



## Economic and Social Council

Distr.  
GENERAL

E/CN.4/1987/26/Add.1  
7 October 1986

ENGLISH  
Original: FRENCH

COMMISSION ON HUMAN RIGHTS  
Forty-third session  
Item 16 of the provisional agenda

### IMPLEMENTATION OF THE INTERNATIONAL CONVENTION ON THE SUPPRESSION AND PUNISHMENT OF THE CRIME OF APARTHEID

#### Reports submitted by States parties under article VII of the Convention

#### Addendum

#### CAMEROON 1/

[24 January 1986]

1. The Republic of Cameroon, faithful to its policy of adherence to the principles set forth in the Universal Declaration of Human Rights and the Charter of the United Nations, to which it acceded on independence, is a party to the major international legal instruments concerning human rights, including the International Convention on the Suppression and Punishment of the Crime of Apartheid since 1 November 1976..

2. Acts of discrimination are alien to Cameroonian society, but the legislature has none the less taken a number of measures to secure effective enjoyment of human rights and fundamental freedoms. Most of these measures were taken well before Cameroon acceded to the principal instruments concerning human rights, but are none the less in full conformity and harmony with the instruments in question.

## I. INTERNAL MEASURES

### A. The Constitution

3. The Constitution of 1972, following on from that of 1960, states in the preamble that "the human being, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights" and that "Everyone has equal rights and obligations. The State endeavours to assure for all its citizens the conditions necessary for their development".

4. The preamble also guarantees all citizens freedom of movement, freedom of expression, freedom of the press, freedom of assembly, freedom of association and freedom to join trade unions, as well as the rights to ownership, work and the right to a fair hearing before the courts.

5. Again, since Cameroon is a country where three of the world's major religious beliefs live alongside one another, the independence and the neutrality of the State in matters pertaining to religion are guaranteed by the Constitution.

6. The preamble further states that "No one shall be harassed on account of his origins, opinions or beliefs in religious, philosophical or political matters".

### B. Other legislation

7. Further legislation has supplemented these provisions of the Constitution. For example, Act No. 74/14 of 27 November 1974, containing the Labour Code, guarantees in articles 2 and 4 not only the right to work but also trade union rights:

"Article 2. The right of every citizen to work is recognized as a sacred right ...

Article 4. Workers and employers have the right to join a trade union of their choice, within their occupation or branch of activity, on condition they conform to its statutes".

8. Moreover, Cameroonians, without distinction as to origin or sex, are entitled to hold executive and high-ranking posts in the civil service, subject to certain requirements regarding physical and mental fitness. Decree No. 74/138 of 18 February 1974, establishing the general regulations for the civil service, draws no distinction between men and women.

9. This principle of equality of the sexes has resulted in very eloquent court decisions.

10. For example, in Decision No. 43 of 16 January 1968, the Supreme Court of Cameroon held that the deceased's male next of kin is no longer de jure the guardian of children under legal age, and that the widow can be the guardian of her children who are under legal age.

11. Consequently, this decision condemns the principle of the male relative and also of primogeniture in matters pertaining to customary succession. Other decisions of the Court, dated 11 June 1963 and 19 May 1964, affirmed

that, following the enunciation of the equality of sexes in the Cameroonian Constitution, there is nothing to prevent a daughter from being appointed as the heiress to her father, on the same footing as male descendants.

12. Again, any Cameroonian, whether he works in the civil or in the private sector, is entitled to housing, or in the absence thereof, to a compensatory allowance ranging from 20 to 35 per cent of his regular wage or salary.

13. Aliens who do not hold Cameroonian nationality are also entitled to work under contract in the civil service, with assimilated status and the benefits of current social legislation, and without distinction as to race.

14. Act No. 67/LF/19 of 27 June 1969 guarantees equality for everyone in the enjoyment of social and cultural rights, without any distinction on grounds of race, colour, ancestry or national or ethnic origin. Article 1 of the Act states that "freedom of association is recognized in the territory of the Republic of Cameroon". Article 4 of the Act specifies that associations with features that are exclusively those of a tribe or clan are invalid. Subparagraphs (a) and (b) define an association with the characteristics of a tribe or clan as:

"(a) Any association which seeks to admit for membership only the members of a particular clan or tribe";

"(b) Any association which, without explicitly excluding the members of other clans or tribes, effectively pursues aims contrary to national unity".

