



U.S. Department of State

Cameroon Country Report on Human Rights Practices for 1998

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CAMEROON

Cameroon is a republic dominated by a strong presidency. Since independence, a single party, now called the Cameroon People's Democratic Movement (CPDM), has remained in power and limited political choice. In October 1997 CPDM leader Paul Biya won reelection as President in an election boycotted by the three main opposition parties and generally considered by observers to be marred by a wide range of procedural flaws and not free and fair. Although the Government legalized opposition parties in 1990, after widespread protests, most subsequent elections, including the May 1997 legislative elections, which were dominated by the CPDM, were flawed by numerous irregularities. International and local observers generally consider the election process, which is controlled by the Government's Ministry of Territorial Administration, as not free and fair. No President has ever left office in consequence of an election. The President retains the power to control legislation or to rule by decree. In the National Assembly, government bills take precedence over other bills, and no bills other than government bills have been enacted since 1991, although legislation proposed by the Government sometimes has not been enacted by the Assembly. The President repeatedly has used his control of the legislature to change the Constitution. The 1996 Constitution lengthened the President's term of office to 7 years, while continuing to allow Biya to run for a fourth consecutive term in 1997. The Government has taken no formal action to implement other 1996 constitutional changes that provide for new legislative institutions, including a partially elected senate and elected regional councils, and a more independent judiciary, even though the President had announced in 1997 that most of these reforms would be implemented during 1998. Although the country's first local government elections were held in 1996, President Biya limited their scope by expanding the number of municipal governments headed by presidentially appointed "delegates" rather than permitting the election of mayors, especially in pro-opposition regions. The Government remained highly centralized. The judiciary is subject to political influence and suffers from corruption and inefficiency, although it continued to show growing independence and integrity in some important respects.

Internal security responsibilities are shared by the national police, the National Intelligence Service (DGRE), the gendarmerie, the Ministry of Territorial Administration, military intelligence, the army, and to a lesser extent, the Presidential Security Service. The police and the gendarmerie have dominant roles in enforcing internal security laws. The security forces, including the military forces, remain under the effective control of the President, the civilian Minister of Defense, and the civilian head of police. The security forces continued to commit numerous serious human rights abuses.

Cameroon's population of about 14 million had a recorded mean per capita Gross National Product (GNP) of about \$650. Following nearly a decade of economic decline, economic growth resumed in 1994 and has subsequently continued, due chiefly to large public sector salary cuts, a 50 percent currency devaluation, stabilization of terms of trade, and increased external preferential financing and debt relief. However, economic recovery continues to be inhibited by a large inefficient parastatal sector, excessive public sector employment, growing defense and internal security expenditures, and by the Government's inability to collect internal revenues effectively, especially in economically important pro-opposition regions. Widespread corruption in government and business also impedes growth. The civil service and the management of state-owned businesses have been dominated by members of the Beti and Bulu ethnic groups. The majority of the population is rural, and agriculture accounts for 25 percent of GNP. Principal exports include timber, coffee, cocoa, cotton, bananas, and rubber. The Government also continued to receive substantial assistance from international financial institutions.

The Government's human rights record continued to be generally poor, and government officials continued to commit numerous serious abuses. Citizens' ability to change their government remained limited. Security forces committed several extrajudicial killings and often beat and otherwise abused detainees and prisoners, generally with impunity. However, the Government began to prosecute some of the most egregious offenders; policemen were convicted and sentenced to prison terms for several extrajudicial killings, and in trials held in two prominent 1997 cases, both commissioners and policemen received prison sentences and fines. Conditions remained life threatening in almost all prisons. Security forces continued to arrest and detain arbitrarily various opposition politicians, local human rights activists, and other citizens, often holding them for prolonged periods and, at times, incommunicado. Security forces conducted illegal searches, harassed citizens, infringed on their privacy, and monitored some opposition activists. The judiciary remained corrupt, inefficient, and subject to political influence. The Government continued to impose some limits on press freedom. Although private newspapers enjoyed considerable latitude to publish their views, journalists continued to be subject to official harassment, and the Government has increased its prosecutions of pro-opposition journalists under criminal libel laws. The Government obtained convictions against several journalists under these laws. A 1996 law revoked formal press censorship and

moved supervision of the press from the administrative authorities to the courts, but the Government has not yet implemented a 1990 law designed to end its virtual monopoly of domestic broadcast media, and the Government continued to seize publications deemed threatening to public order, including newspapers. On several occasions, the Government restricted freedom of assembly and association. At times, the Government used its security forces to inhibit political parties from holding public meetings. Government security forces limited freedom of movement. Discrimination and violence against women remained serious problems. Female genital mutilation persisted in some areas, despite government efforts to counter the practice. Discrimination against ethnic minorities was widespread and discrimination against indigenous Pygmies continued. The Government continued to infringe on workers' rights, and child labor remained a problem. Slavery reportedly persisted in parts of northern Cameroon. Mob violence resulted in some deaths.

In June, the Government launched a 6-month nationwide human rights awareness campaign via the government-controlled media, which was supplemented by seminars, parades, and other activities.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no confirmed reports of political killings. However, the security forces continued to use excessive, lethal force and committed several extrajudicial killings. On January 21, policemen from the Commissariat of the 12th arrondissement of Douala reportedly shot and killed 28-year-old Serge Francois Massoma as he stepped out of his canoe in the Wouri River in Douala. According to his mother, the policemen previously had threatened to kill him. Three policemen reportedly were detained in connection with his death; their case had not been tried by year's end.

In May three policemen were arrested on charges of having tortured and killed Lawrence Arrey. The police allegedly detained Arrey on suspicion of grand theft in Mbiako, a village near Edea, and interrogated him by hanging him from a tree and physically abusing him in various ways until he died. The three policemen were charged, and in October were tried, convicted and sentenced to between 8 and 15 years in prison.

A policeman shot and killed a 17-year-old male during the security forces' suppression of racial violence against white foreigners in June (see Section 5). The policeman, who claimed to have intended to shoot into the air, was questioned and provisionally released. The case remained under investigation at year's end.

On June 20, a policeman from the Douala Mobile Intervention Unit shot and killed truck driver Jean-Marie Penga at a roadblock. Eyewitness accounts state that the police initially gave Penga unclear signals to stop. Realizing that the police were hailing him, he slowed down and was shot in the back. The policeman responsible for the shooting was arrested a month later. The case was pending at year's end.

On July 24, a policeman shot and killed Alain Tuno Fossi, a 28-year-old Douala-based businessman, at a roadblock in the city as he pulled his car over. The policeman was arrested 4 days later. Fossi's funeral procession on July 30 was joined by about 2,000 Douala residents protesting police brutality. The case was said to be pending at year's end.

On August 20, a policeman shot and killed a young street vendor named Leonard Ngonou Fouda at the Mfoundi market in Yaounde for refusing to pay a 90 cent bribe and failing to remove his wares from the sidewalk. The policeman who shot Fouda later went to the hospital, dressed in civilian attire, to get an update on the victim (by then pronounced dead); he was recognized by the crowd and severely beaten. The policeman was tried and sentenced to up to 2 years in prison.

In December the Douala Court of First Instance sentenced policeman Felix Nyem to 15 years in prison for shooting and killing a taxi driver in Douala, and ordered the police force to pay substantial damages to the family of the victim.

Two high-profile cases of extrajudicial killing from the previous year were brought to a conclusion. On June 5, police officers Eroume A. Ngon and Alexandre Mvoutti were jailed for 5-year prison terms in connection with the November 1997 death in custody of mechanic Paul Njouomegni. The mechanic had died from beatings by the two arresting policemen, in part for having resisted arrest and also allegedly over his later refusal to pay so-called "cell fees." The police commissioner responsible for Yaounde's fifth precinct, Bienvenue Motassie, received a 1-year suspended sentence in the case.

On June 26, Police Commissioner Joseph Nsom Bekoungou, chief of Yaounde's third precinct, was sentenced to a 6-year jail term, and police inspector Jacques Bama received a 10-year sentence, in the November 1997 death of Emile Maah Njock, who was tortured to death while in their custody (see Section 1.c). Njock had been arrested at home and charged with robbery. Interrogating officers beat him and applied an electric iron to his genitals and other parts of his body during a 3-day effort to extract a confession. Commissioner Bekoungou, who refused requests for Njock to receive medical attention, was dismissed from the force by executive order prior to conclusion of the trial.

