



ngo group for the crc

STATE PARTY EXAMINATION OF CAMEROON'S 2ND PERIODIC REPORT

53RD SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD

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Cameroon ratified the Convention on the Rights of the Child (CRC) on 11 January 1993. On 14 January 2010, the Committee on the Rights of the Child (the Committee) examined the second periodic report of Cameroon. It was last examined on 4 October 2001.

Opening Comments

The delegation of Cameroon was led by H.E. Ms Cathérine Bakang Mbock, Minister of Social Affairs. She was supported by a large delegation consisting of representatives of the Ministry of Social Affairs, Ministry of Justice, Ministry of Education, the Prime Minister's Cabinet and the Permanent Mission in Geneva.

Ms Bakang Mbock started by saying that the CRC brought her country closer to the effective implementation of the rights of the child. She stressed that over the past 10 years Cameroon had undergone many changes in order to fully implement the provisions of the CRC. Cameroon ratified the UN Convention on the Rights of People with Disabilities (2008). In 2007, a new criminal code was introduced, aimed at improving the juvenile justice system. Since 2004, the promotion of the rights of the child was entrusted to nine different ministerial departments. In 2004 the National Committee for Human Rights and Freedoms was transformed into the National Commission on Human Rights and Freedoms, in order to comply with the Paris Principles. Children had an access to a complaint mechanism directly through this commission. In addition, a new director was appointed in the Ministry of Social Affairs whose task was to protect children's social rights. The head of the delegation emphasized that since its last review, Cameroon followed the Committee's previous recommendations. For example, the minimum age of enlistment in the Armed forces was set

at 18 years, the definition of the child in the draft Child Protection Code was in line with that set out in the CRC. Under the same draft Code, the age for marriage would be set at 18 years for both girls and boys. Efforts were carried out to promote child participation by creating, in addition to Children's Parliament, children's governments and children's municipal councils in some 4 regions of the country. Ms Bakang Mbock noted that international cooperation helped Cameroon to alleviate its debts and increase investments in social sectors. The budget for health and education sector was constantly growing and that the quality of services was improving. The government decided to focus more on the situation of vulnerable children, such as children with disabilities, indigenous children, marginalized children whilst respecting the principles of non-discrimination and the best interests of the child.

Cameroon was fighting against the emerging phenomena of street children, trafficking of children, violence against children and challenges presented by the AIDS orphans. Ms Bakang Mbock said that Cameroon was addressing the issue of forced labour by eradicating child labour and rehabilitating victims through programmes carried out together with the ILO. Regarding sexual exploitation and child trafficking, the government identified victims and endorsed new programmes to help them. A national plan to combat trafficking and sexual exploitation had been adopted in July 2009, which was aimed at prevention, as well as rehabilitation and social reinsertion of victims. Cameroon also made considerable efforts to provide homes for HIV/AIDS orphans and children affected by the HIV/AIDS.

Cameroon enacted a national policy framework document (2010-2012) on the integrated development of young children, focusing on health, education and protection. Ten programmes were selected to improve the daily life of children. The cost of this policy was over 30 million euros. The head of the delegation remarked how the First Lady of Cameroon was working hard towards improving the rights of the child through her dedicated work as an Ambassador for UNESCO. Ms Bakang Mbock thanked the UN system for all the help and support given to Cameroon. She reiterated that despite restrictions and challenges, Cameroon had a strong political will to further implement the CRC. She listed the impact of food crisis, economic constraints, the spread of HIV/AIDS, the lack of research and the lack of statistics as the main challenges in Cameroon.

Ms Agnes Aidoo, the country Rapporteur, welcomed the delegation. She noted that Ms Bakang Mbock's statement gave the Committee an overview of Cameroon's commitment to human rights and children's rights. She remarked that Cameroon had many natural resources and had known peace for 30 years. Ms Aidoo observed that the State party report and the written replies were self-critical and very detailed. She commended many changes and achievements that took place in Cameroon, including the enactment of the Act on the Status of Refugees, some significant improvements and changes in the Child Protection Code and Family Law, the draft Bill on Gender Violence, the national health policy and the draft poverty reduction plan. Ms Aidoo asked more details on coordination in the State party at national, regional and local levels.

General measures of implementation

Legislation

The Committee noted that laws, once enacted, took a long time to be implemented. It asked what measures were taken to gain political will and ensure the political support of the Parliament for the enactment of these laws. In addition, the Committee noted that the revisions of the criminal law were not coherent with the provisions of the CRC, and there was

no indication that perpetrators were punished or brought to justice. Regarding the lengthy period between ratification and implementation of laws, the delegation explained that due to the diversity of the country and population residing in it, many criteria must have been taken into account to fully implement these laws.

