

## **CAMEROON**

Cameroon, with a population of approximately 19 million, is a republic dominated by a strong presidency. The country has a multiparty system of government, but the Cameroon People's Democratic Movement (CPDM) has remained in power since it was created in 1985. The president retains the power to control legislation and rules by decree. In 2004 CPDM leader Paul Biya won reelection as president, a position he has held since 1982. The election was flawed by irregularities, particularly in the voter registration process, but observers concluded that the irregularities did not significantly affect election results. The 2007 legislative and municipal elections had significant deficiencies, including barriers to registration and inadequate safeguards against fraudulent voting, according to international and domestic observers. There were instances in which elements of the security forces acted independently of civilian control.

Human rights abuses included security force killings; security force torture, beatings, and other abuses, particularly of detainees and prisoners; harsh and life-threatening prison conditions; and arbitrary arrest and detention of citizens advocating secession, local human rights monitors and activists, persons not carrying government-issued identity cards, and others. There were incidents of prolonged and sometimes incommunicado pretrial detention and of infringement on privacy rights. The government harassed and imprisoned journalists, restricted freedoms of speech, press, assembly, and association, and impeded freedom of movement. Official corruption was pervasive at all levels. Societal violence and discrimination against women, female genital mutilation (FGM), trafficking in persons (primarily children), and discrimination against pygmies and gays and lesbians occurred. The government restricted worker rights and the activities of independent labor organizations. Child labor, hereditary servitude, and forced labor, including forced child labor, were problems.

### **RESPECT FOR HUMAN RIGHTS**

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

a.    Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, security forces killed persons during the year. The government sometimes investigated and disciplined those responsible for such killings.

On February 11, in Bandjoun, West Region, two gendarmes shot and killed Francine Laure Kamdem Kanga, a student from the bilingual high school. On April 15, the secretary of state in charge of the gendarmerie issued a press release noting the arrest and detention of the two gendarmes. The military tribunal subsequently charged the two, who remained in Bafoussam Central Prison awaiting trial at year's end.

In early March an assistant superintendent of the Garoua Central Police Station shot and killed his wife after she returned home late at night; neighbors held the superintendent and handed him over to police. An investigation was ongoing at year's end.

According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2009*, released during the year, the government prosecuted at least four security force members for arbitrary killings in 2009; it was unclear when the killings occurred or the identity of victims since the report provides neither. In January 2009 the Military Tribunal of Yaounde sentenced Private Emmanuel Ahidjo to death for capital murder. In May 2009 Major Emile Bankou was sentenced to 18 months in prison for an unintentional murder. Also in 2009 Police Inspector Ernest Ngomsia was sentenced to three years in prison for an unintentional killing, and a fourth security force member was acquitted of murder; no further details were available.

There were no developments in the investigation of the October 2009 killing of Jean Baptiste Kamgaing by a gendarme.

Former police officer Olivier Villot Ehongo, wanted for the November 2009 killing of his wife Martine Virginie Ehongo, remained at large.

The government took no action regarding killings by security forces during the 2008 riots, which resulted in more than 200 deaths, according to nongovernmental organizations (NGOs).

On August 10, the Yaounde High Court resumed hearings on the 2006 killing of Gregoire Diboule, allegedly by Ni John Fru Ndi, chairman of the Social Democratic Front (SDF), and 21 other SDF officials who belonged to a competing party faction. However, the trial was postponed because none of the 21 accused were present, although their lawyers appeared for them. The case was postponed four times in 2009.

Vigilante violence against persons suspected of theft resulted in four deaths; 18 persons died from such violence in 2009. Public frustration over police ineffectiveness and the release without charge of many individuals arrested for serious crimes contributed to vigilante violence.

On March 8, inhabitants of the Bonapriso neighborhood of Douala, Wouri Division, Littoral Region, beat to death a bandit who tried to strangle a motorbike taxi rider. An investigation was ongoing at year's end.

On July 2, residents of Wone Bakundu, a village in Meme Division, South West Region, buried to death Martin Njumbe Ikose, whom residents accused of using witchcraft to kill his nephew. Gendarmes arrested the perpetrators. An investigation was ongoing at year's end.

b. Disappearance

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

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

The constitution and law prohibit such practices; however, there were credible reports that security forces tortured, beat, harassed, and otherwise abused citizens, prisoners, and detainees, although there were fewer such cases than in previous years. Security forces also reportedly subjected women, children, and elderly persons to abuse.

Security forces reportedly detained and tortured persons at specific sites, including temporary holding cells within police or gendarme facilities and cells located at the Directorate General of External Security (DGRE).

On February 20, a fight between fishermen and three officers of the elite Delta Rapid Intervention Battalion (BIR) occurred at Down Beach, Limbe, a major station of the BIR; the fishermen had allegedly molested one of the soldiers, according to military officials. On February 21, BIR troops raided the Church Street neighborhood where the fishermen lived and confiscated several cell phones belonging to fishermen. On February 23, BIR troops returned to the fishermen's neighborhood and indiscriminately beat residents and smashed cars; 24 persons were injured, including three who were transferred to an intensive care unit. On

March 15, Minister of Defense Mebe Ngo'o dismissed 19 BIR members for indiscipline and violence against civilians: three of the 19 also were sentenced to 60 days in prison for their role as instigators of acts of brutality against civilians. The minister also announced that 13 other soldiers were sentenced to 45 days in jail and that their three commanding officers were sentenced to 20 days in jail.

According to the Committee to Protect Journalists (CPJ), security agents in February used torture to force a journalist to reveal his sources (see section 2.a.).

On May 3, police beat several journalists on their way to a sit-in (see section 2.b.).

On May 9, soldiers Eric Bago and Sadiou (citizens often have only one name) of the Fifth BIR, based in Ngaoundere, Vina Division, Adamaoua Region, severely beat a motorbike taxi driver who asked to be paid after transporting the soldiers. Police arrested the two soldiers, who were subsequently detained and transferred to the Garoua Military Tribunal, North Region, where they remained in detention at year's end, pending an investigation.

On July 23, six soldiers of the BIR in Yaounde, Mfoundi Division, Center Region, severely beat a vendor, who was on a street where an altercation occurred between a soldier and residents. A mob intervened and subdued two of the soldiers, who police subsequently transferred to the neighborhood gendarmerie brigade. The case was forwarded to the department of military justice for further investigation, and the two soldiers were released pending the results of the ongoing investigation.

There were no developments in the following 2009 security force beatings: the January beatings by newly recruited soldiers of approximately two dozen residents of Nsoh (Bafut), North West Region; and the police beating of Freddy Nkoue, a cameraman working for a Douala-based private television station.

NGO efforts to compile information for a formal complaint against security forces involved in use of excessive force during the 2008 riots were stalled due to inability to obtain the identities of perpetrators.

### Prison and Detention Center Conditions

Prison conditions remained harsh and life threatening. Numerous international human rights organizations and some prison personnel reported that torture was widespread. In Douala's New Bell Prison and other minimum security detention centers, prison guards inflicted beatings, and prisoners were reportedly chained or

at times flogged in their cells. During a May 2009 visit, foreign government officials found that prison guards chained disobedient and violent prisoners in a tiny disciplinary cell, where they were reportedly beaten and denied access to food. Security forces reportedly stripped prisoners and detainees, confined them in severely overcrowded cells, denied them access to toilets or other sanitation facilities, and beat them to extract confessions or information about alleged criminals.

Guards and local NGOs reported rapes among inmates. Individuals incarcerated in the New Bell Prison for homosexual acts suffered discrimination and violence from other inmates.

Prisoners were kept in dilapidated, colonial-era prisons, where the number of inmates was as much as four to five times intended capacity. Overcrowding was exacerbated by the large number of pretrial detainees. At the end of 2009, the country's 72 prisons, with a capacity of 15,250, housed 23,368 detainees. Government statistics released in May indicated that 12,510 prisoners were held in the 10 central prisons, which were intended to hold 4,242. The Yaounde Kondengui Prison, originally built for approximately 1,000 inmates, held 3,964 in May, according to penitentiary administration statistics.

Deficiencies in health care and sanitation, which were common in all prisons, remained a significant problem. Health and medical care were almost nonexistent in detention cells located in gendarmeries and police stations. In 2008 the National Commission on Human Rights and Freedoms (NCHRF) reported that the daily food allocation per prisoner was less than 100 CFA francs (approximately 20 cents). Prisoners' families were expected to provide food for them in prison. New Bell Prison contained seven water taps for approximately 2,813 prisoners, contributing to poor hygiene, illness, and death.

Corruption among prison personnel was widespread. Pretrial detainees reported that prison guards sometimes required them, under threat of abuse, to pay "cell fees," money paid to prevent further abuse. Prisoners bribed wardens for special favors or treatment, including temporary freedom.

