concluded, juveniles should not be detained without trial for longer than three months; however, in practice the government detained juveniles for longer periods of time. For example at the end of 2004 Michel Sighanou, a juvenile who was transferred from the Yabassi prison to another prison in 1996, had been awaiting trial for more than seven years; no additional information was available at year's end.

In recent years there have been reports that some prisoners remained in prison after completing their sentences or having been released under a court ruling. During a July visit to Douala, a Catholic prison chaplain told diplomatic observers that there were still many such cases. In August 2004 the media reported that more than 100 prisoners in Douala were being held after the completion of their terms and that many of them were being held because they had been unable to pay court fees. During 2004 lawyers representing these individuals filed suit for their release and also filed a complaint at the European Court of Human Rights seeking the prisoners' immediate release. At year's end many of these detainees were still being held because they still had not paid the fees or damages they owed.

e. Denial of Fair Public Trial

The law provides for an independent judiciary; however, the judiciary remained highly subject to executive influence, and corruption and inefficiency remained serious problems. The court system was subordinate to the Ministry of Justice, which was part of the presidency. The constitution specifies that the president is the guarantor of the legal system's independence. He also appoints all judges with the advice of the Supreme Council of the Magistrature. Some politically sensitive cases were never heard by the courts. However, the judiciary showed modest signs of growing independence. During the year the courts found the government liable for damages in a few human rights cases involving abuses by security officers.

The court system includes the Supreme Court, a court of appeals in each of the 10 provinces, and courts of first instance in each of the country's 58 divisions.

The legal system includes both national law and customary law, and many criminal and civil cases can be tried using either one; however, criminal cases are generally tried in statutory courts, and customary court convictions involving witchcraft automatically are transferred to the statutory courts, which act as the court of first instance. Customary law, which is used most frequently in rural areas, is based upon the traditions of the ethnic group predominant in the region and is adjudicated by traditional authorities of that group. 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 right to inheritance and employment, and some traditional legal systems classify wives as the legal property of their husbands (see section 5).

Customary courts served as a primary means for settling civil disputes in rural areas, primarily in family-related civil cases, such as in matters of succession, inheritance, and child custody. Divorce cases can be brought to customary courts only if the government has not sanctioned the marriage through an official license. Customary courts may exercise jurisdiction in a civil case only with the consent of both parties. Either party has the right to have the case heard by a statutory court and to appeal an adverse decision in a customary court to the statutory courts. Most traditional courts also permitted appeal of their decisions to traditional authorities of higher rank.

The legal structure is influenced strongly by the French legal system, although in the two Anglophone provinces certain aspects of the Anglo-Saxon tradition apply. In the past this mixed legal tradition led to conflicting court action in cases handled in both Francophone and Anglophone jurisdictions. The new Code of Penal Procedure will be applicable nationwide when it enters into force in 2006.

Trial Procedures

The law provides for a fair public hearing in which the defendant is presumed innocent; however, this provision often was not respected in practice. There is no jury system. Defendants have the right to be present and to consult with an attorney in a timely manner. Defendants generally were allowed to question witnesses and to present witnesses and evidence on their own behalf. Defendants also had access to government held evidence relevant to their cases. Because appointed attorneys received little compensation, the quality of legal representation for indigent clients often was poor. The Bar Association and some voluntary organizations, such as the Cameroon Association of Female Jurists, offered free assistance in some cases. The Project for the Improvement of Conditions of Detention continued to engage lawyers to work on prison cases. Trials normally were public, except in cases judged by the government (the Ministry of Justice) to have political overtones or to be disruptive to social peace. Defendants have a right to appeal their cases.

There were reports that officials continued to hold individuals in prison beyond the jail terms set by the courts. On April 4, the general prosecutor of the Yaounde superior court reviewed the files of approximately 150 prisoners at the Kondengui prison to check their judicial status. The general prosecutor focused on the case of Germain Dimoli Bekou, who received a death sentence in 1983. In 1992 her death sentence was subsequently commuted to a 20-year detention term. Following various presidential pardons, Bekou should have been released in 2002. The general prosecutor signed Bekou's immediate release.

Political bias by judges (often instructed by the government) often stopped trials or resulted in an extremely long process with extended court recesses. Powerful political or business interests enjoyed virtual immunity from prosecution; some politically sensitive cases were settled with a payoff.

Military tribunals may exercise jurisdiction over civilians when the president declares martial law and in cases involving civil unrest or organized armed violence. Military tribunals also have jurisdiction over gang crimes, banditry, and highway robbery. The government interpreted these guidelines broadly and sometimes used military courts to try matters concerning dissident groups and political opponents. Military trials often were subject to irregularities and political influence.

Political Prisoners

The government contended that it no longer held political prisoners; however, during the year authorities continued to hold two groups of prisoners who could be considered political prisoners. Fifteen members of the secessionist group SCNC continued to serve long prison sentences. They were part of a group of 37 SCNC members convicted in 1999 after military trials that did not meet international or national legal standards; Amnesty International (AI) and other international human rights NGOs criticized the trials as unfair. In addition the military tribunal admitted into evidence confessions that were credibly alleged in court to have been exacted under torture. These SCNC prisoners continued to claim that they were political prisoners convicted for supporting a political belief; however, the government claimed they were all imprisoned for acts of violence committed against government offices and officers. The government permitted access on a regular basis by international humanitarian organizations.

During the year the government held two additional individuals who could be considered political prisoners. In 1997, police arrested Titus Edzoa, former minister of health and long-time aide to President Biya, and Michel Thierry Atangana, Edzoa's campaign manager in the 1997 presidential elections. The arrests occurred three months after Edzoa had resigned from government and launched his candidacy for president, and three months before the October 1997 elections, in which President Biya was re-elected. In October 1997, after an uncharacteristically quick trial, a court convicted Edzoa and Atangana on charges of embezzlement of public funds, although police initially charged Edzoa with "activities and statements likely to disrupt the public order." Both men were sentenced to 15-year prison terms. Their lawyers were not present for the sentencing. In 1999 a court of appeals confirmed the ruling of the lower court. In 2003 the Supreme Court upheld the 1999 conviction. Edzoa was ordered to pay a substantial fine and incarcerated with Atangana at the maximum-security gendarmerie headquarters, with very limited access to visitors. At year's end they remained in prison.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions; however, these rights were subject to the "higher interests of the state," and there were numerous, credible reports that police and gendarmes harassed citizens, conducted searches without warrants, and opened or seized mail with impunity. The government continued to keep some opposition activists and dissidents under surveillance. Police sometimes punished family members and neighbors of criminal suspects.

The law permits a police officer to enter a private home during daylight hours without a warrant if he is pursuing an inquiry and has reason to suspect that a crime has been committed. The officer must have a warrant to make such a search after dark; however, a police officer may enter a private home at any time in pursuit of a criminal observed committing a crime.

An administrative authority may authorize police to conduct neighborhood sweeps without warrants, at times involving forced entry into homes in search of suspected criminals or stolen or illegal goods. Sweeps continued to occur in Yaounde and Douala, although there were fewer sweeps than in the previous year. Typically security forces sealed off a neighborhood, systematically searched homes, arrested persons arbitrarily, and seized suspicious or illegal articles. There were credible reports that security forces used such sweeps as a pretext to loot homes and arbitrarily arrest persons for minor offenses, such as not possessing identity cards. For example on June 14, the Douala police, accompanied by gendarmes and soldiers, conducted a sweep in the Douala neighborhoods of Bonakuamouang, Bessengue Valley, and Bessengue. During the operation the security forces arrested approximately 100 individuals, mostly young men and women, and held them in a Douala police station until their identity was established, a process that took 24 hours. Several inhabitants from these neighborhoods complained of the police's arbitrary seizure (theft) of electronic devices and cell phones and registered their complaints at the police station. On June 15, police, gendarmes, and soldiers also conducted a sweep in the Melen neighborhood of Yaounde, where they arrested individuals who had no identification papers. They were subsequently released after paying a fine.