Credible reports by the press and the Movement for the Defense of Human Rights and Liberties (MDHRL), one of the few operating human rights organizations in the Far North province, describe an undetermined number of extrajudicial killings perpetrated by a newly established special antigang gendarmerie unit tasked with combating highwaymen ("coupeurs de route"). While some armed suspects were killed in firefights with the law-and-order forces, there were credible reports that others caught in the dragnet

operations were executed summarily. The Maroua-based MDHRL estimated that over 300 persons were killed between April and July. At least one private newspaper, the Douala-based biweekly Mutations, also reported in August that security forces summarily executed hundreds of alleged highway robbers in northern Cameroon during recent years.

Several prisoners died in custody due to abuse inflicted by members of the security forces or harsh prison conditions and inadequate medical treatment. Six detainees held after March 1997 attacks on government installations in Northwest province are reliably reported to have died from abuse or illness and inadequate care since their imprisonment. (See Section 1.c.).

Ongoing traditional conflicts in various areas resulted in several extrajudicial killings. Tribal wars opposing the fondoms (kingdoms) of Balikumbat and Bafanji, and the fondoms of Oku and Din, resulted in at least 15 deaths (13 and 2, respectively). Mob violence and summary justice directed against suspected thieves and those suspected of practicing witchcraft and other crimes resulted in a number of deaths and serious injuries, especially in large urban centers. The phenomenon became more prevalent in 1998 as banditry spread to rural areas.

There were no developments in the 1997 killing of Faustin Fetsogo and in the case of the five persons killed in opposition politician Koulagne Nana's election campaign following a skirmish with the forces of a traditional ruler loyal to the ruling party.

b. Disappearance

There were no credible reports of politically motivated disappearances.

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

The Penal Code proscribes torture, renders inadmissible in court evidence obtained thereby, and prohibits public servants from using undue force against any person; however, although President Biya also promulgated a new law in 1997 that bans torture by government officials, there were credible reports that security forces continued to inflict beatings and other cruel and degrading treatment on prisoners and detainees. The authorities often administer beatings not in prison facilities but in temporary detention areas in a police or gendarme facility.

Two forms of physical abuse commonly reported to be inflicted on detainees include the "bastinade," in which the victim is beaten on the soles of the feet, and the "balancoire," in which the victim, with his hands tied behind his back, is hung from a rod and beaten, often on the genitals. Nonviolent political activists have often been subjected to such punitive physical abuse during brief detentions following roundups of participants in antigovernment demonstrations or opposition party political rallies.

Security forces subject prisoners and detainees to degrading treatment that includes stripping, confinement in severely overcrowded cells, and denial of access to toilets or other sanitation facilities. Police and gendarmes often beat detainees to extract confessions and the names and whereabouts of alleged criminals. Pretrial detainees sometimes are required, under threat of abuse, to pay so-called "cell fees."

Government officials at the Nkondengui and Mfou production prisons near Yaounde continued to inflict severe physical abuse on the survivors of the as many as 75 Anglophones who were arrested in a security force dragnet following armed attacks in March 1997 on government facilities in the Northwest province. Fourteen of these detainees were released between February and November. At least six of the original detainees reportedly have died from abuse or lack of medical care: Emmanuel Konseh, Samuel Tita, Mathias Gwei, Neba Ambe, Mado Nde, and Richard Fomusoh Ngwa. As many as 56 reportedly remained in detention at year's end. Two individuals acquitted of the same charges by a military tribunal in 1997, and released in March, stated that they had repeatedly been tortured, often by flogging, at the garrison of the Lakeside Gendarmerie Company in Yaounde; however, these allegations remained unconfirmed at year's end. Following a June visit to Nkondengui and Mfou prisons, Solomon Nfor Gwei, Chairman of the National Commission on Human Rights and Freedoms publicly criticized the conditions of these detainees. One reliable report described 28 detainees sharing a cell measuring 14 square meters (about 140 square feet). At year's end, nine of the surviving detainees reportedly were in life-threatening medical condition due to lack of adequate medical care. One of the surviving detainees, Derek Akwang, a former student from the University of Buea, was reportedly both mentally and physically ill due to the conditions of his confinement.

On the night of January 3, soldiers of the 21st Reconnaissance Battalion broke into the St. Paul's Parish Hall in Nylon, near Douala International Airport, beat and stabbed the priest and several young people, raped young women, and stole funds. Thirty soldiers were reportedly arrested in connection with this incident. In October the Douala Military Tribunal reportedly began to try 25 soldiers allegedly involved. The case was not known to have been concluded by year's end.

On April 16-17, personnel of the 11th Navy Battalion went on a looting and pillaging spree in the Anglophone Southwest province towns of Ekondo Titi, Lobe, and Masore. Navy personnel beat villagers, raped women and schoolgirls, and stole private belongings. The commanding officers of the naval personnel involved reportedly were reprimanded and the troops involved reportedly were punished, but the nature of their punishment is not known.

On June 16, during activities in Yaounde to commemorate a UNICEF-sponsored "African Day of the Child," gendarmes beat children, mostly between 6 and 15 years old, and lashed them with military belts, ostensibly to maintain order. The violence began when UNICEF staff began distributing free t-shirts and the children reportedly became unruly. A number of children required medical treatment. By year's end, no charges were known to have been brought against the gendarmes involved.

On June 19, gendarmes brutalized a number of persons in Ngoro, a small town in Center province, following a confrontation over labor contract conditions between inhabitants and the owners of a timber company.

On October 10, a gendarme shot a Nigerian trader reportedly named Donatus Emelayo-Ume in the leg in the Mvog-Ava neighborhood of Yaounde. The victim reportedly told journalists that he was shot after he refused to pay a bribe to gendarmes. The gendarme claimed that he tried to fire into the air. By year's end, no action was known to have been taken against this gendarme.

On the night of November 14, about 20 navy cadets went on a looting spree in Limbe, a port town in the Anglophone Southwest province, stealing goods from shops and bars, beating civilians, allegedly raping women, and causing 30 people to require medical attention. At year's end, an investigation was in progress.

Despite the unusual convictions of officials responsible for the fatal beatings of two individuals held in government custody (see Section 1.a.), severe beatings of detainees continued to occur. On February 20, Philip Afuson Njaro, a journalist for the English-language newspaper, *The Herald*, was arrested by police in Ekondo Titi, allegedly because he had written several articles about the corrupt practices of the chief of the local border police and his men. Medical reports confirmed that he suffered serious trauma from blows to the head and jaw. The police chief was removed several months later after a series of other complaints. In November gendarmes severely beat Rene Dassie, a journalist for the French-language Douala-based triweekly, *Le Messager*, while he was in their custody (see Section 2.a.).

Prison conditions remained generally life threatening, especially outside major urban areas. Serious deficiencies in food, health care, and sanitation due to a lack of funds occur in almost all prisons, including those in the north operated by traditional rulers. Several prisoners died due to harsh prison conditions and inadequate medical treatment. One credible source who spent time in Douala's New Bell prison indicated that an average of at least six persons per month died in 1998 due to such conditions. In December, 20 cases of tuberculosis reportedly were diagnosed at New Bell.

In New Bell and other nonmaximum-security penal detention centers, families are permitted to provide food and medicine to inmates. However, beatings are common. Prisoners reportedly are chained or flogged at times in their cells and often are denied adequate medical care. Juveniles and nonviolent prisoners often are incarcerated with violent adults. There are credible reports of sexual abuse of juvenile prisoners by adult inmates. Corruption among prison personnel is widespread. Some high-profile prisoners are able to avoid some of the abuse that security forces routinely inflict on many common criminals. Some are held in elite wings of certain prisons, where they enjoy relatively lenient treatment. A 1997 report on prison conditions indicated that Bertoua Prison, which was built to hold 50 detainees, housed over 700 persons. However, the Government permitted increased access to some prisons by some nongovernmental organizations (NGOs), religious groups and entertainers.