On June 29, the penitentiary administration confirmed harsh prison conditions in a document presented to diplomatic missions. The document noted overcrowding, poorly maintained and unsound facilities with leaking roofs, insufficient toilets and beds, lack of water and electricity, scarcity of pharmaceuticals, lack of appropriate kitchens, absence of drainage for grey water, and lack of disinfectants.

Some prisoners were kept in prison after completing their sentences or receiving court orders of release due to inability to pay their fines. In 2009 for example, more than 100 prisoners remained in New Bell Prison despite completing their sentences. Prisons in Buea and Kumba also held inmates who had completed their sentences.

As of May, 480 minors were detained in the country's 10 central prisons, 406 of them in pretrial detention; 234 women also were detained, 163 of them in pretrial detention.

There were two separate prisons for women and a few pretrial detention centers for women; however, women routinely were held in police and gendarmerie complexes with men, occasionally in the same cells. Mothers sometimes chose to be incarcerated with their children if the children were very young or if they had no other child care option. Juvenile prisoners were often 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, including officials imprisoned for corruption, were separated from other prisoners and enjoyed relatively lenient treatment.

In temporary holding cells within police or gendarme facilities, adult men, juveniles, and women were held together. Detainees usually received no food, water, or medical care; detainees whose families had been informed of their incarceration relied on their relatives for food and medicine. Overcrowding was common. Detention center guards accepted bribes from detainees in return for access to better conditions, including permission to stay in an office instead of a cell.

Many citizens in the North and Far North regions turned to traditional chiefs, or lamibe, for dispute resolution, and the government continued to permit lamibe to temporarily detain persons until they transferred them to the police or gendarmerie and the judicial system. Such detentions could last several weeks or months, depending on the availability of lamibe, the gravity of the offense, the distance to the nearest security office, and the availability of security officers, complainants, and transportation. Within the palaces of the traditional chiefdoms of Rey Bouba, Gashiga, Bibemi, and Tcheboa, there were private prisons that had reputations for serious abuse. For example, those incarcerated were often tied to a post with chains attached to their wrists and ankles. During an April visit in the North and Far North

regions, lamibe claimed to foreign diplomats that such detention facilities no longer existed, although incriminated subjects were often held under the veranda of a hut and could be seen by passersby.

Prisoners were permitted religious observance. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship. During a May 2009 visit to the Buea Prison, diplomatic mission employees observed prisoners talking to the prosecutor and complaining about their conditions. The secretary of state for penitentiary administration and the inspector general in charge of penitentiary administration investigated credible allegations of inhumane conditions and acknowledged the existence of such conditions publicly; however, no action was taken during the year. The NCHRF also conducted investigations during the year and publicly denounced poor detention conditions. The NCHRF also acted on behalf of prisoners or detainees to alleviate overcrowding, address the status of juvenile offenders, improve pretrial detention conditions, and other matters.

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. ICRC visits were conducted during the year in accordance with standard modalities.

The government took steps to improve prison conditions. Phase two of the Improvement of Detention Conditions and Respect for Human Rights initiative resulted in 22 new wells, 732 new mattresses, and medical equipment for the country's prisons. In addition, the 10 medical doctors, 30 nurses, and 40 nurse aides that the government recruited in late 2009 to work full-time in prisons became fully operational during the year. The government also increased prison nutrition allowances during the year, which resulted in the provision of two daily meals instead of one in some prisons. In May the secretary of state in charge of penitentiary administration organized a workshop for 100 penitentiary officials and prison superintendants on respect for prisoner rights.

#### d. Arbitrary Arrest or Detention

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

#### Role of the Police and Security Apparatus

The national police, DGRE, Ministry of Defense, Ministry of Territorial Administration, and, to a lesser extent, Presidential Guard are responsible for internal security. The Ministry of Defense, which includes the gendarmerie, the army, the army's military security unit, and the DGRE, reports to an office of the presidency, resulting in strong presidential control of security forces. The national police include the public security force, judicial police, territorial security forces, and frontier police. The national police and the gendarmerie have primary responsibility for law enforcement, although the gendarmerie alone has responsibility in rural areas.

Police were ineffective, poorly trained, and corrupt (see section 4). Citizens viewed police as ineffective and often resorted to vigilante violence rather than calling police (see section 1.a.).

Impunity was a problem; however, some abusers were sanctioned.

According to media reports, during the year authorities sanctioned at least 41 security officers, including 21 soldiers and gendarmes and 20 police officers; offenses included harassment of citizens, corruption, extortion of funds, disregard of orders, forgery, and dangerous use of firearms.

According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2009*, a total of 599 police officers and 18 gendarmes were sanctioned in 2009 for acts ranging from failure to follow orders to corruption, falsification of official documents, abuse of authority, use of excessive force, extortion of money, arbitrary arrest, blackmail, aggravated theft, and dangerous use of arms; sanctioned acts included those committed in 2009 and in previous years. Preliminary administrative punishments--actions taken immediately after the perpetration of the offense--ranged from written warnings to suspensions of up to six months and imprisonment for 10 to 12 days. More serious cases were transferred to the judiciary for prosecution and sentencing, which could take months or even years.

According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2009*, at least 10 security officers were prosecuted in 2009 for torture; however, no details were provided. Twenty others were prosecuted in 2009 for physically harming citizens, including the following: Senior Warrant Officer Jean Abanda Abanda, who was sentenced in December to two years' imprisonment for "slight harm;" Police Superintendent Afana Akomezoa, who was sentenced in December to one year in prison for "simple threats and slight harm;" and Warrant Officer



Bertin Ateba, who was fined 25,000 CFA francs (\$50) in December for assault on a superior and others. While not providing the date of sentencing in the following cases, the report also noted that Police Constable Theophile Ouaboube Zengoba was sentenced to five years in prison for "dangerous carriage of arms and simple harm," and Police Constable Michel Mbock Mbock was fined 50,000 CFA francs (\$100) and court costs for unspecified charges.

In 2009 the Military Tribunal of Yaounde tried 15 soldiers and gendarmes for crimes ranging from corruption to murder; 13 of the 15 were sentenced to at least one year in prison, and one was sentenced to death (see section 1.a.). Another 55 soldiers and gendarmes were being detained and awaiting trial for crimes, including false arrest, assault, torture, and murder.

In May the penitentiary administration of the Ministry of Justice organized a four-day workshop for penitentiary officials and prison superintendents on respecting prisoner rights.

#### Arrest Procedures and Treatment While in Detention

The law requires that police obtain a warrant for an arrest, except when a person is caught in the act of committing a crime; however, police often did not respect this requirement. The law provides that detainees be brought promptly before a magistrate; however, this frequently did not occur. Police legally may detain a person in connection with a common crime for up to 48 hours, renewable once. This period may, with the written approval of the State Counsel, be exceptionally extended twice before bringing charges; however, police occasionally exceeded these detention periods. The law permits detention without charge--or renewable periods of 15 days--by administrative authorities such as governors and civilian government officials serving in territorial command. The law also provides for access to legal counsel and family members; however, detainees were frequently denied access to both. The law permits bail, allows citizens the right to appeal, and provides the right to sue for unlawful arrest, but these rights were seldom exercised.

Police and gendarmes frequently arrested persons on Friday afternoons, although the number of such cases decreased during the year, according to NGOs and legal practitioners. Although the law provides for judicial review of an arrest within 24 hours, the courts did not convene on weekends, so individuals arrested on a Friday typically remained in detention until Monday at the earliest. According to some reports, police and gendarmes occasionally made such "Friday arrests" on spurious

charges after accepting bribes from persons who had private grievances. Security forces and government authorities reportedly continued to arbitrarily arrest and detain persons, often holding them for prolonged periods without charges or trial and, at times, incommunicado.

Police arbitrarily arrested persons without warrant during neighborhood sweeps for criminals and stolen goods. Citizens were required to carry identification with them at all times, and police frequently arrested persons without identification during sweeps. On September 8, October 8, October 23, and October 26, police conducted such sweeps in the Yaounde neighborhoods of Obobogo, Mimboman, Nsam, Elig Edzoa, and Manguier; hundreds of persons were arrested. While security forces subsequently released some detainees, others were kept and transferred to the Prosecutor's Office on various charges, including theft, aggression, and evasion.

The Delegate General for National Security (DGSN) claimed a policy of zero tolerance for police harassment; however, police and gendarmes subjected undocumented immigrants from Nigeria and Chad to harassment and imprisonment. During raids members of the security forces extorted money from those who did not have regular residence permits or who did not have valid receipts for store merchandise. Some members of the country's large community of Nigerian immigrants complained of discrimination and abuse by government officials.