The Committee asked what effective measures were taken to protect children against violence and prevent violence from occurring in the home, school and prisons. It noted that children were often ill-treated and there were no specific sanctions for perpetrators, or complaint mechanism despite the revised criminal law. Moreover, it asked what measures were put in place to ensure that the implementation of the CRC was not hindered or restricted by socio-cultural limitations, for example by the dualist system. The delegation answered that the Family Code and the Child Protection Code as well as the Code on Nationality were under consideration. The Committee wondered why the State party did not ratify the two Optional Protocols to the CRC and whether it was on the State's agenda. The delegation did not provide any direct answer to this question.

Coordination

The Committee remarked that a coordinating body was necessary to ensure a full implementation of the CRC. The Committee wanted to know how the government was going to ensure the coordination among nine different ministries involved in the promotion and implementation of children's rights. It also asked for details on the National Commission on Human Rights and Freedoms. It wondered whether the State party was planning to create an independent monitoring mechanism and if it had sufficient human and financial resources for it. The delegation explained that the National Commission was entitled to promote and protect human rights in the country. After being transformed into a Commission in 2004, the National Commission on Human Rights and Freedoms was strengthened. It had its own budget and was an independent body. To follow up on cases referred to it by the Ministry of Justice, the Commission published its reports and recommendations and sent them to the government. These reports often led to progress and changes in government's policies. The members of the Commission were nominated and extremely independent. The Commission held a crucial role in promoting children's rights in the country.

Implementation

The Committee noticed the absence of a national action plan on children, which could be strategically linked to the major development policies and plans, such as the National Human Rights Plan. It asked whether the State party planned to create a global and comprehensive plan to strengthen the implementation of the provisions of the CRC. In addition, it enquired about the role of civil society in the State party and the nature of its collaboration with the government. It wondered what was done to empower this group to ensure children would benefit from the CRC. The delegation explained that the State party had participatory consultation with NGOs. It emphasized how well the government and NGOs worked together. It added that NGOs provided relevant data to the government and that their collaboration was essential to build capacities in the field of human rights and children's rights.

Data collection

The Committee noted that because of the heterogeneous nature of the State party, disaggregated data was needed. It added that more efforts should be carried out in collecting data, especially on various groups residing in the country including vulnerable groups of children. The delegation reiterated the existence of so called Social Map which was designed

by the Ministry of Social Affairs to define social problems in the country, to collect data on vulnerable groups and share the information across different ministries. This would enable a single understanding of social demand leading to a single social response.

Dissemination and training

The Committee asked whether the State party used the media to disseminate the CRC and if the media ensured the proper treatment of children and adolescents by ensuring the protection of their privacy. In addition, the Committee wondered if the provisions of the CRC were included in the universities' curriculum. It asked whether civil servants were trained to respect the rights of the child. The delegation said that the media was widely used to disseminate the provisions of the CRC. For example, the government made sure the media outlets were aware of the CRC and properly portrayed issues related to children. In the long term, the State party thought using the media to raise awareness about different legal instruments. It added that the government signed an agreement with a media agency to open a web page providing information on the CRC and the State party's progress on its implementation. This could be used as a platform on capacity building.

Budget allocation

The Committee asked how the budget was protected from external factors, such as food shortage, economic crisis, etc. It was also concerned about corruption and asked how transparent the budget allocations were. The Committee noted the budgetary allocations for education sector were decreasing and asked the reasons for it. The delegation admitted that the budget was a focal point in terms of the implementation of the CRC. It explained that the first and foremost source of the budget was the domestic income. Regarding the reduction of the budget, the delegation stated the opposite and said that the budget for both education and health sectors were increasing. Regarding the management of the budget, the delegation stressed that the government encouraged all departments to let them oversee their programmes in order to ensure transparency. The delegation added that the public health budget had been increasing. The Committee reiterated its concern about widespread corruption in the country. It asked whether it could have impact on the implementation of programmes designed for children. It further commended the creation of the Anti-Corruption Commission and asked more information about it. The delegation answered that the National Anti-Corruption Commission was under the control of the Prime Minister's office. Its purpose was to ensure a systematic monitoring of ministerial department to fight corruption. The delegation noted that this Commission was closely collaborating with various ministries and civil society and was efficient both nationally and regionally.