In March and July the minister of land and land titles ordered that houses built on state land in the Yaounde neighborhoods of Ngoussou, Djoungolo, and Ekoudou-Bastos be demolished. The government said the owners of the demolished houses were not entitled to compensation because they were illegal squatters. Hundreds remained homeless at year's end.

There continued to be accusations, particularly in the North and Far North provinces, that traditional chiefs arbitrarily evicted persons from their land.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, the government continued to restrict these rights in practice. The government sometimes invoked strong libel laws to silence criticism of the government and officials. Journalists, particularly broadcast journalists, often practiced self-censorship as a result of government intimidation, harassment, and criminal penalties for speech-related offenses.

Individuals generally were able to criticize the government publicly and privately without being subjected to government reprisal, although the country's strict libel law resulted in self-censorship. The government prohibited discussion or the advocacy of secession, which resulted in numerous arrests of SCNC members during the year (see section 1.d.). The government monitored the meetings of the SCNC, but not of any opposition parties.

The government published one of the country's few daily newspapers, the *Cameroon Tribune*. It did not report extensively on protests or political parties critical of the government, overtly criticize the ruling party, or portray government programs in an unfavorable light.

During the year approximately 200 privately owned newspapers were published; however, only an estimated 25 were published on a regular basis. *Mutations*, *La Nouvelle Expression*, and *Le Messenger*, were the only privately owned daily newspapers. Newspapers were distributed primarily in urban areas, and most continued to criticize the government and report on controversial issues, including corruption, human rights abuses, and economic policies. However, the government used criminal libel laws to inhibit the press, and in 2004 the propagation of false information was also criminalized.

Despite the large number of private newspapers in the country, the influence of print media was minimal. Distribution was problematic outside of major towns, and prices of independent newspapers were high, due largely to high government taxes on newsprint; however, in 2004 the government established a special fund to support the development of the press, particularly newspapers, and funds were dispersed to some private newspapers and radio stations. The government continued to disperse such funds during the year. According to media reports, funding was awarded very selectively, and some media outlets, such as *Mutations* and Radio Reine, refused to apply for funds. The government maintained control of newspaper warehouses, but unlike in the previous year, there were no reports that the government seized editions of controversial newspaper editions prior to distribution.

The government tightly controlled the broadcast media. Radio remained the most important medium reaching most citizens. There were approximately 20 privately owned radio stations operating in the country. Approximately 75 percent of private radio stations were concentrated in Yaounde and Douala. Ownership of the private radio stations was very diverse, with only one owner having more than one station. The state-owned CRTV broadcast on both television and radio and was the only officially recognized and fully licensed broadcaster in the country. The government levied taxes on all registered taxpaying citizens to finance CRTV programming, which allowed CRTV a distinct advantage over independent broadcasters.

Nonprofit rural radio stations were required to submit an application to broadcast but were exempt from paying licensing fees. Potential commercial radio and television broadcasters must submit a licensing application and pay an application fee when the application is submitted. Once the license is issued, stations must then pay an annual licensing fee, which potentially was prohibitively costly. Between 1999 and the end of the year, the Ministry of Communication received more than 100 applications from potential broadcasters; however, no licenses had been issued to any private radio or TV stations since 2000. In many cases, the government allowed stations to operate while their license applications were pending, although the legal status of stations established before 2000 was not well defined and appeared to be illegal.

During the year the National Communications Council (NCC), whose members were appointed by the president, continued to review all broadcasting license applications, the first step in issuing licenses. In addition a technical committee composed of government-appointed members--including government officials, journalists, and jurists-- continued to review the NCC's decisions.

The government closed at least one radio station during the year. On June 1, the provincial delegate of communication for South West Province sealed the studios of Lake Side Independent Radio, claiming it operated illegally. The broadcaster had never submitted the appropriate file to the Ministry of Communication and he used a frequency that interfered with other provincial radios and TV. The broadcaster agreed to work on his authorization application, but the station had not been authorized to broadcast on an alternate frequency at year's end.

There were several low-power, rural community radio stations with extremely limited broadcast range that were funded by the UN Educational, Scientific, and Cultural Organization and foreign countries. The government prohibited these stations--which broadcast programs on education, health, the environment, and development to small audiences--from discussing politics.

The law permits broadcasting of foreign news services but requires foreigners to partner with a national station. The BBC, Radio France International, and Voice of America broadcast in partnership with state-owned CRTV.

Television was less pervasive but more influential than print media. The five independent television stations largely avoided criticizing the government, although their news broadcasts sometimes focused on issues of poverty, unemployment, poor education, and the government neglect and corruption which the broadcasts said had caused these problems.

Like the *Cameroon Tribune*, CRTV provided broad reporting of CPDM activities, while giving relatively little attention to the political opposition. During the year CRTV management continued to repeatedly instruct CRTV staff to ensure that government views prevailed at all times.

Security forces, usually acting under the command of local provincial government officials, continued to restrict press freedom by arresting, detaining, physically abusing, threatening, and otherwise harassing journalists. For example on November 10, police severely beat journalists Philip Njaru and Innocent Yuh at a police check point in Buea. The police accused them of being SCNC activists and of using radios as transmitters for the organization, despite the journalists' presentation of press credentials. The two men were hospitalized from their wounds. By year's end no official action had been taken against the police officers responsible for his injuries.

On November 11, police in the North West Province town of Kumbo arrested Andrew Mueller, an Australian freelance reporter for London-based dailies *The Independent* and *The Guardian*, while he gathered information on a story from SCNC Vice President Nfor Ngala Nfor and a local SCNC representative, both of whom were also arrested. Miller, who was reporting in the country without the appropriate visa and credentials and who was about to cover an SCNC meeting when he was arrested, was released without charge after three days of police detention. Both SCNC members were released a week later.

On July 12, the government unsealed the studios of Freedom FM. The government had closed Freedom FM in May 2003 on the grounds that station owner Pius Njawe, who had previously been jailed several times for criticizing the president, had not submitted to the Ministry of Communication a proper application for operation, although Njawe said he had. The minister of communication agreed to re-open the station after extensive negotiations between government representatives and the Free Media Group, the radio station's parent company. The minister withdrew the government's 2003 lawsuit against the station and promised to provide Freedom FM with a "provisional authorization to operate." On August 8, the minister of communication reminded Njawe of his commitment to withdraw his complaint filed at the African Commission on Human and Peoples' Rights. The minister said that delaying the withdrawal of the complaint would also delay the issuance of the provisional authorization to operate. By year's end the government had not allowed Freedom FM to begin broadcasting and the station's broadcast equipment remained sealed.

During the year a court rejected a 2004 appeal by a divisional officer (local government official) and ordered him to pay a fine of approximately \$1,500 (750 thousand CFA francs) because of actions he took in 2003 against a radio station. The court upheld the Bui high court's April 2004 ruling that said the divisional officer had acted illegally when he closed Radio Oku in 2003, temporarily detained four members of Radio Oku's board of directors, and placed three other members under temporary house arrest. During the year the officer relinquished control of the station, which he and other government agents had seized by force in May 2004; however, by year's end he had not paid the fine, and no official action had been taken against him for arresting and temporarily detaining the station manager and board chairman in April 2004.

Unlike in the previous year, there were no reports that the government indirectly censored the media by controlling advertising revenues. However, since the government was the largest advertiser in the country by far and could choose which media outlets from which to buy advertising, it continued to have a certain degree of influence over media outlets.

The government prosecuted its critics in the print media through criminal libel laws. These laws authorized the government, at its discretion

and the request of the plaintiff, to criminalize a civil libel suit or to initiate a criminal libel suit in cases of alleged libel against the president and other high government officials; such crimes are punishable by prison terms and heavy fines. The libel law places the burden of proof on the defendant. Local leaders in particular abused this law to keep local reporters from reporting on corruption and abusive behavior.