Article 18 of the Act permits foreign associations and allows them to have establishments in Cameroon, with prior authorization from the Minister for Territorial Administration.

15. Ordinance No. 72/4 of 26 August 1972, concerning the organization of the judiciary, and Decree No. 76/521 of 9 November 1976 recognize that the system of justice in Cameroon is free of charge. Special assistance to help an individual in legal proceedings to obtain judgement or enforcement thereof is available in one of two ways:

Either automatically and as a matter of right in cases involving social litigation;

Or on request and after examination of the file by commissions established specially for that purpose, in the light of the financial situation of the applicant.

C. Measures taken to protect fundamental rights and freedoms set forth in national legislation

16. The legislature has not only defined the fundamental rights and freedoms of all citizens but also taken measures to protect them.

17. This protection is embodied in the criminal law, which penalizes any violation of those rights:

Protection of freedom of conscience: articles 269 to 273 of the Criminal Code;

Protection of freedom to work: articles 292, 293 and 342 of the Criminal Code.

18. The criminal law in Cameroon penalizes, among other things, racism and tribalism: articles 241 and 242 of the Criminal Code:

"Article 241. Offences against races and religions

Any person who commits an offence as defined in article 152 in regard to a race or religion to which several citizens or residents belong shall be liable to imprisonment for a term of six days to six months and to a fine of CFAF 5,000 to CFAF 500,000 ...

(2) If the offence is committed through the press or the radio, the maximum fine shall be increased to CFAF 20 million;

(3) The penalties stipulated in the two previous subparagraphs shall be doubled if the offence is committed for the purpose of arousing hatred or contempt among citizens."

Article 152 defines an offence against another person as:

"Slander, an insult or a threat, either by gestures, words or shouts in places open to the public or by any method intended to reach the public, is characterized as an offence."

Article 242 of the Criminal Code, on discrimination, reads as follows:

"Any person who refuses another person access to places open to the public or to employment on account of his race or religion shall be liable to imprisonment for a term of one month to two years and to a fine of CFAF 5,000 to CFAF 500,000."

19. It should also be noted that Act No. 66/LF/18 of 21 December 1966 guarantees freedom of the press (art. 1) and stipulates imprisonment for a term of six months to one year and a fine of CFAF 25,000 or one of those penalties for the author of a written document whose object or purpose is to incite hatred and disunity among communities (art. 34).

20. Again, some events held in Cameroon have strengthened our country's adherence to the cause of human rights. They include:

The organization in 1971, in co-operation with the United Nations Division of Human Rights, of the Symposium on the Evils of Racial Discrimination;

The organization in 1973, in connection with the Tenth Anniversary of the Organization of African Unity (OAU) of a collection throughout Cameroon for liberation movements in southern Africa victimized by racism;

The organization, every two years since 1977, by the Cameroonian International Relations Institute (IRIC), acting in collaboration with the Henri Dunant Institute at Geneva, of African seminars on international humanitarian law, the fifth in the series being scheduled for November-December 1985;

The celebration every two years since 1981 of Human Rights Day, which affords the Government the opportunity to reaffirm, in a statement published in the national and international press and communicated to the Secretary-General of the United Nations, its firm stand against racial discrimination and unswerving policy of equality among all men and all races. On this occasion, too, the press and the radio devote their editorials (for a fortnight) to the question of human rights, more particularly in South Africa, and the racial problem throughout the world in general.

## II. INTERNATIONAL MEASURES

21. Having created inside the country a framework to foster the development of everyone living on its territory, the Cameroonian Government also engages at the international level in intense activities to outlaw apartheid and all forms of racial discrimination. This activity is reflected in Cameroon's accession to a number of conventions designed to promote human rights, in its adoption of measures against South Africa, and in its participation in the efforts waged by the international community against apartheid by means of many kinds of assistance to the movements to liberate the peoples of southern Africa.

### A. International conventions

22. Apart from the Charter of the United Nations, the Universal Declaration of Human Rights and the International Convention on the Suppression and Punishment of the Crime of Apartheid, Cameroon is a party to the following international instruments:

International Convention for the Suppression of the Traffic in Women of Full Age;

International Convention for the Suppression of the White Slave Traffic;

International Agreement for the Suppression of the "White Slave Traffic";

Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others;

Convention relating to the Status of Refugees;

International Convention on the Elimination of All Forms of Racial Discrimination;

Convention on the Non-applicability of Statutory Limitations to War Crimes and Crimes against Humanity;

International Covenant on Economic, Social and Cultural Rights;

International Covenant on Civil and Political Rights;

Optional Protocol to the International Covenant on Civil and Political Rights.