During the year the government arrested Southern Cameroons National Council (SCNC) activists for participating in SCNC activities (see section 3).

Security forces arrested a human rights activist during the year (see section 5).

Security forces arbitrarily arrested leaders of the Cameroonian Union of Journalists during a demonstration during the year (see section 2.b.).

Unlike in the previous year, police did not arbitrarily arrest women on the street suspected of prostitution.

Approximately 220 persons arrested during the 2008 riots remained imprisoned at year's end; all had been tried and convicted. An estimated 500 prisoners with lesser sentences were released during the year and in 2009 as a result of presidential amnesties; 951 detainees were released several days after their 2008 arrest.

In 2008 the government claimed it arrested 1,671 persons during the riots, although NGOs claimed the number was higher and that security forces arrested scores of onlookers not directly involved in demonstrations or rioting.

In the North and Far North regions, the government continued to permit traditional chiefs, or lamibe, to detain temporarily persons outside the government penitentiary system, in effect creating private prisons, until they transferred them to the police or gendarmerie and the judicial system (see section 1.c.). During the year the government sentenced traditional ruler Jean Claude Enyegue Atanga to 20 years' imprisonment for false arrest.

The law provides for a maximum of 18 months' detention before trial; however, lengthy pretrial detention was a serious problem. According to government statistics released in May, pretrial detainees represented 68 percent of the approximately 12,510 inmates in the country's 10 central prisons; 2009 statistics indicated that 62 percent of inmates in the country's main and secondary prisons were pretrial detainees. Many pretrial detainees had been awaiting trial for five to 10 years, according to a 2008 statement by the Cameroon Bar Association. The law precludes holding juvenile detainees more than three months after the conclusion of an investigation; however, juveniles were sometimes held for more than a year. The high number of pretrial detainees was due to judicial inefficiency, staff shortages, and corruption. The bar association attributed lengthy pretrial detention to a shortage of lawyers and lost files due to an inadequate tracking system.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary; however, the judiciary remained corrupt, inefficient, and subject to political influence. The court system is subordinate to the Ministry of Justice. The constitution names the president as "first magistrate," thus "chief" of the judiciary and the theoretical arbiter of any sanctions against the judiciary, although the president has not publicly played this role. 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 Higher Judicial Council.

On at least one occasion during the year, however, the judiciary demonstrated independence. On November 4, the Military Chamber of the Yaounde Court of Appeal overruled a decision of the military tribunal, which in March 2009 had sentenced journalists Jacques Blaise Mvie and Charles New and soldier Jeremie Doko to five years in jail following a complaint filed by former minister of defense

Remy Ze Meka. The charges included calumny, offense to a government member, and the divulging of defense secrets. According to the Court of Appeal, the facts incriminating the three accused had not been established.

The legal system includes both national and customary law, and many criminal and civil cases can be tried using either one. Criminal cases were generally tried in statutory courts.

Customary courts served as a primary means for settling domestic cases, such as succession, inheritance, and child custody. Customary courts may exercise jurisdiction in a civil case only with the consent of both parties. Either party has the right to have a case heard by a statutory court and to appeal an adverse decision by a customary court to the statutory courts. Customary court convictions involving witchcraft are automatically transferred to the statutory courts, which act as the court of first instance.

Customary law is deemed valid only when it is not "repugnant to natural justice, equity, and good conscience." However, many citizens in rural areas remained unaware of their rights under civil law and were taught that they must abide by customary laws. Customary law ostensibly provides for equal rights and status; however, men may limit women's rights regarding inheritance and employment, and some traditional legal systems treat wives as the legal property of their husbands. Customary law practiced in rural areas is based upon the traditions of the ethnic group predominant in the region and adjudicated by traditional authorities of that group.

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 group members who used firearms.

In May the Ministry of Justice organized a refresher course for all magistrates on ways of effectively applying international norms relating to human rights.

### Trial Procedures

The law provides for a fair public hearing in which the defendant is presumed innocent. There is no jury system. Defendants have the right to be present and to

consult with an attorney in a timely manner, and the government generally respected this right. Defendants generally were allowed to question witnesses and to present witnesses and evidence on their own behalf. Defendants had access to government-held evidence relevant to their cases and could appeal 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 Cameroonian Association of Female Jurists offered free assistance in some cases. The European Union-funded program for the improvement of the condition of detainees and human rights (PACDET II) also allowed lawyers to continue to offer free assistance to 3,000 detainees.

The April 2009 legal aid bill to facilitate judicial access for all citizens was not implemented during the year. In April 2009 the president signed into law a legal aid bill to facilitate judicial access for all citizens. The new law establishes legal aid commissions at the courts of first instance, high courts, military tribunals, courts of appeal, and the Supreme Court. The law also specifies the conditions for legal aid applications, explains the effects of legal aid, and identifies the conditions for withdrawal of such aid.

In 2009 lawyers and human rights organizations observed several violations of the criminal procedure code in the government's response to the February 2008 unrest. Some detainees in police or gendarmerie cells did not receive medical assistance or access to an attorney. Jean de Dieu Momo, a human rights lawyer, and Madeleine Afite, a representative of Action of Christians for the Abolition of Torture, publically denounced these violations. Afite stated that arrested minors received no assistance from their parents, attorneys, or human rights organizations, as the code mandates.

### Political Prisoners and Detainees

There were reports of political detainees, which included citizens purportedly advocating secession through an illegal organization (see section 3).

During the year the Yaounde High Court repeatedly postponed the trial of two detainees widely considered by human rights NGOs to be political prisoners. Titus Edzoa, former minister of health and long-time aide to President Biya, and Michel Thierry Atangana, Edzoa's 1997 campaign manager, were arrested in 1997, three months after Edzoa resigned from the government and launched his candidacy for president. They were convicted on charges of embezzling public funds and sentenced to 15 years in prison. Both Edzoa and Atangana complained of

irregularities in their trials and restricted access to counsel. At the end of 2009, the prosecutor filed new charges against both men for embezzlement, and hearings started a few weeks later.

### Civil Judicial Procedures and Remedies

The constitution and law provide for an independent civil judiciary; however, the judiciary remained subject to executive influence, and corruption and inefficiency remained serious problems. Citizens have the right to seek redress for alleged wrongs through administrative procedures or through the legal system, although both options involved lengthy delays. There were problems enforcing civil court orders due to bureaucratic inefficiency and delay.

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

The constitution and law prohibit such actions; however, these rights were subject to restriction by the "higher interests of the state," and there were 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 detained 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 a criminal suspect. A police officer may enter a private home at any time in pursuit of a person observed committing a crime.

Unlike in the previous year, there were no reports that police put the houses of SCNC officials and activists under surveillance, searched the houses of SCNC leaders, or disrupted SCNC meetings in private residences. The SCNC is an anglophone group the government considers illegal because it advocates secession. The group does not have legal status as it has never filed an application to become either a political party or other legally recognized organization.

An administrative authority, including a governor or prefect, may authorize police to conduct neighborhood sweeps without warrants. Such sweeps at times involved forced entry into homes in search of suspected criminals or stolen or illegal goods. Security forces sometimes sealed off a neighborhood, systematically searched homes, arrested persons, sometimes arbitrarily, and seized suspicious or illegal articles (see section 1.d.). Citizens without identification cards were detained until

their identity could be established and then released. There were several complaints that police arbitrarily confiscated electronic devices and cell phones.

Unlike in the previous year, there were no reports 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 severely restricted these rights in practice. Security forces allegedly tortured and arrested, detained, harassed, and intimidated journalists during the year, particularly those that covered official corruption. One such journalist died in prison during the year as a result of inadequate medical care. The government enforced media regulations irregularly, often implementing arduous requirements selectively for regime critics. Government officials used expansive libel laws to arraign journalists who criticized them. Attacks on journalists dramatically increased during the year, according to members of the African Federation of Journalists, the Union of Communication Professionals in Africa, and the National Syndicate of Cameroon Journalists. Journalists and media outlets practiced self-censorship.

Government officials threatened, harassed, and denied equal treatment to individuals or organizations that criticized government policies or expressed views at odds with government policy.

For example, information surfaced during the year that in January 2009 a security officer arrested Roland Fube Fonwi Tita, a chemistry teacher at the English High School in Yaounde, for plotting to assassinate the president and some ministers; the security official had overheard Fube criticize the president during a taxi ride with other passengers. Fube was taken to a gendarmerie and later released. On February 4, Fube was detained and charged with making disparaging remarks about the president. On March 3, he was released on bail, and the case remained pending at year's end.