Definition of the child

The Committee noted that there had been discrepancies in the definition of the child, and that the minimum age to define a child changed depending on the case. It recommended adopting a single age for a child. The delegation explained it was concerned with these inconsistencies and added there were ongoing changes in the Family Code on the definition of the child.

General principles

Child participation and respect for the views of the child

The Committee asked for a comprehensive update on child participation. It enquired to what extent the views of the child were respected beyond the Child Parliament, in areas such as

schools, homes, civil procedures, etc. The delegation explained that children participated in the decision-making process by asking questions to the government. These questions formed a report which the Prime Minister would take into account in meetings with the cabinet.

Civil rights and freedoms

Birth registration

The Committee noted that the birth registration dropped from 2004 to 2006. It asked what measures were taken to ensure the registration of vulnerable groups both in rural and urban areas. The delegation acknowledged that the lack of birth registration made children more vulnerable. With the help of UNICEF, the State was promoting the importance of birth registration. In rural areas, the traditional chief was ensuring that every child was registered. Ongoing efforts were carried out to provide birth certificates to every child in the country.

Protection of privacy

The Committee was concerned about the use of children's images in the media and asked whether regulations were in place to protect children's privacy. Moreover, it asked how children could protect themselves from the over-protective approach of their parents. The delegation responded by reiterating that protection of privacy was important, especially for adolescents.

Indigenous people

The Committee was concerned about the situation of indigenous people. Firstly, it noted that calling this group marginalized gave the impression as if their situation was a choice. Secondly, it asked how the CRC was implemented with respect to indigenous people. The delegation noted that the State party was facing many challenges presented by indigenous groups. Efforts were carried out in the area of education and health. It went on explaining that there would be 230 indigenous groups if the population as a whole was to be considered as indigenous. The real problems existed with the marginal populations, such as the Baka (pygmies) and the M'bororo, but otherwise everyone was entitled to the same rights and freedoms.

Homosexuality

The Committee was concerned that the same sex relations were penalised in the State party. It asked whether children had access to counselling if they had to hide their sexual preferences. The delegation did not address this issue.

Children with disabilities

The Committee asked for more details regarding children with disabilities. It asked whether the government made enough efforts to promote the rights of children with disabilities while in the family. It commended the creation of national centres for disabled children and enquired whether it included measures to rehabilitate children in the society. It wondered if NGOs had a special role in helping children with disabilities. It was concerned that 22% of children between the age of 2 and 9 were considered disabled and asked how the State party defined a child with disabilities. The delegation noted that the figure was wrong. It explained that only 10% of children had disabilities in the country and that the statistics in the State party report was provided by UNICEF. Moreover, the definition of disability used was the one set out in the Convention on the Rights of Persons with Disabilities. Regarding rehabilitation centres, the delegation said it would verify the information on the number of rehabilitation centers and send relevant information to the Committee. It added that parents

were in the best position to care for children with disabilities. As such, the government provided special training for parents to promote holistic care for them.

Family environment and alternative care

Alternative care

The Committee remarked that there were two kinds of alternative care in the country: alternative care and permanent alternative care. It asked whether foster families and the support of relatives were practiced in the State party. The delegation did not have the time to fully address this issue. It explained that children without parents were placed in institutions run by NGOs. The Ministry of Ministry of Social Affairs had established monitoring teams to assess those institutions and to follow up on the situation of children.

Adoption

The Committee asked for more details regarding both national and international adoptions. It enquired about the measures of protection for adopted children. The delegation answered that adoption was a pressing concern, especially for AIDS orphans. The State party was considering ratifying the Hague Convention. It established a list of conditions to ensure safe adoption. The Committee emphasised the importance of having a legal mechanism on adoption to ensure the protection of children's rights. It added that strong legislation on adoption could often eliminate issues of sale of children.

Basic health and welfare

Health

The Committee asked if one could have a confidential access to healthcare services in the country. The Committee was concerned about the access to health care by vulnerable groups, such as indigenous children, street children, children from minority groups. It also noted that the health strategy of 2015 covered issues of adolescent health, but wanted to know whether the strategy covered adolescent services for street children, girls and other groups, and whether there were programmes for adolescents' alcohol or drug use. The delegation acknowledged that adolescents needed specific healthcare. A strategy document was drawn up for treatment of adolescents and all communities had an integrated health centre where adolescents would be provided with specific services. Regarding indigenous people, the delegation explained it was difficult to provide healthcare for them, as both Bururu and Pygmies were nomads and needed specific health care services. It added that the healthcare system was based on a pyramidal organisation, and as such, every region had different ongoing programmes. The Committee expressed its concern about the high rate of malnutrition. The delegation acknowledged the existence of the issue of malnutrition in the country. To tackle this phenomenon, the government made efforts to raise awareness on the issue in the field of education, agriculture and health. The Committee added that the malnutrition had to be addressed consequently. The delegation explained that there was a multisectoral committee on malnutrition led by the Ministry of Health which was implementing various programmes to address malnutrition. For example, vitamin A was given out freely to every child under 1 year old. To better address malnutrition, the State party was planning to develop agriculture and stock raising. Moreover, meals were provided in school canteens to address both malnutrition and school attendance.