B. Measures taken against South Africa

23. Cameroon has at all times faithfully observed the spirit and the letter of the resolutions of the United Nations and the Organization of African Unity to induce South Africa to put an end to its policy of apartheid and racial discrimination.

24. Decree No. 63/DF/212 of 2 July 1963 was issued in this context and it states:

"Article 1. The Republic of Cameroon does not maintain diplomatic and consular relations with the Republic of South Africa and, accordingly, the following are prohibited throughout Cameroonian territory:

(1) All economic and commercial exchanges, whether direct or through intermediaries, with the Republic of South Africa;

(2) Access to Cameroonian ports by any vessel flying the South African flag;

(3) Landing at airports in the Republic of Cameroon and overflight of Cameroonian airspace by any aircraft belonging to the Government of South Africa or firms registered in accordance with South African law.

"Article 2. No transit visa, entry visa or visa to stay on the territory of the Republic of Cameroon may be issued to South African nationals, except in special circumstances which shall be submitted to the Minister of Foreign Affairs of Cameroon for his appraisal."

25. It should none the less be emphasized that this provision has been interpreted restrictively. No visa has been issued to South African nationals, nor has one been issued to any alien who has stayed in South Africa for any reason.

26. Interministerial Order No. 19 bis of 27 July 1963, concerning the methods of applying measures taken against South Africa, stipulates inter alia that:

"Article 1. Importation of goods originating in or from South Africa or its dependent territories shall be prohibited in the Customs territory of the Federal Republic of Cameroon.

"Article 4. As from 3 July 1963, exports of goods of Cameroonian origin or from Cameroon to South Africa or its dependent territories shall be prohibited.

"Article 6. Any financial relations between the Federal Republic of Cameroon and South Africa or its dependent territories shall be prohibited as from 3 July 1963."

C. Participation by Cameroon in the efforts of the international community

27. In addition to these measures it has taken pursuant to resolutions by the United Nations and OAU, Cameroon has joined in the efforts of the international community to enable the peoples who are victims of apartheid to regain their human dignity. As a member of the Council for Namibia and the OAU Liberation Committee, Cameroon has sent a number of high-level delegations to take an active part in major events such as the two World Conferences to Combat Racism and Racial Discrimination (Geneva, 1978 and 1983), the International Conference on Sanctions against South Africa (Paris, 1981), the International Conference in Support of the Struggle of the Namibian People for Independence (Paris, 1983) and the Extraordinary Ministerial Meeting of the Co-ordinating Bureau of Non-Aligned Countries on the Question of Namibia (New Delhi, 1985).

28. In 1986, Cameroon will be acting as host to the Seminar on International Assistance and Support to Peoples and Movements Struggling against Colonialism, Racism, Racial Discrimination and Apartheid, organized by the Economic and Social Council.

29. Cameroon has also co-sponsored a number of resolutions and supported all of the resolutions and decisions of the General Assembly and other United Nations organs concerning southern Africa and various aspects of the policy of apartheid. In particular, the Cameroonian delegation co-sponsored a General Assembly resolution proclaiming the Second Decade to Combat Racism and Racial Discrimination.

30. In addition, the Cameroonian Government at all times gives its support, chiefly financial or through various funds created for that purpose in OAU and the United Nations, to the liberation movements in southern Africa, more particularly the South West Africa People's Organization (SWAPO), the African National Congress (ANC) and the Pan Africanist Congress of Azania (PAC).

31. Accordingly, in keeping with the principles of its foreign policy and its international commitments, Cameroon has always condemned and still condemns the inhuman practices of apartheid instituted by the white minority in South Africa.

32. It supports the establishment of an international tribunal, as provided for in article V of the Convention, and recognizes that all the offences enumerated in article II of the Convention are indeed crimes and that the perpetrators of such crimes should be brought before the tribunal.

---

Notes

1/ The initial report submitted by the Government of Cameroon (E/CN.4/1277/Add.3) was considered by the Group of Three at its 1978 session.