On March 8, gendarmes arrested and detained Bertrand Teyou for talking about the president in "insidious terms" during the dedication ceremony on the same day of his book *The Antecode Biya*. Teyou was subsequently charged with conspiracy, incitement to rebellion, attempt to disturb public order, and perilous activity.

Teyou, who was detained for eight days, was again arrested and detained on November 9 in connection with the release of another book, *The Beauty of the Banana Republic: Chantal Biya, From the Street to the Palace*. On November 19, the Douala Court of First Instance found Teyou guilty of defamation, insult, and illegal protest, and sentenced him to pay a fine of two million CFA francs (\$4,000). Teyou, who could not pay the fine, remained in jail at year's end.

During the year approximately 200 privately owned newspapers were published; however, only an estimated 25 had sufficient funds to publish regularly. Independent newspapers continued to criticize the government and report on controversial issues, including corruption, human rights abuses, homosexual practices, and economic policies. The government continued to disburse official funds to support private press outlets, although it dispersed funds selectively to outlets that were less critical of the government and with instructions to provide reporting favorable to the regime.

Security forces arrested numerous journalists during the year.

On February 5, DGRE officers arrested without charge and detained incommunicado Serges Sabouang, editor of the bi-monthly *La Nation*, and Simon Herve Nko'o, a reporter with the weekly *Bebela*, for one week for illegally possessing a document that could tarnish the image of government officials. The document allegedly implicated Laurent Esso, the secretary general of the presidency and board chairman of the state-run National Hydrocarbons Company, in secret payouts totaling 1.3 billion CFA francs (\$2.6 million) to three government officials involved in the 2008 purchase of an offshore vessel, reportedly purchased to entertain potential investors. According to the CPJ, which obtained a copy of a February 22 medical certificate detailing the condition of Nko'o upon release, security agents used torture to force Nko'o to reveal his sources. The certificate revealed that Nko'o had bruises on the soles of his feet, and the journalist told the doctor that he had been subjected to water boarding, sleep deprivation, and exposure to cold. Sabouang was interrogated, but not tortured.

Also on February 5, DGRE agents briefly detained and interrogated for 12 hours Robert Mintya, editor of the weekly *Le Devoir*, and Germain Ngota (Bibi) Ngota, editor and founder of the independent bimonthly *Cameroon Express*, in connection with the same document. Ngota subsequently went into hiding.

On February 26, police in Yaounde rearrested Mintya, Ngota (who had resurfaced), and Sabouang for forging the signature of a government official on the



same document; the charge constitutes a criminal offense and is punishable by up to 15 years' imprisonment. Police released the three journalists a few days later; however, on March 10, they were rearrested and detained at Kondengui Prison in Yaounde. On April 22, Ngota, who suffered from gout, joint pain, high blood pressure, and a hernia, died from lack of medical attention. According to local media, Ngota's mother tried unsuccessfully to get relevant authorities to pay attention to Ngota's medical situation. A subsequent government investigation claimed Ngota died of AIDS-related complications. Following strong international pressure, the government on November 25 released Mintya and Sabouang on their own recognizance, although both journalists still faced sentences of up to 20 years' imprisonment.

According to information made public during the year and released by the CPJ, the government in 2009 lodged criminal charges against four leading journalists and an academic for commenting during a 2008 television program on the case of Yves Michel Fotso, a former executive at the national airline charged with corruption. Among those named was Spectrum TV Editor-in-Chief Thierry Ngogang, freelance journalist Alex Gustave Azebaze, Canal 2 International reporter Anani Rabier Bindze, and Jean-Marc Soboth, a prominent journalist and leading press freedom activist charged with "biased commentary" and "unauthorized disclosure of a confidential document." In January Soboth went into hiding after receiving anonymous death threats, according to local journalists.

Security forces obstructed journalists from reporting on the cases of former officials indicted in Operation Sparrowhawk, an official investigation of former officials accused of mismanaging public funds. According to the CPJ, for example, on January 17, officers at the State Secretariat for Defense in Yaounde briefly detained Nadege Christelle Bowa and confiscated her notes from an interview with Thierry Michel Atangana, a former presidential adviser, on corruption charges. On February 24, police detained reporter Justin Blaise Akono and forced him to delete courtroom photos taken during a hearing in the trial of Titus Edzoa, a former presidential adviser accused of embezzlement.

According to the CPJ, the trial continued of Editor-in-Chief Charly Ndi Chia and Yaounde Bureau Chief Yerima Kini Nsom of the English-language biweekly *The Post* over an October 2009 story referencing the criminal case of Doh Gah Gwanyin III, a former local official convicted of involvement in the murder of an opposition politician in 2006. Following the first hearing in November 2009, the trial was repeatedly delayed due to the plaintiff's health.

Press freedom is constrained by strict libel laws that suppress criticism. These laws authorize 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. Government officials abused this law to keep local journalists from reporting on corruption and abusive behavior.

There were developments in several 2009 libel cases.

On January 13, Jean Bosco Talla, editor of the independent weekly *Germinal*, was released from Kondengui Prison after he paid a three million CFA francs (\$6,000) fine. In December 2009 Talla was sentenced to the fine and a suspended one-year prison term for alleged libel against President Biya, who Talla claimed had betrayed a "secret homosexual pact" with former president Ahidjo.

On January 30, the Yaounde Court of Appeals confirmed the October 2009 sentence imposed by a lower court of 14 months in prison and a fine of one million CFA francs (\$2,000), damages of five million CFA francs (\$10,000), and costs of 265,000 CFA francs (\$530) against Michel Mombio, editor of the independent newspaper *L'Ouest Republicain*; Mombio was charged with fraud, attempted blackmail, and libel after he wrote an article criticizing cabinet officials. On February 15, the court released Mombio on bail after he paid the fines.

Also on January 30, the Douala Court of Appeals confirmed the three-year prison sentence imposed by a lower court in January 2009 on Lewis Medjo, publisher of *La Détente Libre*, who was arrested in 2008. Medjo was released on May 26, following a meeting between President Biya and UN Secretary General Ban Ki-moon.

On September 25, the Union of Press Editors of Central Africa issued a press release on behalf of Guy Constantin Moussi, publisher of the *Indices* newspaper; Moussi was tried during the year for publishing an article in March that accused Elajeli Musbah of trafficking in foreign currency. According to the union's press release, Elajeli Musbah, the local representative of Libyan airline Afriqiyah, had exerted strong pressure on magistrates to condemn the publisher. The December 16 hearing on the case in the Douala first instance court was postponed to January 2011.

Radio remained the most important medium and reached most citizens. There were approximately 70 privately owned radio stations operating in the country, three-fourths of them in Yaounde and Douala. Television had lower levels of penetration than print media but was more influential in shaping public opinion in urban areas. There was one private cable television network. The five independent television stations skirted criticism of the government, although their news broadcasts sometimes focused on poverty, unemployment, and poor education, pointing to the role of government neglect and corruption. The state-owned Cameroon Radio and Television (CRTV) broadcast on both television and radio. The government levied taxes to finance CRTV programming, which gave CRTV a distinct advantage over independent broadcasters.

The government required nonprofit rural radio stations to submit applications to broadcast, but they were exempt from licensing fees. Potential commercial radio and television broadcasters must submit a licensing application and pay an application fee with the application. After a license is issued, stations must pay an annual licensing fee, which was expensive for some stations. Although the government did not issue new broadcast licenses during the year, companies operated without them under a government policy of administrative tolerance.

On January 3, the minister of communication authorized the reopening of the Sky One FM Radio station, which he closed in August 2009 after the station refused to stop broadcasting the program *Le Tribunal*, which allowed listeners to air grievances and seek assistance. The radio station complied with the minister's demands, which included cancelling *Le Tribunal*.

Several rural community radio stations functioned with funding from the UN Educational, Scientific, and Cultural Organization and foreign countries. The government prohibited these stations from discussing politics.

The law permits broadcasting by foreign news services that partner with national stations. The BBC, Radio France International, and Africa1 broadcast in partnership with CRTV.

The government was the largest advertiser in the country. Some private media enterprises reported that government officials used the promise of advertising (or the threat of withholding it) to influence reporting of the government's activities.

On March 9, the CPJ wrote a letter to President Biya expressing concern about ongoing abuses against press freedom. The CPJ called on the president to hold

members of his administration accountable for using security forces and criminal laws to settle scores with the media and urged the president to initiate reforms that would refer matters of defamation to civil courts.

### Internet Freedom

There were no government restrictions on access to the Internet or reports that the government monitored e-mail or Internet chat rooms. Individuals and groups could engage in the peaceful expression of views via the Internet, including by e-mail. According to International Telecommunication Union statistics for 2009, Internet penetration in the country was approximately 2.2 percent.