On January 10, a Douala court sentenced Jules Koum Koum, publisher of the independent Douala-based bimonthly *Le Jeune Observateur*, to six months in jail on charges of defamation. In April 2004 Koum Koum published an article in which he accused two insurance companies of mismanaging their funds. On February 9, the Douala court of appeals ordered Koum Koum's provisional release from New Bell Prison, and he was released the next day. By year's end an appeal trial had not yet begun, and the insurance company CPA had filed two additional complaints related to Koum's article. The two additional complaints were dropped, and no charges were pending at year's end.

On April 20, a court in the Far North Province town of Maroua sentenced in absentia Guibai Gatama, publisher of the weekly *L'oeil du Sahel*, and Abdoulaye Oumate, a journalist with the same newspaper, to 5 months in prison and ordered them to pay a fine of approximately \$10 thousand (5 million CFA francs) in a defamation case filed by Ahmed Aliou Ousman, the gendarmerie brigade commander of the Far North Province town of Fotokol. The judgment followed the newspaper's publication of a February article alleging that gendarmes from the brigade had extorted money from travelers at roadblocks. According to the New York-based press freedom NGO Committee to Protect Journalists (CPJ), the staff of *L'oeil du Sahel* was not informed of Aliou's charge or of the judicial hearing until after the court had passed the sentence. The newspaper was one of the few independent media outlets to operate in the north, and local sources told CPJ that local authorities had frequently harassed the newspaper's journalists. At year's end Gatama had filed an appeal, and a second commander named in the article had also filed criminal defamation charges. At year's end the trial was still pending.

On July 6, a prosecutor ordered the arrest and indefinite detention of Joseph Bessala Ahanda, chief editor of the private weekly *Le Front*, during an investigation of defamation allegations against him. Ahanda's arrest followed the newspaper's publication of a series of reports alleging that the former director of the country's postal services and the publisher of a private newspaper collaboratively embezzled state funds. On July 21, Ahanda was released without charge from Yaounde's Kodengui prison.

On August 17, a court in the Far North Province town of Maroua sentenced in absentia *L'oeil du Sahel* publisher Gatama, ordering him to pay damages of approximately \$24 thousand (12 million CFA francs) in a libel case filed by the province's chief of military security and the Domayo public high school headmaster. In 2003 the paper had written that the chief of military security had beaten the headmaster because the chief's children were among the students who had been assigned to clean the school. According to CPJ, the staff of *L'oeil du Sahel* was not informed of the charge or of the judicial hearing until after the court had passed the sentence. Gatama told CPJ in an interview that military officers had brought at least 12 court cases against the newspaper between January and August, threatening the newspaper's financial survival. CPJ said that during the year *L'oeil du Sahel* frequently reported alleged abuses of power by security forces in the area and had often been threatened by local officials and soldiers.

In March according to press reports, Eric Wirkwa Tayu, the publisher of the small private newspaper *Nso Voice* based in Kumbo, remained in jail, despite having served a court's five-month prison term following a July 2004 conviction on charges of defaming Kumbo's mayor. Tayu reportedly was unable to pay the \$600 (300 thousand CFA francs) court-imposed fine, resulting in a doubling of his term of imprisonment.

On March 16, the Union of Cameroonian Journalists created the Cameroon Media Council (CMC), an independent self-regulating body of journalists aiming to promote press freedom, access to information, professionalism, and ethical reporting. The CMC, which the minister of communication said he supported, also had as part of its mission the goal of reviewing and disciplining media professionals and arbitrating complaints against journalists. Complaints included ethical breaches, such as the common practice for newspaper reporters and editors of accepting payments from politicians and businessmen to write articles containing unsubstantiated allegations against the opponents and competitors of their benefactors.

Unlike in the previous year, there were no reports that the government attempted to monitor the Internet. There were also no reports that the government restricted access to the Internet.

Although there were no legal restrictions on academic freedom, state security informants operated on university campuses. Professors said that participation in opposition political parties could adversely affect their professional opportunities and advancement. During the year strikes in the state Universities of Yaounde I, Dschang, Douala, and Buea deteriorated and resulted in violent confrontations between students and security forces (see section 2.b.).

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly; however, the government restricted this right in practice.

The law requires organizers of public meetings, demonstrations, or processions to notify officials in advance but does not require prior government approval of public assemblies and does not authorize the government to suppress public assemblies that it has not approved in advance. However, officials routinely have asserted that the law implicitly authorized the government to grant or deny permission for public assembly. Consequently, the government often did not grant permits for assemblies organized by persons or groups critical of the government and repeatedly used force to suppress public assemblies for which it had not issued permits.

Security forces forcibly disrupted the demonstrations, meetings and rallies of citizens, trade unions, and groups of political activists throughout the year, and some deaths resulted from the police's use of excessive force to disperse demonstrations.

On numerous occasions throughout the year, authorities refused to grant permission to hold rallies and meetings to political groups that the government deemed illegal. For example on August 24, the prefect of the Mezam division of North West Province banned all public demonstrations, rallies, or meetings--even in private residences--held by the SCNC in the whole Mezam Division. According to the government, the SCNC was an illegal organization that fostered secession, an activity prohibited by law.

Throughout the year, security forces disrupted SCNC meetings, even those in private residences, arresting SCNC activists and releasing them a couple of days later. For example on January 15, police in the South West Province capital Buea broke into the residence of Henry Fossung, the leader of a faction of the SCNC; broke up an SCNC meeting; and arrested 50 members and sympathizers. Some of the participants were injured during the operation. While police released Fossung later the same day, police detained and interrogated the others for 24 hours before releasing them.

In advance of the annual celebration of Southern Cameroon "independence" on October 1, the government engaged in a campaign of closing down SCNC rallies and meetings. This was accompanied by a heavy-handed propaganda effort by Anglophone government officials in order to counteract SCNC statements.

Police forcibly dispersed student demonstrations during the year. In March security forces beat and arrested 50 students in the West Province capital Bafoussam on charges of participating in an illegal demonstration; it was deemed illegal because the students had not requested formal permission to rally. The students, who were released following brief detentions, were protesting the conviction of one of their professors who was sentenced to 12 years in jail for theft of academic materials. Human rights NGOs criticized police conduct.

On April 28, security forces shot and killed two University of Buea students, Gilbert Forlen and Aloysius Embwam, during a protest and strike by university students in the South West provincial capital Buea. A third student died of wounds she sustained during the clash with police and gendarmes, and many others were taken to the hospital as a result of security forces' use of tear gas and water cannons. The clash occurred when students took to the streets to reach the province's governor and hand in their complaints about school fees and academic and living conditions. A police officer with the last name of Miphiri was identified as the shooter and was arrested and transferred to Yaounde. The investigation continued at year's end, and no trial had begun.

Unlike in the previous year, there were no reports that security forces broke up or disrupted gatherings of the Social Democratic Front (SDF), an opposition party, during the year.

On October 1, a traditional day of protest for the SCNC, security forces arrested and detained some activists in the North West and South West provinces because of activities such as raising an SCNC flag in a public market place. They were released after a few day's detention.

No action reportedly was taken against the members of the security forces who forcibly dispersed demonstrations in 2004 or 2003.

Freedom of Association

The law provides for freedom of association, but the government limited this right in practice. On August 21, gendarmes of the North West Province arrested 17 SCNC activists in the localities of Bafut, Tubah, and Fundong for holding meetings in private residences and wearing SCNC T-shirts. Police transferred these activists to the Bamenda central prison, and on August 13 police released without charge 13 of those arrested. At year's end four activists remained in detention on criminal charges, and a trial was pending. At year's end the prefect of Douala's Wouri Division had not lifted a June 2003 ban on all activities of the Front of Alternative Forces, a coalition of associations and parties created prior to 2004 presidential elections (and which since disbanded); the prefect said that the group was disorderly and had not applied for legal status.