In the north, the Government permits traditional Lamibe (chiefs) to detain persons outside the government penitentiary system. The places of detention in the palaces of the traditional chiefs of Rey Bouba, Gashiga, Bibemi, and Tcheboa have the worst reputations. Members of the National Union for Democracy and Progress (UNDP) party, which was in opposition until late 1997, have alleged that other UNDP members have been detained in these private jails and that some have died from mistreatment.

Because of the Government's refusal to ensure that representatives of the International Committee of the Red Cross (ICRC) have access to all detention centers, unofficial as well as official, the ICRC declined to visit any prisons from 1992 until December, although both the Cameroonian Red Cross and the National Human Rights Commission made frequent prison visits. However, in December the ICRC obtained written agreement from the Government to have access to all detention centers and prisons. The agreement followed a complete exchange, on November 24, of Cameroonian and Nigerian prisoners of war captured during conflicts since 1994 over the Bakassi peninsula. The Cameroonian authorities granted the ICRC weekly visits to the Nigerian prisoners of war during the entire period of their incarceration according to the provisions of the Geneva convention, even though Nigeria did not reciprocate until shortly before the prisoner exchange.

d. Arbitrary Arrest, Detention, or Exile

The Penal Code requires that detainees be brought promptly before a magistrate; however, security forces continued to arrest and detain citizens arbitrarily. Arbitrary, prolonged detention remained a serious problem, as security forces often failed to bring detainees promptly before a magistrate and sometimes held them incommunicado.

Police legally may detain a person in custody in connection with a common crime for up to 24 hours, renewable three times, before bringing charges. However, the law provides for the right to a judicial review of the legality of detention only in the two Anglophone provinces. Elsewhere, the French legal tradition applies, precluding judicial authorities from acting on a case until the administrative authority that ordered the detention turns the case over to the prosecutor. After a magistrate has issued a warrant to bring the case to trial, he may hold the detainee in administrative or "pretrial detention" indefinitely, pending court action. Furthermore, a 1990 law permits detention without charge by administrative authorities for renewable periods of 15 days, ostensibly in order to combat banditry and maintain public order. Persons taken into detention frequently are denied access to both legal counsel and family members. The law permits release on bail only in the Anglophone provinces, where the legal system includes features of British common law. Even there, bail is granted infrequently.

On March 22, Brice Nitcheu, an opposition activist and member of the committee for the liberation of imprisoned journalist Pius Njawe (see Section 2.a.), was arrested without a warrant at Douala International Airport prior to boarding an overseas flight to campaign for Njawe's release. He remained in custody at the airport for 24 hours and later was released but required to report his

presence to territorial surveillance police every 48 hours. On March 24, Aboubakar Oumarou Bongo, a businessman and former UNDP National Assembly deputy when that party was in opposition to the Government, was arrested in Maroua, detained on unspecified charges, held for 4 days and released. On April 29, Augustine Ndamang, a member of the National Executive Committee of the opposition Social Democratic Front (SDF) party and vice chairman of a separate organization advocating greater autonomy for Cameroon's Anglophone region, was arrested without a warrant in Bamenda. He was released on May 18 without any charges having been filed against him. Gendarmes arrested two civilian local government officials elected as candidates of the opposition SDF party, Kumba deputy mayor and SDF member Ferdinand Asabngu and Douala deputy mayor John Kumasa, on August 30 and September 7, respectively, on instructions from a military tribunal investigating the March 1997 violence in the Northwest province. The two deputy mayors were held without charges until September 14, when they were released for lack of evidence. In November two journalists were briefly detained without charges, and one was beaten by gendarmes while in custody (see Section 2.a.).

On April 30, Moise Moubitang, a civil servant at the Ministry of Communications, was assaulted by the bodyguard of the Minister of Culture for not stopping his work when the visiting minister entered his work area. Moubitang was arrested but released a few hours later, following an intervention by his own minister.

Between February and November, the Government released 14 detainees held following armed attacks against government installations in the Anglophone Northwest province in March 1997 (see Section 1.c.). At year's end, as many as 56 detainees remained in prison awaiting trial by a military tribunal on charges of having participated in those attacks. Although the chairman of the government-established human rights organization publicly criticized the conditions of their incarceration (see Section 1.c.), the Government did not respond to the report. In the absence of public trials to ascertain the facts, the circumstances of the March 1997 attacks remained unclear and were the subject of much speculation. For example, some observers have suggested that the attacks, which were described in the government media as the work of Anglophone separatists, may have been instigated with the connivance of government authorities to discredit the Anglophone-led SDF opposition party or to give the Government a pretext to impose additional security in a strongly pro-SDF province during the 1997 legislative elections.

The Government does not practice forced political exile. Some opposition members who considered themselves threatened by the Government have left the country voluntarily and declared themselves to be in political exile. In December a noted political cartoonist, Nyemb Ntoogue, also known as Popoli, fled Cameroon after being harassed and threatened by unknown persons (see Section 2.a.).

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the judiciary remains highly subject to political influence and corruption. The court system remains technically part of the executive branch, subordinate to the Ministry of Justice. The Constitution specifies that the President is the guarantor of the legal system's independence. He also appoints judges with the advice of the Supreme Council of the Magistrature. However, during the 1990's, elements of the judiciary began to show some modest signs of growing independence. For example, in 1992 the Supreme Court publicly itemized numerous flaws in President Biya's reelection. In 1996 courts voided 18 municipal elections that the Ministry of Territorial Administration had declared won by ruling party candidates, and ordered the Ministry to hold them again (see Section 3). Since 1997, the courts repeatedly have used powers given them under the 1996 press law to order the Ministry of Territorial Administration to desist from seizing print runs of newspapers critical of the Government (see Section 2.a.).

The court system includes the Supreme Court, a court of appeals in each of the 10 provinces, and courts of first instance in each of the country's 58 divisions. Some politically sensitive cases never are heard.

Military tribunals may exercise jurisdiction over civilians not only when the President declares martial law, but also in cases involving organized armed violence, such as the armed attack on government facilities in the Northwest province shortly before the 1997 legislative elections. A law on the organization of the judiciary promulgated in April transferred jurisdiction over gang crimes, grand banditry and highway robbery to military tribunals.

Traditional courts are important in rural areas. Their authority varies by region and ethnic group, but they are often the arbiters of property and domestic disputes and may serve a probate function as well. Most traditional courts permit appeal of their decisions to traditional authorities of higher rank.

Corruption and inefficiency in the courts remain serious problems. Justice frequently is delayed or denied. Powerful political or business interests appear to enjoy virtual immunity from prosecution, while critics of the Government sometimes are jailed under libel statutes considered by observers as unduly restrictive of press freedom (see Section 2.a.). Prisoners may be detained indefinitely during pretrial proceedings.

The legal structure is strongly influenced by the French legal system, although in the Anglophone provinces certain aspects of the Anglo-Saxon tradition apply. The Constitution provides for a fair public hearing in which the defendant is presumed innocent. Because appointed attorneys receive little compensation, the quality of legal representation for indigent persons is often poor. The Bar Association and some voluntary organizations, such as the Cameroonian Association of Female Jurists, offer free assistance in some cases. Trials are normally public, except in cases with political overtones judged disruptive of social peace.

Titus Edzoa, former Minister of Health and longtime presidential aide, who had declared himself a candidate to oppose incumbent President Biya in the October 1997 elections, remains incarcerated, together with Michel Atangana, his campaign manager. They

were sentenced in 1997 to 15 years' imprisonment on embezzlement and corruption charges, for which Edzoa was arrested shortly after declaring his presidential candidacy (see Section 3). At year's end, Edzoa reportedly was still held in confinement at the maximum security gendarmerie headquarters, in cramped quarters with very limited access to visitors. His appeal, originally scheduled for October, had been postponed indefinitely. As in previous years, there were no reliable estimates of the number of political prisoners held at the end of the year.

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

The preamble of the Constitution provides for the inviolability of the home, for the protection against search except by virtue of law, and for the privacy of all correspondence. These, however, are subject to the "higher interests of the State." There were a number of credible reports that police and gendarmes harassed citizens, conducted searches without warrants, and opened or seized mail. Security forces frequently used roadblocks to extract bribes. The Government continued to keep some opposition activists and dissidents under surveillance.