HIV/AIDS

The Committee asked whether the State learnt any lessons from the national multisectoral strategy plan (2000-2010). It wondered if the government had any plans to further combat the HIV/AIDS. The delegation answered it extended the national multisectoral strategy plan until 2015 in order to comply with the MDGs. It added that the government provided free screening test for children and women. Prevention programmes regarding mother-child transmission were set up.

Drug use

The Committee asked about the prevalence of drugs in the country and wondered if there were programmes set up to reintegrate and rehabilitate victims of drug abuse. The delegation did not mention this phenomenon.

Harmful practices

The Committee was concerned about harmful practices occurring in the country, especially female genital mutilation (FGM) and early marriages. It noted that both the CRC and the African Charter had provisions urging the State party to eliminate these practices. The delegation explained it did not perceive harmful practices as customary, but on the contrary as unacceptable. The Committee asked what was being done to combat the traditional practise of "breast ironing", which was carried out on adolescent girls to stop their bodies from developing allegedly with a view to protecting them from rape. The delegation said that the incidents of so called "breast ironing" were isolated cases but that the government was concerned about them and was addressing its efforts towards achieving the Millennium Development Goals (MDGs) and eradicating poverty. It explained that efforts to combat FGM were continuous. There was a bill on banning this practise but it had been held up because of the enormous costs it would entail. Therefore, the government was focusing its efforts on education and awareness-raising campaigns to remove the root causes of this problem and to change attitudes among general population.

Vaccinations

The Committee noted many children were dying from preventable diseases. It recommended continuing its efforts in increasing immunisation and vaccinations. The delegation answered that vaccination was well addressed in the country; each disease had its own programme. Regarding yellow fever, it said it attracted a lot of attention, but it was a rare disease. A national programme was established to fight malaria. For example, mosquito nets were distributed free of charge among children and pregnant women. The delegation also said tuberculosis and measles were soon to be eradicated in the country. Thanks to the vaccine against measles, the number of children suffering from diarrhoea was decreasing. As such, many programmes were in place to improve children's health.

Breastfeeding

The Committee was concerned about the growing number of health professionals misleading mothers about breastfeeding. The delegation answered that the State was promoting breastfeeding through awareness raising campaigns especially among poor families. It explained many women with HIV/AIDS feared breastfeeding as they could transmit the disease. The delegation confirmed that hospitals were baby-friendly.

Education, leisure and cultural activities

Education

The Committee commended the efforts made in the field of education. However, it noted that the budget figures presented by the delegation were different from the ones provided in the written replies. It was concerned about regional disparities in the educational system and asked what kind of efforts would be carried out to remove the gender and geographic disparities. The Committee asked how the State party would reduce the school drop out rate by 2015, in order to achieve one of the MDGs. The delegation explained that progress in education was vital and as such, the budget was considerably increased. It noted that the gender disparity was a serious issue in the country. Religious communities often stressed the importance of school attendance for girls.

Regarding geographic disparities, the State party created priority zones to provide better education in rural and poor regions. With the help of various economic partners and UNICEF, the State built new infrastructures and schools all over the country. It established a committee to help the Ministry of Education to better succeed in achieving the MDGs. Regarding school fees, the delegation said primary school was now free of charge. The Committee wondered how multi-ethnicity was addressed in schools, especially regarding providing education in different languages. The delegation answered that official languages were French and English; dialects were taught at home. It added that multi-ethnicity was not an issue in the educational system; however it was difficult to provide access to education for indigenous groups because of their nomadic lifestyle. Special programmes were implemented to seek their participation in society and ensure school attendance. Regarding the shortage of teachers, the delegation responded that the government was planning to recruit over 30,000 teachers in primary education. It was hoped that by 2015, the problem of the scarcity of teachers would be solved.

Special protection measures

Street children

The Committee asked how the State was planning to tackle the issue of street children. The delegation admitted it was a growing problem in the country as increasing number of children were identified as street children. Projects to ensure the reintegration and re-socialisation of these children were being drafted.