The conditions for government recognition of a political party, a prerequisite for many political activities, were not onerous. More than 180 political parties operated legally, together with a large and growing number of civic associations.

One of the groups that encountered the most forceful action from the government was the SCNC. Through arrests and other actions, the government committed many violations of the freedom of association rights of SCNC members and supporters during the year. The SCNC was considered an illegal organization because it advocated secession, which the law prohibits, and because it has never formally registered as a political organization. The government considered all SCNC activities illegal (see sections 2.a. and 5).

c. Freedom of Religion

The law provides for freedom of religion, and the government generally respected this right in practice; however, there were a few exceptions.

Religious groups must be approved and registered with the Ministry of Territorial Administration and Decentralization to function legally. Although there were no reports that the government refused to register any group, the process usually took several years, due primarily to administrative delays. The government did not register traditional religious groups on the grounds that the practice of traditional religion was a private concern observed by members of a particular ethnic or kinship group or the residents of a particular locality.

There were no further developments in the January 2004 arrest and detention of Michel Atanga Effa and Gervais Balla for the 2003 murder of a priest, or in the May 2004 beating of Pastor Alombah Godlove by the traditional ruler of his village.

The practice of witchcraft is a criminal offense under the law; however, individuals generally were prosecuted for this offense only in

conjunction with another offense, such as murder. Witchcraft traditionally has been a common explanation for diseases of unknown cause.

Societal Abuses, Discrimination and Anti-Semitism

Discrimination in the northern provinces, especially in rural areas, by Muslims against Christians and persons who practiced traditional indigenous religions remained strong and widespread.

The size of the Jewish community was very small, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the 2005 [International Religious Freedom Report](#).

d. Freedom of Movement within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights; however, security forces routinely impeded domestic travel during the year.

Roadblocks and checkpoints manned by security forces proliferated in cities and most highways, making road travel both time-consuming and costly. Extortion of small bribes was commonplace at these checkpoints. Police frequently stopped travelers to check identification documents, vehicle registrations, and tax receipts as security and immigration control measures. Unlike in the previous year, there were no reports that security forces killed individuals suspected of evading checkpoints.

There were credible reports that police arrested and beat individuals who failed to carry their identification cards (see section 1.f.).

The law prohibits forced exile, and the government did not use it; however, some human rights monitors or political opponents who considered themselves threatened by the government left the country voluntarily and declared themselves to be in political exile. For example in July 2004, Anna Ndep Takem, an SCNC activist, reportedly fled the country after learning that authorities were planning to arrest her for providing food and assistance to detained SCNC activists in the Yaounde Central Prison.

On April 14, the government, the Nigerian High Commission to Cameroon, and the Office of the UN High Commissioner for Refugees (UNHCR) signed a tripartite agreement for the voluntary repatriation of 10 thousand of the 17 thousand Nigerian Fulani cattle breeders who fled their homes in 2001 to escape ethnic fighting. The repatriation operation started on April 18, resulting in the repatriation of at least 10 thousand refugees by year's end.

Internally Displaced Persons (IDPs)

In late March, between 10 thousand and 15 thousand citizens in and around the Adamawa Province villages of Djohong and Ngaoui were displaced following attacks and looting by unidentified armed groups from the CAR. According to Adamawa Province's governor, the armed groups targeted cattle herders of the M'bororo ethnic group, kidnapping them and demanding ransom because of the perceived wealth of the M'bororo (see section 1.b.). The government reportedly sent troops in April to restore order in the border area. During the year the government worked with the UNHCR to protect and assist IDPs.

Protection of Refugees

The law provides for the granting of asylum and refugee status in accordance with the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system of providing protection to refugees. In practice, the government provided protection against *refoulement*, the return of persons to a country where they feared persecution, and granted refugee status or asylum. In June the National Assembly passed legislation that formally establishes the status of refugees, and the president signed it into law on July 27.

The government also provided protection to certain individuals who may not qualify as refugees under the 1951 convention and its 1967 protocol. At year's end the UNHCR estimated that the country provided temporary protection to approximately 40,000 refugees, the majority of whom were Chadian and Nigerian, in addition to 6 thousand asylum seekers. Between January and December, as a result of numerous attacks and kidnappings by unidentified armed groups in the CAR, between 3 thousand and 10 thousand members of the M'bororo ethnic group reportedly fled the CAR to Cameroon, according to UN agencies and local human rights groups.

The government cooperated with the UNHCR and other humanitarian organizations in assisting refugees and asylum seekers.

The UNHCR confirmed that three thousand refugees from the CAR, mostly M'bororos, had been registered in the Adamawa Province of Cameroon and that armed groups had conducted massive attacks on the M'bororo population on the Cameroonian side of the border. In late April, the Cameroon and CAR armies launched a joint military operation against those armed groups.

In March and April hundreds of individuals claiming to be refugees protested in the streets, saying that the UNHCR and the Cameroonian Red Cross had violated their rights. The true status of the protesters was difficult to determine. UNHCR stated that most of them were economic immigrants and therefore not entitled to refugee privileges. The protesters complained that they were not being allowed to relocate to a country of their choice. Others also complained that refugee certificates were delayed in delivery. UNHCR stated that it was not issuing certificates because these protesters did not qualify for refugee status.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides that citizens have the right to change their government peacefully; however, dominance of the political process by the president and his party and electoral intimidation, manipulation, and fraud severely limited the ability of citizens to exercise this right.

Elections and Political Participation

In October 2004 President Biya, who has controlled the government since 1982, was re-elected with approximately 70 percent of the vote in an election widely viewed as freer and fairer than previous elections and in which opposition parties fielded candidates. However, the election was poorly managed and marred by irregularities, in particular in the voting registration process, but most international observers deemed that the irregularities did not prevent the elections from expressing the will of the voters. Some observers said progress had been made and called the election transparent; others, such as the Commonwealth Observer Group, stated that the election lacked credibility. Some opposition parties alleged that there was multiple voting by individuals close to President Biya's party and massive vote rigging. One domestic group described the election as a masquerade. The 2002 legislative elections, which were dominated by the CPDM, largely reflected the will of the people; however, there were widespread irregularities.

Since 1991 only government bills proposed by the presidency have been enacted by the National Assembly; however, in April 2004 the National Assembly agreed to consider a bill submitted by the leading opposition party. Only parties with representatives in the National Assembly can submit bills for consideration. During its June session, the National Assembly refused to consider a bill on electoral reform tabled by the SDF, the leading parliamentary opposition party.

The president's control over the country's administrative apparatus was extensive. The president appoints all ministers, including the prime minister, and also directly appoints the governors of each of the 10 provinces. The president also has the power to appoint important lower level members of the 58 provincial administrative structures.

The right of citizens to choose their local governments remained circumscribed. The government increased greatly the number of municipalities run by presidentially appointed delegates, who have authority over elected mayors. Delegate-run cities included most of the provincial capitals and some division capitals in pro-opposition provinces; however, this practice was nonexistent in the southern provinces, which tended to support the ruling CPDM party. In municipalities with elected mayors, local autonomy was limited since elected local governments relied on the central government for most of their revenue and administrative personnel.

There were more than 180 registered political parties in the country; however, fewer than 10 had significant levels of support, and only 5 had seats in the National Assembly. The ruling CPDM held an absolute majority in the National Assembly; opposition parties included the SDF, based in the Anglophone provinces and the largest of the opposition parties, the National Union for Democracy and Progress, the Cameroon Democratic Union, and the Union of the Peoples of Cameroon.

Members of the Beti ethnic group, including the Bulu subgroup to which the president belonged, figured prominently in the government, civil service, and the management of state-owned businesses.

Women held 18 of 180 seats in the National Assembly, 6 of 61 cabinet posts, and a few of the higher offices within the major political parties, including the ruling CPDM.