The law permits a police officer to enter a private home during daylight hours without a warrant if he is pursuing an inquiry and has reason to suspect that a crime has been committed. The officer must have a warrant to make such a search after dark. However, a police officer may enter a private home at any time in pursuit of a criminal observed committing a crime. An administrative authority may authorize police to conduct neighborhood sweeps in search of suspected criminals or stolen or illegal goods without individual warrants. Such roundups are conducted frequently.

Sweeps involving forced entry into homes occurred in Yaounde, Ekondo Titi, Maroua, and Kousseri at various times throughout the year. Typically, security forces seal off a neighborhood, search homes one after another, arrest persons without identification, and seize suspicious or illegal articles. In Douala, in January, soldiers broke into a church parish hall, stabbed and beat up the parish priest and youths, raped young women, and stole money (see Section 1.c). In towns in the Southwest province in April and in November, navy personnel looted and raped in private homes and shops that they entered without any legal justification (see Section 1.c). At some airports, police officers occasionally prevented persons from traveling abroad with copies of local independent newspapers. The Government intensified its restrictions on the reception of international cable and satellite television broadcasts (see Section 2.a.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression and of the press; however, the Government continued to impose some limits on these rights. The Penal Code's libel laws specify that defamation, abuse, contempt and dissemination of false news are offenses punishable by prison terms and heavy fines. These various criminal libel statutes are sometimes invoked by the Government to silence criticism of the Government and government officials.

While 40 to 50 private newspapers are published sporadically, only about 15 were published on a regular basis during the year. Most of these newspapers continued to be highly critical of President Biya, his Government, its corruption, and its economic policies. However, private journalists continued to practice greater self-censorship than they did before the Government's 1994-95 crackdown on the private press.

In 1996 the Government repealed the law that had authorized the Government both to censor private publications and extrajudicially to seize publications "dangerous to public order" or suspend newspapers' publication licenses. Previously, the Government often had taken these extrajudicial actions to inflict economic damage on newspapers critical of the Government, and had done so especially often during election years.

Since 1997 formal censorship has ceased in fact as well as law. In addition, seizures of print runs of private newspapers and other interference with private newspaper distribution appear to have become less frequent. Nevertheless, the Ministry of Territorial Administration ignored some court orders to desist from seizing newspaper print runs in 1997, and government authorities seized print runs of private newspapers on at least three occasions during the year. Most recently, on December 29 and 30, security forces in Yaounde seized copies of an edition of L'Expression de Mamy Wata, a private Douala-based satirical weekly, which contained cartoons insinuating that President Biya beat his wife for failure to accompany him to a soccer game. The Government is not known to have suspended or revoked the publication licenses of any newspapers during the year. After a 16-month suspension, La Nouvelle Expression, a private Douala-based weekly, resumed publication in June. The paper had been banned by the Minister for Territorial Administration in 1996 for suggesting that the minister's family had had a role in the collapse of a local bank.

In February, Nyemb Ntoogue, also known as "Popoli," a cartoonist affiliated with Le Messenger, a Douala-based French-language triweekly, was beaten by bailiffs during their seizure of computer equipment belonging to that paper to satisfy damages awarded in a libel suit. Following his arrest on February 20, Philip Afuson Njaro, a journalist for the English-language newspaper, The Herald, was severely beaten on the head and jaw by police in Ekondo Titi, allegedly because he wrote about corrupt practices of the chief of the local border police and his men (see Section 1.c.). In November gendarmes arrested, detained and severely beat Rene Dassie, a journalist with Le Messenger, who was covering tribal violence at Makenene; however, he was released when the gendarmerie commander was made aware of his case.

Since 1996, the Government has more frequently prosecuted its critics in the print media under the criminal libel laws. These laws authorized the Government, at its discretion and at 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.

During 1998 or late 1997, the Government arrested, prosecuted or convicted a number of members of the press on criminal libel charges. On Christmas Eve 1997, the authorities detained Pius Njawe, a well-known human rights activist and publisher of *Le Messenger*, a private Douala-based triweekly, for publishing an article speculating that President Biya may have had a heart attack. At the time, Njawe already was awaiting review of appeals on two prior 1996 libel convictions. In February he was sentenced to a 2-year prison term and a fine of 500,000 CFA Francs (about \$800). In April an appeals court reduced Njawe's prison sentence to 1 year and the fine to 300,000 CFA Francs (about \$500), and in October, President Biya pardoned Njawe, who had spent 10 months in prison on all three libel charges.

Michel Michaut Moussala, publisher of *Aurore Plus*, another private Douala-based weekly, was sentenced to a 6-month prison term and fined 1 million CFA Francs (about \$1,700) in January. Moussala had been charged with libel by Jean Lavoisier Tchouta Moussa Mbatkam, then General Manager of the Cameroon Ports Authority, now a CPDM National Assembly member, whom Moussala described as being involved in illegal weapons importation. In September, Moussala was arrested at his home and began serving his sentence at Douala's New Bell Prison.

In November *Le Quotidien*, a Douala-based French-language daily, suspended publication after a court fined it 25 million CFA francs (about \$44,000) pursuant to criminal libel convictions for three articles. *Le Quotidien's* publisher, Benjamin Zebaze, appealed the decision and reportedly hoped to resume publishing.

On December 5, the Yaounde Court of First Instance reportedly sentenced Simplicie Moussinga, a journalist for *Mutations*, a French-language biweekly, to 6 months in prison and a small fine for a criminal libel conviction. The Court also convicted Haman Mana, the publisher of *Mutations*, of criminal libel in the same case, and sentenced him to a small fine and a suspended prison term. The Court also ordered Mana and the owners of *Mutations* to pay 600,000 CFA francs (about \$1,000) to the plaintiff, former Minister of Territorial Administration Jean Mengueme; *Mutations* had published an article alleging that Mengueme had embezzled funds intended for the victims of a natural disaster in 1986.

In July Patrick Tchoua, publisher of *Le Jeune Detective*, was arrested for a June 25 article in which he charged that the Minister of State for Finance had conspired to embezzle public funds with an accomplice at an overseas diplomatic mission. He was sentenced to a fine of 500,000 CFA francs (about \$850) and an 8-month suspended sentence, but was released only on December 4 due to "administrative delays."

Moreover, the Government's use of criminal libel laws to restrict press freedom is not limited to cases that are brought to trial. For example, in February, internal security officials briefly detained and interrogated Haman Mana and Alain Blaise Baongue, two journalists working for *Mutations*, questioning them about the sources of a recent *Mutations* article about government attempts to monitor and control the Confederation of Cameroonian Trade Unions (CCTU) labor organization (see Section 6.a). Similarly, in October former Minister of Higher Education Peter Agbor Tabi accused three independent newspapers--*L'Anecdote*, *Perspectives Hebdo*, and *The Herald*--of libeling him in diverse ways. Government prosecutors subsequently questioned three journalists of these newspapers, asking them to reveal their sources. On November 3, Agbaw Ebai, a journalist affiliated with *The Herald*, was detained for several hours on this account, but there had been no arrests or prosecutions in any of these cases as of year's end. Also in October, the Ministry of Youth and Sports sent letters to three private newspapers--*Le Messenger*, *Aurore Plus*, and *L'Effort Camerounais*--warning that the Minister, Joseph Owona, might file criminal libel suits against them if they did not desist from publishing reports on Owona's alleged mismanagement of the funds of Cameroon's national soccer team; no formal action had yet been taken at year's end, and the newspaper report's on Owona's alleged mismanagement continued. There were credible reports that government ministers and other high officials commonly offered to drop criminal libel suits in exchange for cash payments from newspapers or journalists.

In November Christopher Ezieh Andu, a journalist with *The Herald*, was arrested by order of the Governor of the Southwest province, Peter Acham Cho, on charges of disseminating false information. He was released two days later, and no charges were filed against him.