### Academic Freedom and Cultural Events

Although there were no legal restrictions on academic freedom, state security informants reportedly operated on university campuses. Professors said that participation in opposition political parties or public criticism of the government could affect their professional opportunities.

#### 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, and 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 asserted that the law implicitly authorizes the government to grant or deny permission for public assembly. Consequently, the government often refused to grant permits for assemblies organized by persons or groups critical of the government and used force to suppress public assemblies for which it had not issued permits.

Authorities refused to grant the SCNC permission to hold rallies and meetings, and security forces arrested and detained SCNC activists (see section 3). Security forces forcibly disrupted demonstrations, meetings, and rallies of citizens, trade unions, and political activists throughout the year. The use of excessive force by security forces resulted in numerous injuries.

The government banned some union activities during the year (see section 7.a.).

On May 3, security forces prevented approximately 200 members of the Union of Cameroonian journalists (UCJ) from holding a sit-in near the Office of the Prime Minister; the journalists were assembling to protest the harassment, arrest, and detention of their colleagues and the death in prison of Bibi Ngota (see section 2.a.). Police used batons on the journalists, several of whom sustained minor injuries along with damage to their clothes and loss of personal property. In justifying the ban, police claimed the UCJ had not provided ample notice of the event to the appropriate authority.

On August 25, security officers disrupted a press conference that the Republican Forum, a newly created opposition party, organized at the Djeuga Palace in Yaounde. The officers harassed the organizers, while claiming that the conference was illegal. Party Chairman Roland Romain Kouotou denied the allegations and brandished an authorization letter issued by the sous-prefet of Yaounde I.

#### Freedom of Association

The law provides for freedom of association, but the government limited this right in practice. The law prohibits organizations that advocate any type of secession, resulting in the disruption of SCNC meetings on the grounds that the purpose of the organization rendered any meetings illegal.

On October 1, which the SCNC commemorates as independence day for "Southern Cameroons," security forces disrupted SCNC meetings and rallies in Tiko, Buea, Bamenda, and Kumbo.

The conditions for government recognition of political parties, NGOs, or associations were arduous, interminable, and unevenly enforced. The process forced most associations to operate in uncertainty, in which their activities were tolerated but not formally approved.

#### c. Freedom of Religion

For a description of religious freedom, please see the *2010 International Religious Freedom Report* at [www.state.gov/g/drl/rls/irf/rpt](http://www.state.gov/g/drl/rls/irf/rpt).

#### d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

Although the constitution and law provide for freedom of movement within the country, foreign travel, emigration, and repatriation, security forces routinely impeded domestic and international travel during the year. The government cooperated with the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers.

Security forces at roadblocks and checkpoints in cities and on most highways extorted bribes and harassed travelers. Police frequently stopped travelers to check identification documents, vehicle registrations, and tax receipts as security and immigration control measures. There were credible reports that police arrested and beat individuals who failed to carry their identification cards as required by law (see section 1.d.).

The law prohibits forced exile, and the government did not use it; however, some human rights monitors and political opponents remained in self-imposed exile because they felt threatened by the government.

#### Internally Displaced Persons (IDPs)

In 2005 between 10,000 and 15,000 persons in and around the Adamaoua Region villages of Djohong and Ngaoui were displaced following attacks and looting by unidentified armed groups from the Central African Republic (CAR). Officials in the Adamaoua Region administration reported that hundreds of IDPs remained.

During the year the government worked with UNHCR to protect and assist IDPs.

#### Protection of Refugees

The country's laws provide for the granting of asylum or refugee status, and the government has established a system of providing protection to refugees. The government granted refugee status or asylum. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular group, or political opinion.

The government provided temporary protection under the 1951 UN Convention relating to the Status of Refugees and its 1967 Protocol and provided it to more than 101,000 persons, including 80,000 from CAR, 3,000 from Chad, and 4,000 from Nigeria.

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

The law provides citizens with the right to change their government peacefully; however, President Biya and the CPDM party controlled the political process, including the judiciary and agencies responsible for the conduct and oversight of elections.

In 2008 the National Assembly passed a constitutional amendment that removed presidential term limits and added provisions for presidential immunity. Although considerable national discussion of the proposal ensued, the National Assembly ultimately passed the revisions in a manner that allowed no debate and underscored the CPDM's unfettered control of all government branches. Neither the electorate nor its elected representatives had an opportunity to affect the outcome of the constitutional exercise.

#### Elections and Political Participation

During the 2007 legislative elections, observers witnessed poor supervision at the polling stations and lax application of the electoral law. An unnecessarily complex registration process effectively disenfranchised numerous voters. The government failed to implement promised electoral improvements, such as the provision of indelible ink--an internationally recognized safeguard against multiple voting--to many polling stations. In addition, despite efforts to computerize voter registration, the lists still included numerous errors.

The Supreme Court received more than 130 complaints from political parties after the elections, but dismissed the majority of them on technical grounds. However, the court ordered new elections in five constituencies for 17 parliamentary seats, which were held in 2007; the CPDM won 13 seats and opposition parties four. Observers noted some irregularities and low voter turnout.

In 2008 the government's National Elections Observatory, which was responsible for ensuring electoral fairness, published its assessment of the 2007 legislative and municipal elections. The report cited shortcomings due to lack of coordination between the various electoral commissions and a lack of clear, uniform procedures for the various stages of the electoral process, particularly the registration process.

In 2004 President Biya, who has controlled the government since 1982, was reelected with approximately 70 percent of the vote in an election that was poorly managed and marred by irregularities, in particular in the voter registration process, although widely viewed as more free and fair than previous elections. Although most international observers agreed that it reflected the will of the voters, the Commonwealth Observer Group maintained that the election lacked credibility.

All members of Elections Cameroon (ELECAM), the electoral body responsible for the preparation and organization of elections, were appointed by the president. Most board members were active CPDM members. Many in the international community publicly questioned the independence and credibility of ELECAM, given the partisan nature of its council membership.

The right of citizens to choose their local governments remained circumscribed. The government greatly increased the number of municipalities run by presidentially appointed delegates, who have authority over elected mayors, effectively disenfranchising the residents of those localities. Delegate-run cities included most of the provincial capitals and some division capitals in pro-opposition regions; however, this practice was almost nonexistent in the southern regions, 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 253 registered political parties. Fewer than 10, however, had significant levels of support, and only five had seats in the National Assembly. The CPDM held an absolute majority in the National Assembly. Opposition parties included the SDF, based in the anglophone regions and some major cities, the National Union for Democracy and Progress, the Cameroon Democratic Union, and the Union of the Peoples of Cameroon.

Membership in the ruling political party conferred significant advantages, including in the allocation of key jobs in parastatals and the civil service. The president appoints all ministers, including the prime minister, and also directly appoints the governors of each of the 10 regions. The president has the power to appoint important lower level members of the 58 regional administrative structures as well. Onerous requirements for registration of parties and candidates restricted political activity.

Natives of the North West and South West regions tended to support the opposition SDF party and consequently suffered disproportionately from human rights abuses



committed by the government and its security forces. The anglophone community complained of being underrepresented in the public sector. Although citizens in certain francophone areas--the East, Far North, North, and Adamaoua Regions--voiced similar complaints about under-representation and government neglect, anglophones claimed they had not received a fair share of public sector goods and services within their two regions. Many residents of the anglophone regions sought greater freedom, equality of opportunity, and better government by regaining regional autonomy rather than through national political reform, and have formed several quasipolitical organizations in pursuit of their goals.

Authorities sometimes refused to grant opposition parties permission to hold rallies and meetings.

During the year the government arrested SCNC activists for participating in SCNC activities. The government considered the SCNC illegal because it advocates secession and has never registered as a political party or organization.

On September 29, security forces in Kumbo, North West Region, arrested and briefly detained five SCNC activists who were gathering material to commemorate the 49th anniversary on October 1 of the independence of West Cameroon, an anniversary not recognized by the government.

On October 1, police in Tiko, South West Region, arrested and briefly detained an SCNC activist for hoisting the SCNC flag in commemoration of October 1. Police later released him.

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

Pygmies were not represented in the National Assembly or in the higher offices of government.

#### Section 4 Official Corruption and Government Transparency

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. The World Bank's 2009 Worldwide Governance Indicators reflected that corruption was a severe problem. The public perception was that judicial and administrative officials were open to bribes in

almost all situations. Corruption was pervasive at all levels of government. During the year the government sanctioned dozens of government employees, particularly those from previous administrations, for corruption and mismanagement.

The National Anticorruption Commission (CONAC) is the country's principal independent anticorruption agency; however, it was subservient to the president. In 2009 CONAC received 312 petitions concerning corruption and related offenses, of which 238 resulted in prosecution. The National Financial Investigations Unit (ANIF), a separate financial intelligence unit that tracks money laundering, has referred to judicial authorities 104 of 450 reports received of suspicious transactions since ANIF's creation in May 2005; the ANIF has been informed of no trials or hearings addressing any of the 104 reports referred.