Many of the key members of the government were drawn from the president's own Beti/Bulu ethnic group, as were disproportionately large numbers of military officers and CPDM officials. Pygmies were not members of the legislature or the government.

Government Corruption and Transparency

Corruption remained a serious problem in all branches of Government. The public perception was that judicial and administrative officials were open to bribes in almost all situations. According to a TI survey published in December, an average household paid \$205 (113 thousand CFA francs) each year in bribes, or more than 20 percent of the average person's annual income; the average annual income per person was approximately \$800 (440 thousand CFA francs).

During the year local and international activists continued to criticize the government's lack of transparency in managing revenues from an international oil pipeline. In response to pressure from international financial institutions, the government agreed in March to the conditions of the Extractive Industries Transparency Initiative and published oil revenues from the first six months of the year on the prime minister's Web site.

During the year the government took some steps to fight corruption. For example in March, the government installed a new computer program to detect fraudulent state employees and to better control the number of its civil servants and employees. By year's end the system revealed at least three thousand "ghost" employees who did not exist or who were fraudulently drawing salaries.

In June and August, the government hired 22 potential candidates for the Audit Bench of the Supreme Court. On August 24, the 22 started a 2-month training at the National School of Administration and Magistracy. In early December the President appointed the Audit Bench Magistrates, who were sworn in and had begun to review the budget by year's end.

There was a National Corruption Observatory to combat corruption within the government at all levels; however, it remained severely underfunded. The observatory has the power to investigate cases, which are then handed over to the Ministry of Justice to be verified and

sent to the courts for prosecution. The observatory did not investigate any cases of corrupt government officials this year.

There were two publicized prosecutions of corrupt government officials during the year. In April the Yaounde superior court sentenced Menouga Mevoa, a former post office manager, to 15 years in jail for the 2003 embezzlement of \$1.8 million (900 million CFA francs). In June the Yaounde superior court held the first hearings in the trial of three postal services officers accused of embezzling \$2 million (101 million CFA francs) in public funds in 2002. The trial was still underway at year's end.

On May 31, President Biya created the National Agency for the Investigation of Financial Crimes. Part of its mission is to fight money laundering, corruption-related enrichment, and the embezzlement of public funds. The president appointed officials to the agency on August 10, and they were sworn in on September 21. The agency was functioning by year's end.

There were no laws providing citizens with access to government information, and in practice, such access was difficult to obtain. Most government documents were not available to the public, including the media.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing findings on human rights cases; however, government officials repeatedly impeded the effectiveness of local human rights NGOs during the year by harassing members of human rights groups, limiting access to prisoners, refusing to share information, and threatening and using violence against personnel. Throughout the year, police continued to harass Philip Njaru, a human rights activist and executive director of the Kumba-based Friends of the Press Network, a human rights organization in Southwest Province. Access by international NGOs to prisons reportedly improved during the year (see section 1.c.). The activities of virtually all of these groups were limited by a shortage of funds and trained personnel. Observers criticized the country's NGO laws for giving the government the opportunity to deny authorization to operate and eliminate NGOs by decree.

Numerous domestic human rights NGOs operated in the country, including, among others, 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.

Unlike in the previous year, there were no reports that the government arrested NGO members. There were no further developments in the 2003 arrest of Abdoulaye Math, who was awaiting trial at year's end.

In September AI released a report, *Contracting out of Human Rights: The Chad-Cameroon pipeline Project*, that criticized the government for placing financial interests above the concerns of citizens. Citing claims that the 2003 construction of an oil pipeline running from Douba in southern Chad to the port city of Kribi in southwest Cameroon had damaged the livelihoods of fishermen, AI called on the government to offer recourse to the fishermen and to amend the agreements with oil companies to safeguard human rights. The government continued to work with the conglomerate running the pipeline to identify communities affected by the pipeline and to offer remuneration and other self-help projects.

The government cooperated with international governmental organizations and permitted visits by UN representatives and other organizations such as the ICRC.

The NCHRF has the authority to summon witnesses and publish reports and the findings of its investigations. On July 7, the president signed the implementing decree for a law passed by the National Assembly in July 2004 that expanded the powers of the NCHRF and authorized it to summon witnesses and publish reports and investigation findings. It also created a permanent secretariat, a division in charge of the protection and promotion of human rights and freedoms. While the NCHRF remained hampered by a shortage of funds, during the year it conducted a number of investigations into human rights abuses, visited prisons, and organized several human rights seminars aimed at judicial officials, security personnel, and other government officers. Although the commission infrequently criticized the government's human rights abuses publicly, its staff intervened with government officials in specific cases of human rights abuses by security forces, attempted to stop Friday arrests (see section 1.d.), and sought to obtain medical attention for jailed suspects in specific cases.

In February the government created a division of human rights in the Ministry of Justice to investigate and report on all cases of human rights abuses in the areas under the ministry's responsibility, including prisons, jails, and courtrooms.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

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

Women

Domestic violence against women was common. While there were no reliable statistics on violence against women, a large number of newspaper reports indicated that the phenomenon was widespread. The law does not specifically prohibit domestic violence, but assault is prohibited and is punishable by prison terms and fines; however, in practice the government did not effectively enforce it in the case of

assault on women. Women's rights advocates reported that the law does not impose effective penalties against men who commit acts of domestic violence. There are no gender-specific assault laws, despite the fact that women were the predominant victims of domestic violence. Spousal abuse is not a legal ground for divorce. In cases of sexual assault, a victim's family or village often imposed direct, summary punishment on the suspected perpetrator through extralegal means, ranging from destruction of property to beating. During the year there were no reports of any convictions, or of any action by the government to combat domestic violence.

The law prohibits rape, and although rape occurred, police and the courts investigated and prosecuted cases of rape, which resulted in some convictions during the year. Official and private media regularly covered rape cases handled by the courts during the year. In June a couple of newspapers released special issues on the problem of rape, which was becoming acute, especially in Douala and Yaounde. According to one of the reports, the Douala Courts heard approximately 40 cases per month.

The law does not prohibit female genital mutilation (FGM), and FGM was not practiced widely; however, it continued to be practiced in isolated areas in 3 of the 10 provinces, including some areas of Far North, Eastern, and South West provinces. Internal migration contributed to the spread of FGM to different parts of the country. The majority of FGM procedures were clitorectomies; however, the severest form of FGM, infibulation, was performed in the Kajifu region of the Southwest Province. FGM usually was practiced on infants and pre-adolescent girls. During the year the government did not conduct programs to educate the population about the harmful consequences of FGM or prosecute any persons who allegedly performed FGM; however, the Association of Women Against Violence continued to conduct a program in Maroua to assist victims of FGM and their families and to educate local populations.

While the law prohibits prostitution, it was tolerated. Prostitution was practiced predominately in urban areas by locals, and trafficking for the purposes of commercial sexual exploitation occurred (see Section 5, Trafficking).

During the year a foreign pharmaceutical company conducted a clinical study of a drug intended to prevent the spread of HIV/AIDS among 400 female prostitutes, none of whom had HIV at the beginning of the trial. Local and international NGOs criticized the company and the Ministry of Health for lack of transparency and negligence, asserting that the government and the company did not sufficiently inform the prostitutes of the risks involved with taking part in the trials. According to Doctors without Borders and a UN press agency, there was no provision for free treatment against HIV/AIDS in the protocol agreement governing the trial and its participants, although free condoms and HIV/AIDS testing were provided. Some of the participants said they believed they had been "vaccinated" by the pills they received and could not contract HIV/AIDS, even though 200 prostitutes had been given placebos. At least three prostitutes were infected with HIV after having unprotected sex during the trial. In response to the allegations of misconduct, the Ministry of Health suspended the clinical tests in February, citing "dysfunctions" and saying that "certain corrective measures" needed to be taken by the research team. The minister also set up an independent inquiry, which reported that although allegations about safety made by certain NGOs were not true, new procedures needed to be instituted to ensure more regular reporting and study site accreditation before the trials could resume. By year's end the trial had not resumed.