On December 26, the Littoral Court of Appeals in Douala upheld a lower court's 1997 criminal libel conviction of Severin Tchounkeu, publisher of the Douala-based French-language triweekly, *La Nouvelle Expression*. Tchounkeu had published a report that the wife of Tchouta Moussa Mbatkam, then General Manager of the National Ports authority, had delivered a suitcase full of cash to a French intelligence officer at a Douala hotel in February 1997. The appeals court ordered Tchounkeu and his newspaper to pay damages of 4 million CFA Francs (about \$7,000), a sum seven times greater than the penalty and damages awarded by lower court. The appeals court also gave Tchounkeu a suspended prison sentence of 3 months, which he might be required to serve if he were to be convicted of another criminal libel charge during the following 3 years; the lower court had not imposed any prison sentence.

In December the Government criminalized a libel suit filed against Tchounkeu, *Nouvelle Expression* reporter Henriette Ekwe, and SDF opposition party chairman John Fru Ndi. In October Fru Ndi, in an interview with Ekwe that Tchounkeu had published in *Nouvelle Expression*, reportedly stated that Basile Kandoum had embezzled party funds while serving as the SDF's coordinator for Center province several years earlier. Kandoum, who had run unsuccessfully for the position of secretary general of the SDF and subsequently had left the party, filed a civil libel suit against Tchounkeu, Ekwe, and Fru Ndi in November. The state counsel initiated a libel prosecution, and the criminal libel trial opened in December in the Yaounde Court of First Instance. At year's end the trial remained in progress.

There were no developments in several other outstanding criminal libel cases against private journalists. Tietcheu Kameni and Paul Nyemb, who had been convicted with Njawe in 1996, as well as Eyoum Ngangue, all remained at liberty awaiting the outcome of longstanding appeals of their prior libel convictions. The conviction of Vianney Ombey Ndzana, involving a 5-month prison term and suspension of his license to publish *Generations*, a Yaounde-based newspaper, remained under appeal.

The case of Patrice Ndedi Penda, publisher of *Galaxie*, who was sentenced in 1996 to 2 years in prison and a large fine for having libeled the Minister of State for Agriculture, remained under appeal. The 1996 cases of Samuel Eleme, publisher of the paper, *La Détente*, and its correspondent Gaston Ekwalla also remain under appeal, and the paper remained suspended.

Phillip Afuson Njaru, correspondent for a Yaounde-based English-language triweekly newspaper, *The Herald*, was subjected to sustained harassment by the local police commissioner in the Ndian Division of the Southwest province (see Section 1.c.). He was detained and abused on several occasions.

Nyemb Ntoogue, also known as "Popoli," the editor-in-chief and main cartoonist of the popular French-language Douala-based biweekly satirical newspaper, *Le Messenger Popoli*, fled the country on December 14. In the December 29 issue of his newspaper, Ntoogue stated that he had fled following persistent death threats culminating in a December 11 attack on his Douala home by unidentified men who broke down the door with machetes and told his sister that they would "chop (Ntoogue) up into pieces."

The Government publishes an official newspaper, *The Cameroon Tribune*. Government reporters rarely criticize the ruling party or portray government programs in an unfavorable light, but sometimes do so implicitly. In April Antoine Marie Ngonou, deputy director of the state-owned broadcast media monopoly, reportedly was interrogated by prosecutors in Yaounde because he had insulted magistrates in an editorial on corruption.

Moreover, the Government continues to operate almost all domestic broadcast media, and to determine the content of radio and television broadcasts, which reach far more citizens than the domestic print media. Because of their relatively high cost, as well as distribution problems, newspapers are not read widely outside the major cities. In 1990 and again in 1995, laws were enacted that provided for the licensing of private radio and television stations, but the Government has not approved implementing regulations, despite repeated public promises to do so. Since 1997 the Government for the first time has allowed limited exceptions to its monopoly of broadcast media: it has licensed five low-power rural radio stations, which are not allowed to discuss politics, and a Catholic Church station in Yaounde whose service is limited to relaying the programs of Vatican Radio. However, the Government intensified its restrictions on the reception of international cable and satellite television broadcasts. The Ministry of Posts and Telecommunications reportedly removed several miles of privately installed television cables, and the government-appointed chief executive of Yaounde's municipal government reportedly instructed cable and satellite television companies to cease operations pending implementation of the 1990 law to liberalize the broadcast media. Like *The Cameroon Tribune*, the government-controlled radio and television monopoly, CRTV, provides broad reporting of CPDM functions, while giving relatively little attention to the political opposition. At least until December, CRTV management continued to instruct CRTV staff to ensure that government views prevail at all times in CRTV broadcasts, and enforced these instructions. In December the head of CRTV publicly criticized this practice, calling for reform.

Television and radio programming include a weekly program, *Expression Directe*, which ostensibly fulfills the Government's legal obligation to provide an opportunity for all political parties represented in the National Assembly to present their views. The CRTV arbitrarily suspended the program at the start of the 1997 legislative election campaign. After that election-- when the SDF, the leading opposition party, for the first time became entitled legally to air its views on the program-- *Expression Directe* remained off the air until May 1998, when the CRTV resumed broadcasting the program under pressure from opposition party members of the National Assembly. However, in July and August, CRTV management refused to broadcast two contributions from the opposition SDF party that criticized President Biya's absence from some international meetings and alleged mismanagement of government funds for the national soccer team.

On December 18-19, SDF party activists injured some journalists in the course of breaking up a party congress held by an SDF splinter faction purporting to represent the party (see Section 2.b.). Among the injured was a journalist from the private newspaper, *Le Messenger*, who suffered a dislocated jaw. The Secretary General of the SDF subsequently apologized publicly to members of the press caught up in the fracas.

Although there are no legal restrictions on academic freedom, state security informants operate on university campuses. Many professors believe that adherence to opposition political parties can have an adverse effect on their professional opportunities and advancement. Free political discussion at the University of Yaounde is dampened by the presence of armed government security forces.

b. Freedom of Peaceful Assembly and Association

The law provides for freedom of assembly, but the Government sometimes restricts this right in practice. The Penal Code prohibits public meetings, demonstrations, or processions without prior government approval. Over 150 political parties operated legally together with a large and growing number of civic associations. Continuing its pattern throughout the 1990's of allowing opposition political parties greater freedom of assembly during nonelection years than during election years, the Government restricted freedom of assembly less in 1998 than it did in 1997. Public opposition party events were held more freely and more frequently in the southern provinces, including in the capital, where in some previous years security forces repeatedly used violence to disrupt

opposition party meetings even on private property. However, in July the Government prevented a round table conference organized by a reformist faction of a government-dominated labor union confederation from taking place at the Hilton Hotel in Yaounde, on the grounds that it might provoke public disorder.

On December 16, in Yaounde, SDF party activists forcibly disrupted a party congress called by a small new SDF splinter faction, led by former SDF first vice president Souleymane Mahamat, that purported to represent the main body of the party. The SDF militants considered Souleymane's congress to be an illegal convention; their actions forced suspension of the proceedings.

The law provides for freedom of association, and the Government generally respected this right in practice during the year. The conditions for government recognition of a political party, a prerequisite for many political activities, were not onerous. However, the Government was widely suspected of fomenting splits in the main opposition party, the SDF, as a pretext to withdraw official recognition from the main body of the party led by John Fru Ndi. In 1993, following a split in another opposition party, the Government had withdrawn official recognition from the main faction and conferred it on a smaller but more accommodating faction.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government generally does not restrict it in practice. Religious groups must be approved and registered with the Ministry of Territorial Administration in order to function legally; there are no reports that the Government refused to register any Christian denomination. Christian churches of various denominations operate freely throughout the country. Muslim centers also operate freely throughout the country.

During the 1997 presidential election campaign, government representatives verbally attacked the Catholic Church for being overly supportive of the political opposition through its forthright criticism of corruption and mismanagement in government. On Sunday, March 15, security forces interrogated Ofon Ombaku Nyambi, pastor of a Presbyterian church in Santa, in the Northwest province, concerning a sermon Nyambi had preached earlier the same day. In his sermon, Nyambi reportedly blamed the Biya administration for the poverty that had led to the February looting of a Yaounde fuel depot that then exploded, killing about 200 persons.