Police were corrupt. Individuals reportedly paid bribes to police and the judiciary to secure their freedom. Police demanded bribes at checkpoints, and influential citizens reportedly paid police to make arrests or abuse individuals involved in personal disputes.

Police were sanctioned for corruption during the year.

For example, on January 18, DGSN Director Emmanuel Edou suspended Police Inspector Eric Brice Essama, who served at the public security office in Nkoteng, Center Region, for three months without pay for extortion and indiscipline; legal action was pending at year's end.

On May 5, Edou suspended Second Grade Police Officer Zaza Mahamat for three months without pay for embezzlement of public funds and breach of trust; the case was pending prosecution at year's end.

Judicial corruption was a problem. According to several press reports, judicial authorities accepted illegal payments from detainees' families in exchange for a reduction in sentence or the outright release of their relatives. Political bias by judges (often instructed by the government) frequently stopped or delayed judicial proceedings. Many powerful political or business interests enjoyed virtual immunity from prosecution, and politically sensitive cases sometimes were settled through bribes.

During the year security forces arrested for corruption several former government officials, who generally were held in separate quarters and received preferential treatment.

On January 6, police arrested and detained Haman Adama, former minister of basic education, and Roger Ntongo Onguene, former general manager of Cameroon Airports, on corruption charges. Both former officials, who were accused of embezzling public funds worth hundreds of millions of CFA francs, were in pretrial detention at year's end.

On January 12, police arrested and detained Catherine Abena, former secretary of state for secondary education, on embezzlement charges. At year's end Abena was being detained in Kondengui Prison awaiting trial.

On August 12, CONAC informed the public that the corruption investigations of 47 officials in the Ministry of Agriculture had been completed and that the cases had been transferred to the judiciary for prosecution; the 47 were allegedly involved in the embezzlement of public funds intended to boost corn production.

On October 6, the Wouri High Court opened hearings in the trial of Paul Ngamo Hamani, former general manager of Cameroon Airlines, who was arrested in March 2009 for embezzlement. The trial was ongoing at year's end.

According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2009*, dozens of judicial proceedings were instituted against persons for alleged misappropriation of public funds in public and semi-public enterprises in 2009. For example, in the Yaounde High Court, preliminary inquiries were opened into 49 cases of misappropriation of public funds; 64 cases were pending hearing and determination; and 31 judgments were delivered, of which 16 were appealed.

According to the *Report by the Ministry of Justice on Human Rights in Cameroon in 2009*, in June 2009 the Douala Court of Appeals sentenced Alphonse Siyam Siwe and two other defendants to life imprisonment for embezzlement; the lower court had issued 30-year sentences. Among others accused in the case, one was sentenced to 25 years in prison, eight to 15 years, and another to one year. In addition, the court reversed the Wouri Higher Court's acquittal of seven defendants and sentenced six to 15 years' imprisonment and the seventh to one year in prison.

Jerome Mendouga, a former ambassador who was arrested in April 2009 for embezzlement in connection with the purchase of a presidential plane, remained in pretrial detention at year's end.

There were no developments in the 2009 corruption case of Dieudonne Ambassa Zang, a CPDM deputy whose parliamentary immunity was lifted in August 2009. Ambassa Zang had not been arrested by year's end and was believed to have fled the country.

There were no developments in the August 2009 arrest and detention of Jean-Baptiste Nguini Effa, former general manager of the government-owned National Petroleum Distribution Company, along with six of his close collaborators, for embezzlement. Nguini and the other six remained in pretrial detention at year's end.

The following developments occurred in 2008 corruption cases.

On February 16, the Yaounde High Court began the trial of Urbain Olanguena Awono, former minister of public health, who was arrested in 2008 on embezzlement charges. The trial was ongoing at year's end.

On March 17, the Yaounde High Court began the trial of Polycarpe Abah Abah, a former minister of finance who was arrested in 2008 for allegedly embezzling more than two billion CFA francs (\$4 million) while in charge of collecting taxes. The ongoing trial has been postponed numerous times due to the defendant's health and a pending government appeal of a judge's decision to dismiss some of the charges against him.

On July 29, the Yaounde High Court began the trial of Jean Marie Atangana Mebara, a former secretary general of the presidency, who was arrested in 2008 for embezzlement in connection with the purchase of an airplane for President Biya that resulted in the loss of more than 15 billion CFA francs (\$30 million) to the treasury. Mebara's trial has been postponed several times because only one out of the required three judges was present.

On October 28, the Douala High Court sentenced Zacchaeus Mungwe Forjindam, former general manager of the Cameroon Shipyard and Engineering Company, to 12 years in jail and confiscation of personal property for embezzling public funds. Forjindam, who was arrested in 2008, had appealed a lower court's decision. The court also imposed an 850 million CFA francs (\$1.7 million) fine in damages on Forjindam and his co-accused.

There were no developments in the 2008 corruption case of Paulin Abono Moampamb, a former secretary of state and mayor of Yokadouma, who was arrested and detained for embezzlement.

The constitution and law require senior government officials, including members of the cabinet, to declare their assets; however, the president had not issued the requisite decree to implement the law by year's end.

There are no laws providing citizens with access to government information, and such access was difficult to obtain. Most government documents, such as statistics, letters exchanged between various administrations, draft legislation, and investigation reports, were not available to the public or the media.

#### Section 5 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups investigated and published findings on human rights cases; however, government officials repeatedly impeded the effectiveness of local human rights NGOs during the year by harassing their members, limiting access to prisoners, refusing to share information, threatening violence, and using violence against NGO personnel.

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

Although 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 for judicial officials, security personnel, and other government officials. Although the commission rarely criticized the government's human rights abuses publicly, its staff intervened with government officials in specific cases of human rights abuses by security forces. During the year the NCHRF continued its efforts to stop "Friday arrests" (the practice of detaining individuals on Friday to prolong the time before court appearance) and sought to obtain medical attention for jailed suspects. Government officials also attended several seminars organized by the commission.

On June 24, in Douala, gendarmes in the Ndogbong neighborhood arrested and detained Mboua Massock, a political and human rights activist who was distributing tracts in the street; Massock was released after two hours. According to the gendarmes, the message in the tracts was likely to disturb public order. Massock had been arrested twice in 2009 for defacing public property (disfiguring a monument), a charge he did not contest.

There were no developments in the case of Aicha Ngo Eheg, a human rights activist who was arrested, beaten, and stripped naked by Douala antiriot police in February 2008; Ngo Eheg, along with other demonstrators, had gathered in the Douala neighborhood of Bepanda to march against constitutional changes to expand presidential power.

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

Unlike in the previous year, when the government denied visas to an Amnesty International (AI) team following the release of the annual AI report, the government issued visas to two AI officials who visited the country in August. During their 10-day visit, the two officials met with senior government officials, including the prime minister and the minister of justice. They also held meetings with the NCHRF and local human rights NGOs.

The National Assembly's Constitutional Laws, Human Rights and Freedoms, Justice, Legislation, Regulations, and Administration Committee is charged with reviewing any human rights legislation the government submits for consideration.

On November 2, the government published the *Report by the Ministry of Justice on Human Rights in Cameroon in 2009*, which focused primarily on enumerating government actions to address human rights issues, such as judicial and disciplinary action taken against officials accused of corruption or other inappropriate conduct. The report documented hundreds of investigations, disciplinary actions, and prosecutions in 2009 (see sections 1.c., 1.d., and 4).

## Section 6 Discrimination, Societal Abuses, and Trafficking in Persons

The law does not explicitly forbid discrimination based on race, language, or social status, but does prohibit discrimination based on gender and mandates that "everyone has equal rights and obligations." The government, however, did not

enforce these provisions effectively. Violence and discrimination against women, trafficked persons, ethnic minorities, and gays and lesbians were problems.

### Women

The law criminalizes rape and provides penalties of between five and ten years' imprisonment for convicted rapists; however, police and the courts rarely investigated or prosecuted rape cases. The law does not address spousal rape. A study conducted in 2009 reported the rapes of hundreds of thousands of young girls and women between 1970 and 2008 (see also section 6, Children.). Due to social taboos associated with sexual violence, most rapes went unreported, and the media reported only four rape cases during the year. It was unknown whether any of the four cases resulted in prosecution. In June 2009 the German Agency for International Cooperation, in collaboration with local NGOs, launched a national campaign against rape, which continued during the year.