While the law prohibits sexual harassment, very few cases were reported or prosecuted during the year. The government did not conduct any public education campaigns on the subject and there were no statistics available on its occurrence.

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 commerce tribunal of his opposition based upon the family's interest. Partly for this reason, some employers required a husband's permission before hiring female employees.

Customary law was far more discriminatory against women, since in many regions a woman customarily was regarded as the property of her husband. Because of the importance attached to customs and traditions, civil laws protecting women often were not respected. In the customary law of some ethnic groups, husbands not only maintained complete control over family property, but also could divorce their wives in a traditional court without being required to provide either verifiable justification or alimony. Polygyny was permitted by law and tradition. In cases of divorce, the husband's wishes determined the custody of children over the age of six. While a man may be convicted of adultery only if the sexual act takes place in his home, a female may be convicted without respect to venue.

Traditional law normally governed the extent to which a woman may inherit from her husband in the absence of a will, and traditions varied from group to group. In many traditional societies, custom grants greater authority and benefit to male heirs than to female heirs. Women also faced the issue of forced marriage; in some regions, girls' parents could and did give girls away in marriage without the bride's consent. Often the husband, who could be many years older than his bride, paid his wife's parents a "bride price." Since a price had been paid, the girl was considered the property of the husband. When a married man died, his widow often was unable to collect any inheritance, since she herself was considered part of the man's property. Often the widow was forced to marry one of the deceased husband's brothers. If she refused, she had to repay the bride price in full and leave the family compound. In the northern provinces, some Lamibe reportedly prevented their wives and concubines from leaving the palace. The lack of a national legal code covering such family issues often left women defenseless against these male-oriented customs.

In May 2004, religious leaders, including Catholics, Protestants, and Muslims, launched a nationwide program to fight violence against women.

Children

During the year the government made some efforts to protect children's rights and welfare, including participation in seminars on children's rights. In December the National Assembly passed the Anti-Child Trafficking law, which was signed into law by the president.

The law provides for a child's right to education, and schooling was mandatory through the age of 14. Since parents had to pay uniform and

book fees for primary school, and because tuition and other fees for secondary education remained costly, education largely was unaffordable for many children. The government took measures during the year to improve access to schools.

According to statistics from the Ministry of Education, 72.2 percent of girls between the ages of 6 and 14 were enrolled in school, compared with 81.3 percent for boys of the same age group. According to the UN Children's Fund (UNICEF), the secondary school enrollment ratio (gross) was 36 percent for boys and 29 percent for girls. The low education rate continued to be attributed to socio-cultural prejudices, early marriage, sexual harassment, unwanted pregnancy, and domestic chores.

In October 2004 the minister of education and the minister of youth and sports presented the results of a study on the country's education system. The study revealed a large disparity between the number of potential students and the capacity of the schools. According to the report, preschools served only 16 percent of all possible students. Within the entire school system, the northern provinces were the most underprivileged, with only 5.7 percent of all teachers working in the Adamawa, North, and Extreme North provinces combined. The capacity of the schools was also inadequate. The study showed that elementary schools only had enough seats for 1.8 million students, although 2.9 million attended school.

Medical care was provided by the government through local clinics and hospitals and through a limited number of school doctors. Families with enough financial resources had access to a number of private clinics and hospitals.

The exact extent of familial child abuse was not known; however, children's rights organizations targeted the problem. Newspaper reports often cited children as victims of kidnapping, mutilation, and even infanticide. There were several credible stories of mothers (usually young, unemployed, and unmarried) abandoning their newborns in streets, garbage cans, and pit toilets.

FGM was performed primarily on young girls (see section 5, Women).

Despite the law that fixes a minimum age of 15 years for a bride, many families facilitated the marriage of young girls by the age of 12 years. Early marriage was prevalent in the northern provinces of Adamawa and the North, but it was especially characteristic of the remote Far North Province, where many young women faced severe health risks from pregnancies as early as 13 years of age. There were no statistics on the prevalence of child marriage. Anecdotal evidence indicated that some parents might have promised a female baby to an older male in order to begin receiving dowry payments.

There were reports of child prostitution and trafficking in children during the year (see section 5, Trafficking).

Child labor remained a problem (see section 6.d.).

Although exact numbers were unavailable, the country had a significant number of displaced or street children, most of whom resided in urban areas such as Yaounde and Douala.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons, but the law does prohibit slavery, prostitution, forced labor, and other crimes related to trafficking in persons and establishes minimum age requirements for workers. Trafficking remained a problem. Courts prosecuted traffickers using various provisions of the Penal Code that address related crimes. The country was a source, transit, and destination point for internationally trafficked persons; trafficking also occurred within the country. The Anti-Child Trafficking law, drafted by the government in cooperation with the International Labor Organization (ILO), went in effect in late December.

The law provides that any person who engages in crimes often associated with trafficking in persons shall be punished by prison terms of between 6 months and 20 years.

The Ministry of Labor, Employment, and Social Insurance was primarily responsible for fighting trafficking; however, the ministry was severely underfunded. It was believed that authorities prosecuted several trafficking cases during the year, but actual rates were difficult to determine since traffickers could be prosecuted under various sections of the penal code, and there was no system for tracking outcomes.

In February a Yaounde court sentenced an individual with the name of Nkodo to 3 years in jail and ordered her to pay damages of \$2 thousand (1 million CFA francs) to her victim, a 19-year-old girl who worked for her as a prostitute.

In May gendarmes in Yaounde dismantled a prostitution ring which used young boys. The boys were lured into the ring by the prospect of being hired by prestigious soccer clubs in a foreign country. Police arrested three of the organization's five members, who were in detention and awaiting trial at year's end; the other two were still in hiding.

On June 20, police arrested three individuals, including a Cameroonian woman and two Gabonese men, in the South Province, close to the Gabonese border. The three individuals were arrested while trying to smuggle two 13-year-old girls, who were kidnapped in the Boyo Division of the North West Province, into Gabon. The three were put under detention, pending trial. During the investigation, South Province police officials said it was the third time that they had arrested traffickers at the country's borders with Gabon and Equatorial Guinea.

There was no information about three individuals who were arrested in 2003 for their involvement in trafficking six children from the town of Obala to Yaounde.

The government continued to fight trafficking through the use of an interagency committee and a program to find and return trafficked children. In addition the government cooperated with Gabon, Nigeria, Togo, and Benin in fighting trafficking through the exchange of information and preparation of common legislation on trafficking. During the year the ILO and some local NGOs briefed parliamentarians on the problem of trafficking in persons.

Women and children traditionally have faced the greatest risk of trafficking and have been trafficked most often for the purposes of sexual exploitation and forced labor. Most trafficking in children occurred within the country's borders, while most trafficked women were transported out of the country. According to anecdotal evidence by the NCHRF, women often were "hired" into hubs of prostitution, often in Europe. The method for trafficking women usually involved a marriage proposition by a foreign businessman. The woman was inducted into servitude upon arrival at a foreign destination. Girls were internally trafficked from the Adamawa, North, Far North, and Northwest provinces to Douala and Yaounde to work as domestic servants, street vendors, or prostitutes. Children were also internally trafficked to work on cocoa bean plantations. There have been credible reports of slavery, especially in some chiefdoms in the North Province (see section 6.c.).

According to a study by the International Circle for the Promotion of Creation and the Cameroon Society for Prevention of Child Abuse and Neglect, of 722 young girls between 9 and 20 years old interviewed in the cities of Yaounde, Douala, Bamenda, and Bafoussam, 291 were the victims of sexual exploitation.