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

The law does not restrict freedom of movement within the country, but government security forces routinely impede domestic travel. Police frequently stop travelers to check identification documents, vehicle registrations, and tax receipts as security and immigration control measures. Police commonly demand bribes from citizens whom they stop at roadblocks or other points.

Roadblocks and checkpoints manned by security forces have proliferated in cities and most highways and make road travel both time-consuming and costly, since extortion of small bribes is commonplace at these checkpoints. Violent and sometimes fatal confrontations have occurred repeatedly at such checkpoints when travelers would not or could not pay the bribes demanded by the security forces (see Section 1.a.).

The Government continued to use its passport control powers against some critics and political opponents. In March journalist Brice Nitcheu, a member of a committee seeking to liberate imprisoned newspaper editor Pius Njawe (see Section 2.a.), was arrested at Douala Airport prior to flying to Europe to publicize calls for Njawe's release. His passport was confiscated.

Two ministers who were dropped from the Government in a December 1997 cabinet reshuffle had their official passports temporarily withdrawn. One of them, Dakole Daissala, former Minister of Posts and Telecommunications, claimed to have been prevented from travelling privately to France in May. However, he reportedly recovered his travel document a short time later and used it to go abroad.

In February authorities at Douala International Airport prevented Norbert Ouendji, a journalist working with a private newspaper, *Le Messenger*, from boarding his overseas flight because he was carrying issues of that newspaper in his bag. In August Henri Fotso, another journalist with *Le Messenger*, was detained briefly by police at Douala International Airport because he also was carrying copies of *Le Messenger*, in addition to a copy of a book he had written on human rights. He was held for 2 hours and released after his flight had taken off.

Cameroon has long been a safe haven for displaced persons and refugees from nearby countries. Although the Government occasionally returns illegal immigrants, there were no reports of forced repatriation of recognized refugees. Some illegal immigrants have been subjected to harsh treatment, and to imprisonment.

Cameroonian law contains provisions for granting refugee status in accordance with the 1954 U.N. Convention Regarding the Status of Refugees and its 1967 Protocol. The Government cooperates with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees. The Government provides first asylum to persons who arrive at the border without documentation but who can show a valid claim to refugee status. At year's end, there were about 47,000 refugees in the country for whom Cameroon was a country of first asylum. The majority of these persons are Chadians, whose total number was estimated to be more than 41,000. The remainder were principally from Rwanda, Burundi and the Democratic Republic of the Congo, with small residual numbers from Liberia, Sudan, and Ethiopia. All but 44 refugees who arrived in Cameroon fleeing the 1997 civil war in Brazzaville, Republic of Congo, were repatriated in 1998. The Government accepts for resettlement refugees who are granted refugee status by the UNHCR. Cameroon accepted approximately 34 Rwandan refugees from Tanzania and the

Democratic Republic of the Congo during the year.

In September 1997 government security forces arrested 12 former senior military officers of Equatorial Guinea who had been granted refugee status by the UNHCR and had lived in Cameroon for 4 years. These 12 officers, who were affiliated with an Equato-Guinean opposition party and included Alfonso Mba Nsogo, former head of the Equato-Guinean military, contested the Government's assertion that it had arrested them for their own protection. At year's end, the 12 officers remained in Cameroon under official detention at a security base near Yaounde. However, they have limited freedom of movement, subject to the condition that they inform the base commander of all trips made outside the base.

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

Citizens have the constitutional right to change their government, but dominance of the political process by the President and his party limits the ability of citizens to exercise this right. President Paul Biya has controlled the Government since 1982 and the ruling party since 1984. The 1992 and 1997 presidential elections and the 1997 legislative contests were widely criticized and viewed as fraudulent by international and domestic observers. In these elections, administered by the Ministry of Territorial Administration, members of largely pro-opposition ethnic groups and inhabitants of largely pro-opposition localities effectively were prevented from registering or voting, registration and vote counting procedures were not transparent, public announcement of results was delayed, or votes cast in some pro-government areas exceeded the adult population.

Elections are held by balloting that officially is described as secret but may permit voters to leave the polling place with evidence of how they voted. At polling places on election day, registered citizens receive a package of separate ballot cards, containing one card for each candidate. Each citizen votes by depositing into a sealed ballot box, alone inside a closed booth, an envelope containing one of these cards. The voter also is given an opportunity to dispose of the unused ballots privately before leaving the polling place, but polling officials rarely act to ensure that this is done, and they could not readily do so without discovering how some voters voted. This reportedly led to local abuses in the 1992 elections, but no such abuses are known to have been reported during the 1996 or 1997 elections.

Following the flawed 1997 legislative elections, the majority of international observers endorsed a series of reform measures, including the creation of a permanent and autonomous electoral commission to replace the present system of elections run by the Ministry of Territorial Administration. The Government's control of the electoral process leads to a variety of abuses including preelection manipulation of voter registration lists.

President Biya's October 1997 reelection was marred by serious procedural flaws as well as a boycott by the three major opposition parties. While the boycott made the outcome a foregone conclusion, most observers nonetheless considered the contest to be neither free nor fair. Election irregularities were especially egregious in opposition strongholds, where boycotting opposition activists chose not to be present to monitor the voting count.

The Biya administration has proven particularly intolerant of opposition from within its Beti/Bulu ethnic-regional base in southern Cameroon. Following the unexpectedly strong showing of opposition parties in the region in the 1996 municipal elections, Titus Edzoa, a ruling CPDM member from southern Cameroon, a former Minister of Health, and a longtime presidential aide, declared himself a candidate to oppose incumbent President Biya in the October 1997 election. Edzoa and his campaign manager were arrested shortly after he declared his candidacy and before the election was held. They were sentenced to 15 years' imprisonment on embezzlement and corruption charges and remained incarcerated at year's end (see Section 1.e). Generations, a Yaounde-based newspaper, which was one of few very newspapers whose publication license remained suspended in 1998, was also one of very few newspapers that was both critical of the Government and run by a Beti, Vianney Ombe Ndzana.

In December 1997, after the Supreme Court announced the official result, declaring President Biya the winner with 92.57 percent of the vote, much of the UNDP party, which previously had been in opposition, joined the CPDM in a coalition government. The new ruling coalition also included a faction of the UPC party that had participated in previous CPDM-dominated coalition governments under President Biya.

No significant positive reforms have been undertaken to correct the flaws in the electoral process. In February talks between the ruling CPDM party and the leading opposition party, the SDF, broke down over the issue of creating an independent electoral commission, as recommended by most international observers of the 1992 and 1997 Presidential elections. The SDF demanded such a commission but the CPDM refused to grant this demand. Rather, the CPDM-dominated National Assembly passed a few minor reforms to the 1991 electoral code, including increased discretionary power for the Minister of Territorial Administration to rule on the admissibility of candidacies.

The President's control over the country's administrative apparatus is broad and deep. The President appoints all Ministers, including the Prime Minister, who serve at the President's pleasure. The President also directly appoints the governors of each of the 10 provinces. The governors wield considerable power in the electoral process, interpreting the laws and determining how these should be implemented. The President also has the power to appoint important lower level members of the 58 provincial administrative structures, including the senior divisional officers, the divisional officers, and the district chiefs. The governors and senior divisional officers wield considerable authority within the areas under their jurisdiction, including, significantly, the authority to ban political meetings that they deem likely to threaten public order. They also may detain persons for renewable periods of 15 days to combat banditry and other security threats.

The 1996 amendments to the 1972 Constitution retained a strongly centralized system of power, based on presidential authority. However, the amendments imposed a limit of two 7-year (in place of unlimited 5-year) terms on the president. It provided for the creation of a partially elected (70 percent) and partially appointed (30 percent) senate, along with the creation of a similarly constituted set of provincial assemblies with limited power over local affairs. Although promulgated by the President in January 1996, the senate and regional council amendments have not yet been implemented.