The law does not specifically prohibit domestic violence, although assault is prohibited and punishable by imprisonment and fines. In 2008 a study from La Maison des Droits de l'Homme, a Douala-based NGO, reported that approximately 39 percent of women suffered from physical violence. A 2005 survey cited by the *Cameroon Tribune* newspaper also indicated that 39 percent of women living with a man (married or unmarried) were victims of physical violence, and 28 percent were victims of psychological violence. Women's rights advocates asserted that penalties for domestic violence were insufficient. Spousal abuse is not a legal ground for divorce.

The law does not prohibit sexual harassment. The government did not conduct any public education campaigns on the subject, and there were no statistics available on its occurrence.

In rural northern areas, societal pressures continued to reinforce taboos on discussing contraception and all other sex-related issues. However, the government, in cooperation with NGOs, conducted programs designed to educate couples, especially men, to better understand the positive aspects of responsible spacing between childbirths. In May, during the launch of a campaign against maternal mortality, the minister of public health revealed that 12 women a day in the country lost their lives in childbirth and that the maternal mortality rate was 669 per 100,000 births. Prenatal care, skilled attendance during childbirth, and postpartum care were not available to all women, particularly to those living in rural areas. For several years the Ministry of Public Health has produced radio and

televised information programs on responsible parenthood, including encouraging couples to use contraception to space the timing of their children. Couples were also encouraged to get HIV/AIDS testing prior to conception, and efforts continued to increase HIV/AIDS testing for all pregnant women at health clinics. Women were equally diagnosed and treated for sexually transmitted infections, including HIV/AIDS, and all government and civil society campaigns against the disease targeted men and women.

Despite constitutional provisions recognizing women's rights, women did not enjoy the same rights and privileges as men, and some provisions of civil law were prejudicial to women. For example, the law allows a husband to deny his wife's right to work, and a husband may also end his wife's right to engage in commercial activity by notifying the clerk of the commerce tribunal. Customary law imposes further strictures on women since in many regions a woman was regarded as the property of her husband. Because of the importance of custom and tradition, civil laws protecting women often were not respected. For example, in some ethnic groups women were precluded from inheriting from their husbands. The Ministry of Women's Empowerment and the Family worked with other government agencies to promote the legal rights of women.

### Children

Citizenship is derived from the parents, and it is the parents' responsibility to register births. Parents must obtain a birth declaration from the hospital or health facility in which the child was born and complete the application. The mayor's office subsequently issues the birth certificate once the file is completed and approved. Because many children were not born in formal health facilities, and many parents were unable to reach local government offices, many births were unregistered; statistics on unregistered births were unavailable. In recent years the government created special civil status centers in remote areas to enable rural residents to register their children. Citizens unable to avail themselves of these resources often turned to a thriving fabrication industry for birth certificates, which were required to register children for school or obtain a national identification card. The government continued its program begun in 2005 to issue birth certificates to Baka, most of whom did not have birth certificates (see section 6, Indigenous People.) The program also assisted Baka in registering for school.

Schooling is mandatory through the age of 14; however, parents had to pay uniform and book fees for primary school students and tuition and other fees for secondary school students, rendering education largely unaffordable for many



children. The government continued its efforts under a three-year program to improve access to schools, such as the construction of new classrooms, recruitment of new teachers, and provision of water fountains.

According to 2008 UN Children's Fund (UNICEF) statistics, 77 percent of girls between the ages of six and 14 were enrolled in primary school, compared with 88 percent of boys in the same age group. According to a 2006 report from the presidency, the secondary school enrollment ratio was 38 percent for boys and 37 percent for girls. The low school enrollment rate was attributed to cost, with girls' participation further reduced by early marriage, sexual harassment, unwanted pregnancy, prejudice, and domestic responsibilities.

Child abuse was a problem, although no statistics were available. Newspaper reports often cited children as victims of kidnapping, mutilation, and even infanticide. There were credible stories of mothers (usually young, unemployed, and unmarried) abandoning their newborns in streets, garbage cans, and pit toilets.

The law does not prohibit FGM, which was practiced in isolated areas of the Far North, East, and Southwest regions; statistics on its prevalence were unavailable. Internal migration contributed to the spread of FGM to different parts of the country. The majority of FGM procedures were clitorectomies. The severest form of FGM, infibulation, was performed in the Kajifu area of the Southwest Region. FGM usually was practiced on infants and preadolescent girls. Public health centers in areas where FGM was frequently practiced counseled women about the harmful consequences of FGM; however, few perpetrators were caught in the act, and the government did not prosecute any persons charged with perpetrating FGM. According to the Association to Fight Violence against Women, FGM practitioners frequently conducted secret, rather than open, ceremonies following the subjection of a girl to FGM.

Breast ironing, a procedure to flatten a young girl's growing breasts with hot stones, victimized numerous girls in the country, according to press reports. The procedure was considered a way to delay a girl's physical development, thus limiting the risk of sexual assault and teenage pregnancy. Girls as young as nine were subjected to the practice, which resulted in burns, deformities, and psychological problems.

While the minimum legal age for a woman to marry is 15, many families facilitated the marriage of young girls by the age of 12. Early marriage was prevalent in the northern regions of Adamaoua, North, and particularly the remote

Far North, where many girls as young as nine faced severe health risks from pregnancies. There were no statistics on the prevalence of child marriage.

Children under the age of 18 were engaged in prostitution, and the problem was believed to be pervasive, although no statistics were available.

A 2009 study conducted by the German development organization GTZ reported that an estimated 432,000 women and girls have been raped in the past 20 years: 20 percent of rapes were perpetrated by family members, and the average age of victims was 15 years. According to Flavien Ndonko, the head of GTZ's HIV/AIDS program, rape has steadily increased, and only about one in 20 rapists was convicted. A campaign led by GTZ in 2009 encouraged victims to speak publicly about rape. In September the Ministry of Social affairs, UNICEF, and the Ecole Instrument de Paix, a local NGO, organized a workshop in Douala to address the growing problem of the sexual abuse of children.

Approximately 2,000 children lived on the streets of the major urban centers. The Project to Fight the Phenomenon of Street Children, a governmental project in partnership with NGOs, gathered information on street children and offered healthcare, education, and psychosocial care; the project also bolstered the intake capacities of specialized centers.

The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For information on international parental child abduction, please see the Department of State's annual report on compliance at [http://travel.state.gov/abduction/resources/congressreport/congressreport\\_4308.html](http://travel.state.gov/abduction/resources/congressreport/congressreport_4308.html).

### Anti-Semitism

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

### Trafficking in Persons

For information on trafficking in persons, please see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

### Persons with Disabilities

In April the president promulgated a new law to protect and promote the rights of persons with disabilities due in part to the scarcity of facilities for persons with disabilities and lack of public assistance. The new law provides that both new and existing government and private buildings be designed to facilitate access by persons with disabilities. While all children were entitled to tuition-free primary school, the new law also provides for free secondary public education for persons with disabilities and children born of parents with disabilities. The law also provides for initial vocational training, medical treatment, employment "when possible," and public assistance "when needed."

On February 1, the Ministry of Social Affairs released a guide to educate persons with disabilities on their legal rights and the services available to them. The UN provided some of the financing for a new guide that was released in November.

Society largely treated those with disabilities as outcasts, and many felt that providing assistance was the responsibility of churches or foreign NGOs.

#### National/Racial/Ethnic Minorities

The population consists of more than 250 ethnic groups, among which there were frequent and credible allegations of discrimination. Ethnic groups commonly gave preferential treatment to fellow ethnic group members in business and social practices. Members of the president's Beti/Bulu ethnic group from southern areas held key positions and were disproportionately represented in the government, state-owned businesses, security forces, and the ruling CPDM party.

Northern areas continued to suffer from ethnic tensions between the Fulani (or Peuhl) and the Kirdi, who remained socially, educationally, and economically disadvantaged relative to the Fulani in the three northern regions.

Traditional Fulani rulers, called lamibe, continued to wield great power over their subjects, who often included Kirdi, and sometimes subjected them to tithing and forced labor. Isolated cases of slavery were reported, largely Fulani enslavement of Kirdi. Many Fulani hired Kirdi at exploitive wage levels to perform tasks that the Fulani considered menial and beneath them.

The 40 persons detained in connection with 2008 ethnic violence following a soccer game between Bamileke and Yebekolo members remained in detention.

Unlike in previous years, there were no reports that Alhadji Baba Ahmadou Danpullo, a wealthy businessman with ties to the government, deceived M'Bororo women into sexual situations, forcibly displaced M'Bororo and seized their land and cattle, or used his money and influence with the government to order the beating and false imprisonment of M'Bororo.