Unlike in the previous year, there were no reports of radio advertisements offering to take adolescent girls between the ages of 10 and 17 to Yaounde and Douala for domestic labor; however, there continued to be flyer advertisements.

A 2000 ILO study conducted in Yaounde, Douala, and Bamenda, reported that trafficking accounted for 84 percent of child laborers in those three cities. During the year local NGOs said they believed that this statistic was still accurate. In most cases, intermediaries presented themselves as businessmen, approaching parents with large families or custodians of orphans and promising to assist the child with education or professional training. The intermediary paid parents an average of \$12 (6 thousand CFA francs) before transporting the child to a city where the intermediary would subject the child to forced labor with little remuneration. In 4 out of 10 cases, the child was a foreigner transported to the country for labor. The report also indicated that the country was a transit country for regional traffickers, who transported children between Nigeria, Benin, Niger, Chad, Togo, the Republic of the Congo, and the CAR for indentured or domestic servitude, farm labor, and sexual exploitation. Citizens also were trafficked to South Africa.

The Institute for Socio-Anthropologic Research of the Yaounde-based Catholic University of Central Africa continued an ILO-sponsored Exploratory Study on Child Trafficking during the year.

During the year the ILO and the government continued to support an awareness campaign to eradicate child trafficking in airports. Special antitrafficking embarkation/disembarkation cards continued to be designed and distributed. The cards described the dangers of trafficking and how to recognize the phenomenon.

The government continued to work with local and international NGOs to provide temporary shelter and assistance to victims of trafficking. In August, a local NGO graduated 70 trafficking victims from its rehabilitation and reintegration program. The Catholic Relief Service worked to combat corruption in local schools that led to child prostitution. UNICEF was also actively engaged in combating girls' prostitution throughout the year.

Persons with Disabilities

The law provides certain rights to persons with disabilities, including access to public institutions, medical treatment, and education, and the government was obliged to bear part of the educational expense of persons with disabilities, to employ them where possible, and to provide them with public assistance when necessary; however, the government rarely honored these obligations. There were few facilities for persons with disabilities and little public assistance; lack of facilities and care for persons with mental disabilities particularly was acute. Society largely tended to treat those with disabilities as outcasts, and many felt that providing assistance was the responsibility of churches or foreign NGOs. The law does not mandate special access provisions to private buildings and facilities for persons with disabilities.

National/Racial/Ethnic Minorities

The population consists of more than 200 ethnic groups, among which there were frequent and credible allegations of discrimination. Ethnic groups commonly gave preferential treatment to fellow ethnic group members both in business and social practices.

Members of President Biya's Beti/Bulu ethnic group from southern parts of the country held key positions and were disproportionately represented in government, civil service, state-owned businesses, the security forces, and the ruling CPDM party.

The M'Bororo, a group of semi-nomadic Fulani cattle raisers were given rights over pastoral land in the North West Province by the British colonial government; however, in 1986 Alhadji Baba Ahmadou Danpullo, a prominent businessman and member of the ruling party, established a commercial ranch on this land. For the last 19 years the M'Bororo have claimed that Danpullo has forcibly displaced them; seized their land, cattle, and women; and used his money and influence with the government to order the beating and false imprisonment of members of the M'Bororo. A special government commission of inquiry finished hearing testimony on the Danpullo-M'Bororo dispute and sent its report to the Ministry of Justice early in the year. No further information was available on the status of the case at year's end.

Northern areas of the country continued to suffer from ethnic tensions between the Fulani (or Peuhl) and the Kirdi. The Kirdi remained socially, educationally, and economically disadvantaged relative to the Fulani in the three northern provinces. Traditional Fulani rulers, called Lamibe, continued to wield great power over their subjects, often including Kirdi, sometimes subjecting them to tithing and forced labor.

During the year isolated cases of slavery were reported, largely Fulani enslavement of Kirdi.

Natives of the North West and South West provinces tended to support the opposition party SDF and suffered disproportionately from human rights violations committed by the government and its security forces. The Anglophone community was underrepresented in the public sector. Although citizens in certain Francophone areas--the Far North, North and Adamawa provinces--voiced similar complaints about under-representation and neglect of government provision of services, Anglophones said they generally believed that they had not received a fair share of public sector goods and services within their two provinces. Some residents of the Anglophone region sought greater freedom, equality of opportunity, and better government by regaining regional autonomy rather than through national political reform and have formed several quasi-political organizations in pursuit of their goals.

At least one Anglophone group, the SCNC, advocates secession from the country. During the year security forces harassed and arrested the participants of SCNC meetings (see sections 1.d., 2.a., and 2.b.). The government also continued to hold some SCNC activists in temporary detention, pending their trials. The opposition SDF party, whose base of support resides in the Anglophone provinces, reiterated its commitment to pursue a nonviolent political struggle toward the restoration of a federal republic.

Some members of the country's large community of Nigerian immigrants complained of discrimination and abuse by government officials (see section 1.c.). Government officials repeatedly announced crackdowns on undocumented Nigerian immigrants, and illegal immigrants were subject to harassment on some occasions.

Indigenous People

A population of approximately 50 thousand to 100 thousand Baka (Pygmies), a term that encompasses several different ethnic groups, primarily resides (and were the earliest known inhabitants) in the forested areas of the South and East provinces. While no legal discrimination exists, other groups often treated the Baka as inferior and sometimes subjected them to unfair and exploitative labor practices. Baka reportedly continued to complain that the forests they inhabit were being logged without fair compensation. Some observers believe that sustained logging was destroying the Baka's unique, forest-oriented belief system, forcing them to adapt their traditional social and economic systems to a more rigid modern society similar to their Bantu neighbors. Local Baka along the path of the Chad-Cameroon pipeline continued to complain that they were not compensated fairly for their land. Others alleged that they had been cheated of their compensation by persons posing as Baka representatives.

An estimated 95 percent of Baka did not have national identity cards; most Baka could not afford to provide the necessary documentation to obtain national identity cards, which were required to vote in national elections. In May 2004 Plan International and another NGO launched a program to educate Bakas about their political rights, which included the construction of a communal radio in the region of Abong-Mbang (Upper Nyong Division, East Province). In July 2004 the Association of Boumba and Ngoko Divisional Councils conducted a campaign through which they were able to issue hundreds of identification cards to Bakas in the East Province, thereby allowing these individuals to register and vote.

In August the Ministry of Social Affairs launched the Project to Support the Economic and Social Development of Bakas in South Province. The mission of the 3-year project was to allow the issuance of birth certificates and national identity cards to 2,300 Bakas, as well as to help register hundreds of students in school.

Other Societal Abuses and Discrimination

Homosexuality is illegal, with a possible prison sentence of between 6 months and 5 years and a possible fine ranging from approximately \$40 to \$400 (20 thousand to 200 thousand CFA francs). While prosecution under this law was rare, homosexuals suffered from harassment and extortion by law enforcement officials.

On May 22, gendarmes of the Nlongkak brigade in Yaounde arrested 17 suspected homosexuals; 5 of them were released shortly after their arrest for lack of evidence. According to the prosecutor, in June the remaining 12 were formally charged and put under detention at the Yaounde Kondengui Prison, pending their trial. According to the International Gay and Lesbian Human Rights Commission the government ordered a "medical examination" to determine whether the men had engaged in homosexual conduct. There was no additional information on this case at year's end.

During the year there were organizations that advocated for the rights of homosexuals.

Section 6 Worker Rights

a. The Right of Association

The law allows workers to form and join trade unions; however, the government imposed numerous restrictions. The law does not permit the creation of a union that includes both public and private sector workers, or the creation of a union that includes different, even closely related sectors.

The law requires that unions register with the government, permitting groups of no less than 20 workers to organize a union by submitting a constitution, internal regulations, and nonconviction certifications for each founding member. The law provides for prison sentences and fines for workers who form a union and carry out union activities without registration. Government officials said that it remits certification within one month of union application; however, in practice, independent unions, especially in the public sector, have found it difficult to register.