Citizens' right to choose their local governments recently increased but remained circumscribed. In 1996 the Government held local government elections that were unprecedented in the Francophone region and the first such elections since the 1960's in the Anglophone region. These elections were for mayors or deputy mayors and council members in Douala, Yaounde, provincial capitals, and some division capitals. President Biya first promised such elections in 1992, but postponed them twice. In the meantime, the Government, in two steps, greatly increased the number of municipalities in which the chief executive officer of the local government was not a mayor who would subsequently be elected but rather a presidentially appointed "delegate." Delegate-run cities, which in 1992 comprised only four cities including Yaounde and Douala, by 1996 included all the provincial capitals and some division capitals in pro-opposition provinces, but not in the southern provinces that had tended to support the CPDM. In October a 60-member Committee on Good Governance, created by the Government, publicly recommended that the Government eliminate the position of delegate in order to allow elected local officials to manage municipal governments more freely. Even in municipalities without delegates, local autonomy is quite limited, since elected local governments must rely on the central Government for most of their revenues and their administrative personnel.

Like the 1992 National Assembly elections, the 1996 municipal elections were less flawed than other elections held in Cameroon since 1990. Foreign observers pronounced the elections largely free and fair, having detected few instances of malfeasance during or after the voting, although opposition parties credibly alleged systematic preelection government manipulation of the registration lists and arbitrary government disqualification of their candidates, especially in southern Cameroon. Government election authorities acknowledged that opposition candidates won 104 of the 336 offices at stake. Ninety-six contests in which the Government declared the ruling party candidate the winner were appealed to the Supreme Court, which declared itself unqualified to adjudicate many of these complaints, but nullified the results of 18 elections, which it ordered the Government to hold again. As of year's end, the Government had not complied with any of these Supreme Court orders.

During the year, the Biya Government brought to bear against its preeminent political opponent the criminal libel prosecution tactic that it had used increasingly in recent years against its critics in the private press. In December the Government criminalized a civil libel suit filed against SDF party chairman John Fru Ndi by a disgruntled former SDF official whom Fru Ndi reportedly had accused publicly of embezzling party funds (see Section 2.a.). According to credible reports, conviction and imprisonment on a felony charge, including a criminal libel charge, may render a citizen legally ineligible to hold public office. When the Government criminalized the libel suit against him, Fru Ndi--who in the country's only seriously contested presidential election in 1992 finished a close second to Biya despite serious flaws in the electoral process that favored the incumbent--remained the national leader and apparently the most popular politician of the country's largest opposition party.

There are no laws that specifically prohibit women or members of minorities from participating in government, in the political process, or in other areas of public life. However, women are underrepresented in government and politics. Women hold far less than half of all positions in the cabinet (3 of 50 posts), in the National Assembly (10 of 180 seats), and in the higher offices of major political parties, including the CPDM.

Many of the key members of the Government are drawn from the President's own ethnic group, as are disproportionately large numbers of military officers and CPDM officials. Members of other ethnic groups and regions hold 34 cabinet seats, compared with 16 cabinet positions held by members of the President's ethnic group.

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

Domestic and international human rights monitoring groups generally have considerable latitude to operate. A large number of independent human rights monitoring groups exist, although the activities of virtually all are limited by a shortage of funds and trained personnel. The Government generally did not prevent human rights monitors from operating, but allegedly has on occasion used its authority to approve or withhold official recognition of nongovernmental organizations (NGO's). The Government sometimes impedes the effectiveness of human rights NGO's by limiting access to prisoners and refusing to share information.

Domestic human rights NGO's include the National League for Human Rights, the Organization for Human Rights and Freedoms, the Association of Women Against Violence, the Cameroonian Association of Female Jurists, the Cameroonian Association for Children's Rights, Conscience Africaine, the Movement for the Defense of Human Rights and Liberties, the Human Rights Defense Group, and the Human Rights Clinic and Education Center. A number of these groups issued press releases or reports detailing specific human rights violations. Many held seminars and workshops on various aspects of human rights. During the year, the Government conducted a nationwide public awareness campaign on respect for human rights, through the state-owned media, public events and seminars for government and security force officials.

The governmental National Commission on Human Rights and Freedoms, although hampered by a shortage of funds, conducted a number of investigations into human rights abuses and organized several human rights seminars aimed at judicial officials, security personnel, and other government officers. While the Commission never has published any results of its investigations, its reports have been submitted to the office of the Prime Minister and the Presidency which have not released them. In June its chairman, Solomon

Nfor Gwei, publicly criticized the prison conditions at Nkondengui for the detainees from the Northwest province who have been incarcerated for over a year without formal charges (see Section 1.c). He has also been outspoken about the need for Cameroon to improve its human rights performance.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution does not explicitly forbid discrimination based on race, language, or social status. The Constitution prohibits discrimination based on sex and mandates that "everyone has equal rights and obligations," but the Government does not effectively enforce these constitutional provisions.

Women

Violence against women remains at high levels. Women's rights advocates report that the law does not impose effective penalties against persons who commit acts of domestic violence against women. There are no gender-specific assault laws, despite the fact that women are the predominant victims of domestic violence. Spousal abuse is not a legal ground for divorce. In cases of sexual assault, a victim's family or village often imposes direct, summary punishment on the suspected perpetrator through extralegal means ranging from destruction of property to beating. While there are no reliable statistics on violence against women, the large number of newspaper reports--a fraction of actual incidents--indicates that it is common.

Despite constitutional provisions recognizing women's rights, women do not, in fact, enjoy the same rights and privileges as men. Polygyny is permitted by law and tradition, but polyandry is not. The extent to which a woman may inherit from her husband is normally governed by traditional law in the absence of a will, and customs vary from group to group. In many traditional societies, custom grants greater authority and benefits to male than to female heirs. In cases of divorce, the husband's wishes determine the custody of children over the age of 6. While a man may be convicted of adultery only if the sexual act takes place in his home, a female may be convicted without respect to venue. In the northern provinces, some Lamibe reportedly prevent their wives and concubines from ever leaving the palaces.

Female genital mutilation (FGM), which has been condemned by international health experts as damaging to both physical and psychological health, is not practiced widely, but it is practiced in some areas of Far North and Southwest provinces. It includes the most severe form of the abuse, infibulation, and usually is practiced on preadolescent girls. An international workshop on eradicating FGM was held in the capital in May, and the Government has become increasingly outspoken in condemning this practice.

Children

The Constitution provides for a child's right to education, and schooling is mandatory through the age of 14. Nevertheless, in the wake of public sector expenditure cuts and a currency devaluation in 1993-94, increases in formal and informal school fees relative to disposable income have forced many families to forego sending their children to school. The Government has chosen to make public education bear a disproportionate amount of its fiscal retrenchment since 1993. Recorded government spending on education shrank from 4.3 percent of recorded GDP in 1992/93 to an estimated 1.9 percent of recorded GDP in 1996/97. In August the Government ordered the closure of about 180 unlicensed private primary and secondary schools, mostly in Douala and other pro-opposition areas, in which enrollment had grown to perhaps 50,000 pupils as the Government's schools deteriorated.

The degree of familial child abuse is not known but is one of several targeted problems of children's rights organizations.

People with disabilities

A 1983 law and subsequent implementing legislation provide certain rights for persons with disabilities. These include access to public institutions, medical treatment, and education. The Government is obliged to bear part of a disabled person's educational expenses, to employ disabled persons where possible, and, as necessary, to provide them with public assistance. However, these rights in fact rarely are respected. There are few facilities for disabled persons and little public assistance of any kind. Lack of facilities and care for the mentally disabled is particularly acute. Society tends to treat the disabled as tainted, leaving churches or foreign NGO's responsible for providing assistance. However, there is no widespread societal discrimination against the disabled. The law does not mandate special access provisions to buildings and facilities for persons with disabilities.

Indigenous People

A population of perhaps 50,000 to 100,000 Baka (Pygmies), a term that fact encompasses several different ethnic groups, primarily reside in the forested areas of the South and East provinces, of which Pygmies were the earliest known human inhabitants. While no legal discrimination exists, other groups often treat Pygmies as inferior and sometimes subject them to unfair and exploitative labor practices. There have been credible reports of Pygmies being forced out of their homes by logging companies and security forces following local protests against the companies. There have also been reports that Pygmies complain that the forests they inhabit are being logged without fair recompense for negative consequences for the Pygmies of the region.

Religious Minorities

Cameroon's northern provinces are largely Muslim and animist; its southern and western provinces are largely Christian and animist. In the northern provinces, especially in rural areas, societal discrimination by Muslims against animists is strong and widespread.

