

CAMEROON CENTER FOR DEMOCRACY AND HUMAN RIGHTS

"CCDHR POLICY PAPER"

60TH ANNIVERSARY OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS CAMEROONIANS YET TO HAVE THEIR HUMAN RIGHTS RECOGNIZED AND RESPECTED

1. Introduction

On this occasion of the 60th anniversary of the Universal Declaration of Human Rights (UDHR), the Cameroon Center for Democracy and Human Rights (CCDHR) is calling on the Government of Cameroon to show more commitment to recognizing and respecting the principles set forth in this international document. Since gaining independence in 1960/1961, present day Republic of Cameroon has systematically violated all the principles guaranteed in this declaration and subsequent international human rights conventions it has duly ratified. These basic rights include right to life, right to due process of law, freedom from discrimination, freedom of torture and inhuman treatment, freedom of speech, freedom of opinion, association, and assembly, freedom from arbitrary arrest and detention, freedom of movement within state borders, right to property, equal access to public services, protection of women, children, and minorities, etc. Despite Cameroon's ostensible commitment to many of these freedoms and liberties, the Government of Cameroon has repeatedly violated the rights of Cameroonians to the complete disregard of international human rights principles.

2. Government Obligations

The situation of human rights in Cameroon is extremely relevant to both the citizenry of Cameroon and the international community. As party to several international human rights conventions, the government of Cameroon is obligated to respect and protect the basic rights outlined in these treaties, most of which were initially enumerated in the UDHR. When States undertake obligations to honor particular human rights by becoming parties to international human rights agreements, they are expected to elaborate their understanding of those obligations by spelling them out in their own national law. National laws should not only spell out definitions but also implementation mechanisms. The implementation of that national law then becomes the major instrument through which human rights are realized. The international community obviously has an important role to play in setting out widely accepted guidelines, but once general principles are set out in international human rights agreements, the primary locus of human rights work becomes within nations. Most international human rights conventions have treaty bodies created to monitor state compliance with treaty obligations. State reporting on treaty implementation to these treaty bodies creates a forum for constructive dialogue between the state party and the treaty body about the state's compliance with its obligations under the treaty. Hence the frontline of responsibility for realizing human rights rests with national governments.

3. Violations of Human Rights Principles

Given the high profile convictions on corruption cases in Cameroon in recent years, abuse of power should ostensibly appear on the retreat within the Republic of Cameroon. Similarly, the introduction of the new Criminal Procedure Code that came into force on January 1, 2007 would appear to elevate the execution of justice for all Cameroonians via enhanced legal protections and standardized judicial procedures. While these developments are certainly encouraging, the overwhelming majority of indicators reveal the state of democracy and human rights within the Republic of Cameroon to be one of severe deficiency. Specifically, prosecution for corruption has been highly selective, legal guarantees continue to be violated, and the expressions of political will remains stifled and circumvented by a corrupt, dictatorial government that routinely restricts

freedoms of assembly, speech and the press through an often violent security apparatus and hazardous penitentiary system.

3.1. Centralization of Power

The most overt and over-arching demonstration of Cameroon's curtailed democratic and personal freedoms lies in the structure, execution, and election of the national government. Constructed around the dictatorial authority of the 'President', the Cameroon Constitution defines an inherently biased power structure in which the judiciary, legislature, and local governments play dependent and consequently subservient roles. With the judicial system operated under the executive authority of the Ministry of Justice, the National Assembly typically relegated to minor modifications of presidential legislation, and local governments composed of presidential appointees or members of the Ministry of Territorial Administration and Decentralization, the Cameroonian government structure contains few checks on abuse of executive power. When this lack of alternative power sources is coupled with the president's broad, direct control over appointments and budget – including those of the numerous parastatal firms – it is of little wonder that corruption has been able to flourish so extensively in the Republic of Cameroon.

3.2. Electoral Malpractices

While the government is 'officially' subject to the will of the people through elections, the validity of electoral results are significantly compromised by irregularities. The 2007 Municipal and Legislative elections provide a prime example of this, with widespread reports voter disenfranchisement through unnecessarily complex registration processes; extensive rigging and violence; and the use of administrative officers and security forces to defend election fraud. Regrettably, the marred 2007 elections have only served to further perpetuate the skewed and corrupt power structure, for the National Assembly's acquiescence to the April 2008 constitutional amendment to eliminate term limit on Presidential mandate. Compared to traditional democratic norms, the Republic of Cameroon thus exhibits a government apparatus profoundly unresponsive to the political will of the people and with little limitation or checks on abuses and excesses of executive power which continues to stifle democracy in the country.