Registered unions were subject to government interference. The government chose the unions with which it would bargain; some independent unions accused the government of creating small nonrepresentative unions amenable to government positions and with which it could "negotiate" more easily. Some sections of labor law have no force or effect because the presidency had not issued implementing decrees.

In January and February the Ministry of Labor, with the assistance of experts from the ILO, held discussions with all trade unions in an effort to put in place a system for tracking and recognizing unions that would meet international criteria on the subject. The initial focus of this effort was on determining the actual, paid membership of each union to determine the size and importance of each group.

During the year the government restricted the civil rights of union leaders. For example on August 29, police arrested and detained for one hour Alain Marcellin Mibo, the leader of the Primary Education Teachers Association. For several weeks Mibo and his colleagues had been holding sit-ins in front of the prime minister's office to demand that they be given full-time civil servant status, instead of the part-time or temporary status they were employed under. There were no new developments in the 2003 arrest of railroad union president Benoit Essiga and his six colleagues.

The law prohibits antiunion discrimination, and employers guilty of such discrimination were subject to fines up to approximately two thousand dollars (one million CFA francs). However, employers found guilty were not required to compensate the workers against whom they discriminated or to reinstate fired workers. The Ministry of Labor did not report any complaints of such discrimination during the year, although there were credible press reports of union leader harassment.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining between workers and management as well as between labor federations and business associations in each sector of the economy. Two formal collective bargaining negotiations took place during the year, one in the electricity sector and another in the media. While the negotiation was successful in the electricity sector, negotiations were ongoing in the media sector at year's end. There were no export processing zones.

When labor disputes arose, the government chose the labor union with which it would negotiate, selectively excluding some labor representatives. Once agreements were negotiated, there was no mechanism to enforce implementation; some agreements between the government and labor unions were then ignored by the government.

On March 4, the minister of labor and social security presided at the signing of the collective bargaining agreement between the management of AES-Sonel, the privatized national electricity corporation, and its employees' unions. The previous agreement was 35 years old. On May 11, however, the Confederation of Free Cameroon Trade Unions denounced the agreement, claiming it infringed upon many of the rights of the company's workers. The union filed a request for annulment of the agreement with a Douala court, where the case was still pending at year's end.

On July 7, the minister of labor and social security appointed a joint commission--consisting of public and private media managers, private and public journalists, and other media workers--tasked with drafting a collective bargaining agreement for the media; however, by year's end an agreement had not yet been reached.

The Labor Code explicitly recognizes workers' right to strike but only after mandatory arbitration, and workers exercised this right during the year. Arbitration decisions were not enforceable by law and could be overturned or simply ignored by the government or employers. The provision of the law allowing persons to strike does not apply to civil servants, employees of the penitentiary system, or workers responsible for national security. Instead of strikes, civil servants were required to negotiate grievances directly with the minister of the appropriate department in addition to the minister of labor.

At year's end no decision had been made on whether to provide severance dues to workers of the National Agency for Support to Forestry Development; the government terminated the contracts of all the company's workers in May 2004, following a strike regarding payment of salary arrears. The company also had not decided which workers, if any, would be rehired.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor; however, there were reports that such practices occurred. Authorities continued to allow prison inmates to be contracted out to private employers or used as communal labor for municipal public works.

The ILO confirmed that there was an increase during the year in serious trafficking issues, and slavery situations have been identified in the northern provinces (see section 5). NGOs and religious associations reported that children were kidnapped, sold, or "lent" by their parents to individuals claiming to look after their interests and sent to Yaounde or Douala to work in child beggar networks and, in some cases, prostitution rings. Some children were sent to neighboring countries to work. These victims were generally of both sexes and between the ages of 6 and 14 years old.

In the South and East provinces, some Baka, including children, continued to be subjected to unfair and exploitative labor practices by landowners and worked on the landowners' farms during harvest seasons without payment (see section 5).

The government does not expressly prohibit forced and compulsory labor by children, and there were reports that these practices occurred (see sections 5 and 6.d.).

d. Prohibition of Child Labor and Minimum Age for Employment

The law generally protects children from exploitation in the workplace and specifies penalties ranging from fines to imprisonment for infringement; however, child labor remained a problem. The government does not specifically prohibit forced and compulsory labor by children, and there were reports that it occurred in practice.

The law sets a minimum age of 14 for child employment, which is inconsistent with the age for completing educational requirements (see section 5). The law also bans night work and enumerates tasks that children under the age of 18 cannot legally perform. These tasks included moving heavy objects, dangerous and unhealthy tasks, working in confined areas, and prostitution. The law also states that a child's workday cannot exceed 8 hours. Employers were required to train children between the ages of 14 and 18, and work contracts must contain a training provision for minors. The prohibition against night work was not enforced effectively.

Information on child labor was difficult to obtain; however, according to a 2000 study by the ILO and Ministry of Labor, child labor existed chiefly in urban areas and in the informal sector such as street vending, car washing, agricultural work, and domestic service. Many urban street vendors were less than 14 years of age. An increasing number of children worked as household help, and some children were involved in prostitution. In the north, there were credible reports that children from needy homes were placed with other families to do household work for pay. In the nation's major cities of Yaounde, Douala, and Bamenda, the ILO estimated that 40 percent of employed children were girls, of whom 7 percent were less than 12 years of age, and 60 percent had dropped out of primary school.

Parents viewed child labor as both a tradition and a rite of passage. Relatives often employed rural youth, especially girls, as domestic helpers, and these jobs seldom allowed time for the children to attend school. In rural areas, many children began work at an early age on family farms. The cocoa industry also employed child laborers. According to estimates, up to 9 thousand under-aged children (between the ages of 5 and 17) were working in the cocoa industry at year's end. These children originated, for the most part, from the Northern and North Western provinces.

In March the ILO presented the preliminary draft of the ILO/West Africa Cocoa/Agriculture Program to eliminate child labor. The program was started in the country in 2003, and was scheduled to end in April 2006. The program met its goal by removing 1,109 children from hazardous work and forced labor conditions in the cocoa sector by December.

The Ministry of Social Affairs and the Ministry of Labor were responsible for enforcing existing child labor laws through site inspections of registered businesses; however, the government did not allocate sufficient resources to support an effective inspection program. Moreover, the legal prohibitions do not include family chores, which in many instances were beyond a child's capacity. During the year the government employed 58 general labor inspectors to investigate child labor cases.

On June 12, the government, the ILO, and other partners organized numerous activities to mark the World Day against Child Labor, which specifically highlighted children in the mining sector.

The ILO continued to work with specific contact persons in various ministries and agencies involved in antitrafficking activities; it also conducted nationwide investigations and cooperated with local organizations.

e. Acceptable Conditions of Work

The minimum wage was approximately \$47 (23,514 CFA francs) per month and was applicable in all sectors. The minimum wage did not provide for a decent standard of living for an average worker and family. The Ministry of Labor was responsible for enforcing the minimum wage nationally,

The law establishes a standard workweek of 40 hours in public and private nonagricultural firms and 48 hours in agricultural and related activities. There are exceptions for guards and firemen (56 hours a week), service sector staff (45 hours a week), and household and restaurant staff (54 hours a week.) The law mandates at least 24 consecutive hours of weekly rest. Premium pay for overtime ranged from 120 to 150 percent of the hourly pay depending on amount and whether it was for weekend or late-night overtime. There is a prohibition on excessive compulsory service. The Ministry of Labor inspectors were responsible for monitoring these standards; however, they lacked the resources for a comprehensive inspection program.

The government sets health and safety standards. Ministry of Labor inspectors and occupational health physicians were responsible for monitoring these standards; however, they lacked the resources for a comprehensive inspection program. The law does not provide workers with the right to remove themselves from situations that endangered health or safety without jeopardizing their continued employment.

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