Child labour

The Committee noted that child labour was an expanding phenomenon in the State party. 4 out of 10 children were economically active. The Committee was worried the legislation was insufficient due to its poor implementation and asked how the State planned to tackle this issue. The delegation reiterated its efforts to address the issue of child labour in collaboration with the ILO.

Violence against children

The Committee remarked there was lack of studies and statistics on violence against children in the country. Although there were circulars on violence in the schools and provisions in the Criminal Code to cover such offences, there was no indication that perpetrators were punished or brought to justice. The Committee asked if the government had any plans to establish child helplines for child victims of violence. It added that the issue of sexual exploitation had to be better addressed; this issue was also highlighted by the Committee on the Elimination of all forms of Discrimination Against Women (CEDAW). It further asked how the State dealt with the cultural silence and the banality in cases of violence against children and women. In addition, it wondered if the police forces received a special training

to address this issue and if the government planned to establish complaints mechanism as the cases of torture of children were reported in an informal manner and there was no mechanism of victims' compensation or rehabilitation. The delegation expressed their political will and commitment to eradicate violence against children, especially violence occurring in schools. It noted that the information was probably exaggerated as Cameroon was a peaceful country, and that the violence was not tolerated. The country was facing many challenges including the lack of financial and human resources.

Juvenile justice

The Committee commended the reforms made on juvenile justice system. However, it was concerned the reforms were not sufficient and that juvenile justice system was not efficient enough for children. It asked for precise figures regarding the trained staff and professionals working with children in conflict with law. It asked for more information on children in detention and especially when children were detained with adults. It also enquired about the minimum age of criminal responsibility.

The delegation expressed their satisfaction about the provisions of the new Juvenile Code which was in line with international standards. Regarding specialisation of professionals, the delegation explained that there were only capacity building trainings for professionals including judicial police officers, social workers, prison officers and judges. When cases involved young offenders, judges were accompanied by two 'asseseurs' who functioned as non-presiding judges. Regarding the length of detention, the legislation defined the upper limit at 6 months for children. It could be later extended to 12 months. Detention of minors was an exceptional and last resort in cases of serious offences such as murder. In other cases, provisional detention could be applied before rehabilitation, entailing to bringing the child back to his family or an alternative home. The government was making efforts to separate minors from adults in prisons; it was planning to build separate facilities for children. In the prisons of Yaoundé, Douala and Bafoussam, separate facilities were already being built. Rehabilitation and reintegration were the main priorities in dealing with young offenders. Regarding criminal liability, children from 10 to 14 years of age were subject to special measures of protection. Children from 14 to 18 years old were treated under special circumstances which implied placing them in custody, placing them back in their families or issuing a warning. The delegation further explained that under the Criminal Code, the Ministry of Justice and the Ministry of Social Affairs had established the composition of a court for children made of 2 non-presiding judges, referred earlier as 'asseseurs'.

Refugee children

The Committee commended the State party for its policies and close cooperation with the UNHCR. It asked whether the legislation on refugee was implemented. The delegation commented that refugee children and internally displaced children were welcome in the country. Moreover, efforts were carried out to accommodate this vulnerable group, but the government was challenged by the lack of human and financial resources. An assistance from the international community was needed.

Concluding remarks

The country Rapporteur, Ms Aidoo, found the dialogue fruitful and frank. She appreciated the level of expertise of the delegation. Answers from the delegation showed the reality in

Cameroon while affirming the government's political will to ensure a stronger implementation of the CRC. Ms Aidoo highlighted the main challenges faced by the State. She stressed the importance of ratifying the Hague Convention to ensure safe adoption, as well as the importance of the ratification of the Optional Protocol to the CRC on the Sale of Children, child Prostitution and Pornography (OPSC) and the Optional Protocol to the CRC on the involvement of Children in Armed Conflict (OPAC). She noted that a better coordination would be beneficial. She emphasised the importance of addressing the regional disparities and gender discrimination in schools; malnutrition, budgetary resources and maternal mortality rate. She mentioned Cameroon should strengthen its international cooperation to ensure the MDGs. She noted that Cameroon was extremely committed to the CRC and could become a model for both Africa.

The head of the delegation, Ms Bakang Mbock, thanked the Committee for the constructive dialogue. She welcomed the Committee's efforts and detailed analysis of the second periodic report of Cameroon. She said that the development of children was part of sustainable development in the country. She confirmed that Cameroon would continue working for the promotion and protection of the rights of the child. The head of the delegation said that concerns and strategies mentioned were extremely useful.