3.3. Strategies to Curtail Dissent

Although the relatively undemocratic rule in Cameroon does not go unchallenged by some courageous journalists, civil society leaders, human rights advocates, and non governmental organizations, the Government of Cameroon appears to have marginalized the primary vehicles for such challenges by institutionalizing both direct and indirect constraints on freedoms of assembly, speech and the press. In this process, protests or exposés are met with violence, while daily venues for criticism are hampered and drowned out by pro-government sources. The government responses to the 2007 demonstration in Abong-Mbang, East Province, the 2006 demonstration at the University of Buea, and the 2008 popular uprising across the country offer particularly brutal evidence of the violent response to organized dissent. In each case, the demonstrations sought to address reasonable grievances – prolonged electricity shortage in Abong-Mbang; improper admission procedures at the University of Buea; and demonstrations against constitutional amendment. Each resulted in at several deaths unreasonable and uninvestigated deaths at the hands of security forces loyal to the government and its excesses.

3.4. Absence of Freedom of the Press

Although press censorship was officially abolished in 1996, this has done little to promote freedom of expression in Cameroon as journalists are subject to increasing threats, violence, harassment, arrest and persecution by security forces and government personnel. These tactics,

adopted to settle scores or intimidate journalists, have encouraged self-censorship and effectively eliminated much negative government publicity. Press attempts to highlight government excesses or insufficiencies are often dispelled with heavy-handedness, as seen in the 2008 closure of Equinox TV and Radio, the 2007 gendarme assault on Ocean City Radio for their reports on gendarmerie corruption, and several incidents of the arrest, detention, and torture of journalist on a routine basis. In combination with such reactionary suppression, press freedom is also indirectly curtailed through the prolonged review and limited release of broadcast licenses, occasional seizure of controversial print issues and unfair competition with pro-government media sources such as the Cameroon Tribune and CRTV which receive government subsidization and easy access to lucrative government advertising. The government thus appears to systematically repress freedoms of speech, assembly and the press in a manner that serves to prevent citizen expression and opposition to the undemocratic system of government in place and further curtails the human rights of Cameroonians at large.

3.5. Pretrial and Detention Conditions

The government's hold on power finds further underpinning in its relatively arbitrary exercise of arrest and detainment and the consequent risk of serious physical harm within the harsh, severely neglected penitentiary system. Despite legal assurances of a prompt trial, excessively prolonged pretrial detention appears commonplace, with the US State Department Human Rights Report on Cameroon citing an average pretrial detention length of one to five years. Douala's New Bell Prison and Yaounde's Kondengui Prison clearly showcase the prevalence of this trend, as a 2005 study found that 5,300 of the 6,715 persons incarcerated at the two locations were in pretrial detention.

During detainment, individuals are subjected to deplorable conditions characterized by beatings, poor sanitation, and the absence of medical treatment. Douala's New Bell Prison again offers compelling demonstration of the problem, as its 3500 inmates are provided access to only seven water taps, leading to poor hygiene, illness, and death. The combination of lengthy pretrial detention and such hazardous detention conditions make the rulings of the judiciary largely irrelevant, for government officials, acting through the police, military, and gendarmerie can inflict immense suffering on individuals regardless of their innocence or legal and procedural protections. Inadequate judicial protections and life-threatening detention conditions thus pose a grave risk to the basic rights of every Cameroonian. By backing arrests with such potential for prolonged harm, the government is effectively providing its agents the weapon to neutralize any dissent to the system.

3.6. The Rights of Women and Children

In Cameroon, both civil and customary laws are recognized and applicable to legal proceedings. However, they do not offer the same degree of protection and are often contradictory in principle. The inadequate protection of women's rights in civil and traditional law allows for the continued abuse of women and girls in Cameroon. Discriminatory law exists in both civil and traditional frameworks, leaving women's rights subject to discriminatory law or traditional beliefs on issues of work, inheritance, polygamy, alimony, divorce, and rape. Cases of rape and domestic violence are rarely investigated or prosecuted. Female Genital Mutilation (FGM), breast ironing, underage marriage, infanticide and illiteracy are prevalent in rural areas and villages where traditional and family beliefs remain dominant.