Some Christians in rural areas of the north complain of discrimination by Muslims.

National/Racial/Ethnic Minorities

Cameroon's population is divided into more than 200 ethnic groups, among which there are frequent and credible allegations of discrimination. Members of virtually all ethnic groups commonly provide preferential treatment to fellow members when they are able to do so. Ethnic-regional differences continue to pose obstacles to political and economic liberalization.

Members of President Biya's Bulu ethnic group and of closely related Beti groups of southern Cameroon are represented disproportionately and hold key positions in the Government, the civil service, state-owned businesses, the security forces, the military, and the ruling CPDM party. The large size and centralized character of the public sector has long been widely perceived to favor these groups. Prospective economic and political liberalization is widely perceived as being likely to harm these groups, and to favor other groups, such as the large Bamileke and Anglophone ethnic-cultural groups of western Cameroon, whose members tend to be more active in private commerce and industry and have tended to support the SDF since the legalization of opposition parties. Since 1990 natives of Cameroon's Anglophone region, comprising the Northwest and Southwest provinces, have suffered disproportionately from human rights violations committed by the Government and its security forces, have been underrepresented in the public sector, and widely believe that they do not receive their fair share of public sector goods and services. Since the flawed 1992 presidential election, which SDF Chairman John Fru Ndi, a native of the Northwest Province, accused Biya of having stolen from him, many residents of the Anglophone region have sought to achieve greater freedom, greater equality of opportunity, and better government, it at least partly by regaining regional autonomy rather than through nationwide political reform, forming several quasi-political organizations to pursue that goal.

Northern Cameroon suffers from ethnic tensions between the Fulani, a Muslim group that conquered the most of the region 200 years ago, and the "Kirdi," the descendents of diverse animist peoples whom the Fulani conquered or displaced. Although some Kirdi subsequently have adopted Islam, the kirdi remain socially, educationally and economically disadvantaged relative to the Fulani in the three northern provinces. The slavery still practiced in parts of northern Cameroon is reported to be largely enslavement of Kirdi by Fulani. Although the UNDP party is based largely in the Fulani community, the ruling CPDM party has long been widely perceived to represent Fulani as well as Beti-Bulu interests.

During the 1990's, local-language broadcasts by government-controlled regional radio stations in southern Cameroon, as well as private French-language newspapers with close ties to leading government and CPDM figures, repeatedly have incited ethnic animosity against Bamilekes and Anglophones.

Members of the country's large community of Nigerian immigrants often complain of illegal discrimination and even persecution by elements of the Government. Crackdowns on undocumented Nigerian immigrants repeatedly have been announced by government officials; most recently, one was announced in the Southwest province in October. In the same month, after a gendarme in Yaounde shot a Nigerian street trader (see Section 1.a.), a mob of Nigerian residents of the city destroyed property at Nigerian embassy and the Nigerian ambassador's residence to protest the Government of Nigeria's perceived lack of vigor in protecting Nigerians in Cameroon. Of 400 persons rounded up in 6 mass arrests aimed at smugglers in Garoua in May, more than 300 were foreigners, many of them Nigerians.

In June groups of young Cameroonians in Yaounde and Douala went on a rampage against white foreigners, destroying property and beating and robbing a number of persons. Although this violence was suppressed by Government security forces, who shot and killed 17-year-old Marc Theophile Ekowel Man in Yaounde during these disturbances (see Section 1.a.), it followed commentary in the government-monopolized broadcast media about unfair "white" refereeing in World Cup soccer games lost by the Cameroonian national team.

Section 6 Worker Rights

a. The Right of Association

The 1992 Labor Code allows workers to form and join trade unions of their choosing. The Labor Code permits groups of at least 20 workers to organize a union but also requires registration with the Ministry of Labor. In practice, however, independent unions have found it extremely difficult to obtain registration. Registered unions are subject to government domination and interference. Provisions of the Labor Code do not apply to civil servants, employees of the penitentiary system, or workers responsible for national security. Instead of strikes, civil servants are required to negotiate grievances directly with the minister of the concerned department and with the Minister of Labor. Some sections of the Labor Code have never taken effect, as not all of the implementing decrees have been issued.

There are two trade union confederations. In 1995 the Government encouraged the creation of a new labor confederation, the Union of Free Trade Unions of Cameroon (USLC), with which it maintains close ties. Previously, the sole labor confederation had been the Confederation of Cameroonian Trade Unions (CCTU), formerly affiliated with the ruling CPDM party under another name (the Organization of Cameroonian Trade Unions). While both organizations appear to be dominated or at least thoroughly intimidated by the Government, the creation of the USLC was interpreted widely as an effort by the Government to create a rival trade union confederation more firmly under its control.

The CCTU split into two rival factions in January and largely has been ineffective since. On July 9, the Government banned a round

table conference organized in Yaounde by the CCTU's reformist faction, headed by Emmanuel Bakot Ndjock, (see Section 2.b).

The Labor Code explicitly recognizes workers' right to strike but only after mandatory arbitration. Arbitration proceedings are not enforceable legally and can be overturned by the Government. The Labor Code provides for the protection of workers engaged in legal strikes and prohibits retribution against them. There have been relatively few strikes since 1996.

The CCTU is a member of the Organization of African Trade Union Unity and the International Confederation of Free Trade Unions. The USLC filed applications for membership with these organizations in 1995; it was still awaiting a response at year's end.

b. The Right to Organize and Bargain Collectively

The Labor Code provides for collective bargaining between workers and management in workplaces, as well as between labor federations and business associations in each sector of the economy. No sectoral collective bargaining negotiations have been undertaken in recent years. The Labor Code prohibits antiunion discrimination, and employers guilty of such discrimination are subject to fines of up to \$2,000. However, employers found guilty are not required to reinstate the workers against whom they discriminated. The Ministry of Labor has reported no complaints of such discrimination during recent years.

There is an industrial free zone regime, but the Government did not grant approval to any firms to operate under it during the year. Free zone employers are exempt from some provisions of the Labor Code but must respect all internationally recognized worker rights.

c. Prohibition of Forced or Compulsory Labor

The Constitution and the Labor Code prohibit forced or compulsory labor, but it occurs in practice. Forced or bonded labor by children is not prohibited specifically. The authorities continued to allow prison inmates to be contracted out to private employers or used as communal labor for municipal public works.

There were credible reports that slavery continued to be practiced in parts of northern Cameroon, including in the Lamidat of Rey Bouba, a traditional kingdom in the North province (see Section 5). In the South and East provinces, Baka (Pygmies), including children, continued to be subjected to unfair and exploitative labor practices (see Section 5).

d. Status of Child Labor Practices and Minimum Age for Employment

The 1992 Labor Code prohibits the employment of any child under the age of 14, even as a trainee, without a special waiver from the Government. However, Ministry of Labor inspectors responsible for enforcing the law lack resources for an effective inspection program. Moreover, the law does not include family chores, which in many instances are beyond a child's capacity to do. In the north of the country, there are credible reports that children from needy homes are placed with other families to do such work for money. The Constitution does not prohibit specifically forced or bonded labor by children, and there were reports of its practice. Pygmy children sometimes are subject to unfair and exploitative labor practices.

In rural areas, many children begin work at an early age on family farms. Often, rural youth, especially girls, are employed by relatives as domestic helpers, while many urban street vendors are under 14 years of age. There are no special provisions limiting working hours for children. Primary education is compulsory through the age of 14.

e. Acceptable Conditions of Work

Under the Labor Code, the Ministry of Labor is responsible for setting a single minimum wage applicable nationwide in all sectors. The minimum wage is approximately \$40 (23,514 CFA Francs) per month. It does not provide a decent standard of living for an average worker and family.

The Labor Code establishes a standard workweek of 40 hours in public and private nonagricultural firms, and 48 hours in agricultural and related activities. The code makes compulsory at least 24 consecutive hours of weekly rest. The Government sets health and safety standards, and Ministry of Labor inspectors and occupational health doctors are responsible for monitoring these standards. However, they lack the resources for a comprehensive inspection program. There is no specific legislation permitting workers to remove themselves from dangerous work situations without jeopardy to continued employment.

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