### Indigenous People

An estimated 50,000 to 100,000 Baka, including Bakola, and Bagyeli (Pygmies), primarily resided (and were the earliest known inhabitants) in the forested areas of the South and East regions. While no legal discrimination exists, other groups often treated the Baka as inferior and sometimes subjected them to unfair and exploitative labor practices. The government did not effectively protect their civil and political rights, but has made an effort to assist Baka with national registration, which is a critical first step to participation and representation in institutions that can better advance Baka rights. Baka reportedly continued to complain that the forests they inhabit were being logged without fair compensation. Some observers believed 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 and had been cheated 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 2005 the Ministry of Social Affairs launched the Project to Support the Economic and Social Development of Baka in South Region. The project goal was to facilitate the issuance of birth certificates and national identity cards to 2,300 Baka, as well as help register hundreds of students in school. In August 2009 the regional coordinator of the National Program for Participative Development, the implementing agency, indicated that they were able to assist with approximately 2,000 birth certificates and 1,000 national identity cards. The program continued during the year.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Homosexual activity is illegal and punishable by a prison sentence of six months to five years and a fine ranging from 20,000 to 200,000 CFA francs (\$40 to \$400). During the year three persons in Douala and two in Yaounde were arrested for suspected homosexual activity. Authorities prosecuted at least four persons under this law during the year. Homosexual persons generally kept a low profile because of the pervasive societal stigma, discrimination, and harassment as well as the possibility of imprisonment. Gays and lesbians suffered from harassment and extortion by law enforcement officials. False allegations of homosexuality were used to harass enemies or to extort money.

On December 28, the Douala first instance court released from pretrial detention Alain Nje Penda, who was arrested for alleged homosexual acts in November 2009.

Several lesbian, gay, bisexual, and transgender organizations operated. There was a pattern of discrimination against members of such groups; however, no official cases were available for citation.

#### Other Societal Discrimination

Persons infected with HIV/AIDS were often discriminated against and isolated from their families and society due to the societal stigma and lack of education about the disease.

### Section 7 Worker Rights

#### a. The Right of Association

The law allows workers to form and join trade unions; however, the government imposed numerous restrictions in law and in practice. The labor code does not apply to the agricultural or informal sectors, and thus to the majority of the workforce. The country had an estimated ten million workers, although less than 700,000 were in the formal sector. Seventy percent of the country's workforce was in the agricultural sector, 13 percent in the industrial sector, and 17 percent in the service sector. 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 or even closely related sectors.

The law requires that unions register with the government, permitting only groups of no fewer than 20 workers to organize a union by submitting a constitution,

bylaws, and nonconviction certifications for each founding member. Although registered trade unions may no longer be dissolved by administrative authorities, and may only be dissolved through the judicial process, the law provides for prison sentences and heavy fines for workers who form a union and carry out union activities without registration. Such penalties are in breach of International Labor Organization (ILO) conventions. Trade unions or associations of public servants may not join a foreign occupational or labor organization without prior authorization from the minister responsible for "supervising public freedoms."

Government interference reportedly took various forms, including selectively recognizing certain trade unions and inconsistently applying the laws. Government officials stated that the government provided union certification within one month of application; however, independent unions, especially in the public sector, found it difficult to register. For example, the Syndicat National des Enseignants du Superieur was not officially registered but operated without government interference.

Registered unions were also 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 had no force or effect because the presidency had not issued implementing decrees.

The labor code explicitly recognizes workers' right to strike, but only after mandatory arbitration, and workers generally exercised this right during the year. During the year strikes occurred at some universities, hospitals, the national water company, the Cameroon Bar Association, the Civil Engineering Equipment company, the national railroad company, and among motorcycle taxi drivers.

Security forces used excessive force to disperse a demonstration by members of the Cameroonian Union of Journalists (see section 2.b.).

Arbitration decisions are legally binding but often unenforceable when the parties refuse to cooperate. It was not uncommon for such decisions to 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 and social insurance.

b. The Right to Organize and Bargain Collectively

The constitution and law provide for collective bargaining between workers and management as well as between labor federations and business associations in each sector of the economy.

On January 27, the minister of labor and social insurance presided over the signing of a collective bargaining agreement in the port sector. On November 24, he presided over the signing of a collective bargaining agreement for the banking sector. In 2009 the minister presided over collective bargaining agreements in the graphic arts and agricultural sectors.

Once agreements were negotiated, there was no mechanism to enforce implementation; some agreements between the government and labor unions were ignored by the government.

The constitution and law prohibit antiunion discrimination, and employers guilty of such discrimination were subject to fines of up to approximately one million CFA francs (\$2,000). However, employers found guilty were not required to compensate workers for discrimination or to reinstate fired workers. The Ministry of Labor and Social Insurance (MINLESI) did not report any complaints of antiunion discrimination by private employers during the year, although there were credible press reports of harassment of union leaders.

Industrial free zones are subject to labor law except for the following provisions: the right to determine salaries according to productivity, the free negotiation of work contracts, and the automatic issuance of work permits for expatriate workers.

c. Prohibition of Forced or Compulsory Labor

The constitution and law prohibit forced or compulsory labor, including by children; however, there were reports that such practices occurred.

Slavery is illegal in the country, and the law provides punishment of 10 to 20 years' imprisonment for persons accused of slavery or trafficking in persons for the purposes of forced labor; however, there were credible reports of slavery and hereditary servitude by former slaves in some chiefdoms in the North Region. For example, there were reports that the Lamido (traditional chief) of Rey Bouba in the North Region had hereditary servants inside his compound. Although the Lamido

was replaced by his son in 2004, the hereditary servants remained. It was unclear whether hereditary servants stayed out of fear, a paucity of options, or because they knew no other life than the lamibe system, which is traditionally hierarchical and authoritarian.

Prison authorities arranged for prison inmates to be contracted out to private employers or used as communal labor for municipal public works. Money generated from these activities was usually pocketed by prison administrators and not given to detainees.

In the South and East regions, some Baka, including children, continued to be subjected to unfair and exploitative labor practices by landowners, including forced work without payment on the landowners' farms during harvest seasons.

Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

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, particularly in informal sectors, remained a problem. The government specifically prohibits forced and compulsory labor by children, but there were reports that it occurred in practice.

The law sets a minimum age of 14 for child employment, prohibits children from working at night or longer than eight hours a day, and enumerates tasks that children under the age of 18 cannot legally perform, including moving heavy objects, dangerous and unhealthy tasks, working in confined areas, and prostitution. Employers were required to train children between the ages of 14 and 18, and work contracts must contain a training provision for minors. These provisions of the law were not adequately enforced.

According to 2008 government statistics on child labor, 85.2 percent of working children were employed in the agriculture sector, either on family subsistence plots or on tea, banana, and palm oil plantations. In the urban informal sector, children worked as street vendors, car washers, and domestic workers. Some children also worked in mines and quarries. Many urban street vendors were less than 14 years of age. 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, which normally went to the child's family.

There were reports that some parents gave their children to "marabouts" (traditional religious figures) in Maroua in the Extreme North, to learn the Qur'an and to prepare them to become marabouts themselves. However, there were reports that some of these children were kept in leg chains and subjected to forced labor.

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. These children originated, for the most part, from the three northern and the North West regions.

The Ministry of Social Affairs and MINLESI were responsible for enforcing existing child labor laws through site inspections of registered businesses; although sporadic inspections occurred during the year, 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. The government employed 58 general labor inspectors, whose responsibilities included investigating child labor.

The ILO continued to work with various ministries and agencies involved in anti-trafficking activities; it also conducted nationwide investigations and cooperated with local organizations.

During the year the Prime Minister's Office established an interagency working group to coordinate and enhance the government's efforts to curb trafficking in persons.

Also see the Department of State's annual *Trafficking in Persons Report* at [www.state.gov/g/tip](http://www.state.gov/g/tip).

e. Acceptable Conditions of Work

In 2008 the government increased the minimum wage in all sectors to 28,246 CFA francs (\$56) per month. However, the minimum wage did not provide for a decent standard of living for a worker and family. MINLESI 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), and household and restaurant staff (54 hours). The law mandates at least 24 consecutive hours of weekly rest. Premium pay for overtime ranges from 120 to 150 percent of the hourly pay depending on amount and whether it is for weekend or late-night overtime. There is a prohibition on excessive compulsory service. MINLESI inspectors were responsible for monitoring these standards; however, they lacked the resources for a comprehensive inspection program.

The government sets health and safety standards. MINLESI inspectors and occupational health physicians were responsible for monitoring these standards; however, they lacked the resources for a comprehensive inspection program. In September 2009 the National Commission on Health and Safety in the Workplace expanded the list of occupational diseases from 44 to 99. The law does not provide workers with the right to remove themselves from situations that endanger health or safety without jeopardizing their continued employment.