Trafficking in children, child labour, underage marriage, FGM, and slavery also remain considerable problems confronted by children in Cameroon. Cameroon is a source, destination,

and transit country for child trafficking. While slavery is punishable by imprisonment, some forms of trafficking are not, because they are executed under the guise of assistance to the poor and orphaned. The government has committed to address trafficking to some degree through interagency committees and cooperation with non-governmental organizations. However, little appears to have been done to address the root cause of these issues such as poverty which hampers parents' ability to care for their children, and diseases such as HIV/AIDS which has led to an increasing number of vulnerable orphans across the country.

4. Wrong Use of the Word 'Democracy' in Cameroon

Despite repeated use of the word 'democracy' by Cameroon's public officials to refer to the country's system of government, Cameroon is far from a democracy. As the government continues to strengthen its hold on power at the detriment of the rights of its citizens, it will attract greater local and international criticism and further unsettle the population. Today's Cameroon has seen considerable improvement in democracy and human rights from its early years after independence, but the pace remains extremely slow. The small efforts made by the government toward improving the rights of the people compared with the grave violations offer little hope that the situation will self-improve without motivation, increased local and international scrutiny, and concerted international pressure directed at the highest levels of the Cameroon government.

Since the independence of Cameroon 50 years ago, poverty has steadily increased and life expectancy steadily decreased. The voters of Cameroon have become disillusioned and apathetic in the face of continuous electoral irregularities, lack of freedom of expression and assembly, which have left Cameroonians with little faith in the government or the current system. The political system of corruption and intimidation has infected the entire political culture of Cameroon. The constitution has become subject to presidential manipulation in the interest of retaining power. Today, there is little hope for Cameroonians as the future of the country hangs in the balance. Meanwhile, peaceful demonstrations by Cameroonians to voice their frustration and their desire for change have been met with violent crack down by government armed forces. The government continues to exercise extensive control over electoral issues, the media, a judiciary that is dependent on executive power and an armed force always ready to execute unconstitutional requests at the pleasure of the executive. Instances of arbitrary detention and torture at the hands of government security forces abound.

Strict licensing rules, high fees, and temporary licensing are placed on radio, newspapers, and television to deter them from criticizing the government - while threats, arrests, and harassment continue to be employed against journalists to enforce self-censorship. Freedoms of association and assembly are routinely abused through regulations. Security forces continue to disrupt meetings of opposition political parties and human rights groups, and harass and arrest their members. Public meetings require notification to government appointed authorities, which in almost all instances are rejected if the purposes of such meetings run contrary to the ambition of the government. Traditional leadership has also been heavily politicized and prominent chiefs have been rewarded for loyalty with prestigious positions in government and public corporations. The political culture of corruption and violence has encouraged savage behavior across the country, allowing government appointed administrators and security forces to torture and kill without fear of prosecution.

5. Conclusion

Cameroon's opaque and unresponsive government maintains its undemocratic authority by eliminating any potential challenges to its power by violently suppressing fundamental human

rights freedoms and imposing the risk of arbitrary arrest and detainment under life-threatening prison conditions in complete disregard to the UDHR. In the execution and perpetuation of its tremendous executive power, the Government of Cameroon regularly violates basic human rights and renders democracy more a posture than a functioning civic process. The government's abuses are certainly not the only threats to human rights in the Republic of Cameroon – discrimination against indigenous people and minorities, and the exploitation of woman and children also pose notable, endemic risks – but they offer a clear picture of the disregard with which the founding principles of open, civil societies are held.

CCDHR notes with regret that the people of Cameroon have been subject, and continue to suffer numerous human rights violations at the hands of the Government of Cameroon. These violations have transformed the once prosperous nation of Cameroon into a corrupt, seemingly lawless kleptocracy. The misdeeds of the government has deprived the population of Cameroon of basic rights such as freedom of speech and expression and the complete absence of development initiatives, providing very little hope for the future. For human rights to be protected they must first be respected by the government, and improvement of the human rights and democracy situation in Cameroonian must therefore originate or be firmly supported by governmental reform. Without the institution of democratic reforms, it seems likely that Cameroon will eventually fall into the chaos of civil war, a fate that has befallen many similar African nations. Thus, it is clear that the international community, civil society organizations, and the people of Cameroon must coordinate their efforts in a concerted attempt to stave off disaster and rectify the situation of human rights and democracy in Cameroon before the situation become irreversible.

Done this day, **December 10, 2008.**

Presented on behalf of CCDHR,

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