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Committee on Economic, Social and Cultural Rights

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Summary record of the 42nd meeting

Held at the Palais Wilson, Geneva, on Tuesday, 22 November 2011, at 10 a.m.

Chairperson: Mr. Pillay

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The meeting was called to order at 10.05 a.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Second and third periodic reports of Cameroon (continued) (E/C.12/CMR/2-3; E/C.12/CMR/Q/2-3 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Cameroon took places at the Committee table.*

Articles 6 to 9 (continued)

2. **Ms. Galega** (Cameroon), responding to questions raised by the Committee, said that there was no forced labour in prisons. However, given that the State budget for prisoners' meals was not sufficient to provide them with adequate food, the prisoners were encouraged to farm plots of land and raise poultry and pigs to supplement their rations.

3. Turning to the issue of employment, she said that job creation was a priority not only in the civil service but also in the private sector, including small and medium-sized enterprises. In October 2011, 25,000 young people, nearly 46 per cent of them women, had been recruited into the civil service. Fifty-two persons with disabilities had also been recruited. The technical committee responsible for recruitment had taken into account the candidates' qualifications and the types of position available. In addition, in 2010 nearly 7,500 contract part-time teachers had been hired and the National Employment Fund, in cooperation with the Government and private enterprises, had facilitated the creation of 28,322 jobs in the public and private sectors. The integrated support project for participants in the informal sector had provided assistance to more than 1,300 projects which had led to the creation of nearly 3,400 jobs.

4. Development projects would likewise create numerous jobs: 15,000 for the hydroelectric dam at Memvelé; 11,000 for the gas power plant in Kribi; 280 for the thermal plant as well as more than 7,000 indirect jobs; 47,000 in the mining sector; and 26,000 for developing the country's ports, including a deep-sea port in Kribi. Her Government, through the relevant ministries, in particular the Ministry of Labour and Social Security and the Ministry of Small and Medium-Sized Enterprises, Social Economy and Handicrafts, was working to move informal-sector businesses and jobs into the formal economy.

5. With regard to the alleged loss of informal jobs through the destruction of markets in for example Yaoundé, she said that stall-owners had been notified that the local government intended to remove makeshift shops and constructions, in order to give them time to evacuate their merchandise and belongings. Those makeshift structures had however been replaced with permanent structures that those same traders and business people could currently rent to carry on their activities but in better conditions. No jobs in fact had therefore been lost.

6. She stressed that under article 2, paragraph 1, of the Labour Code every citizen was guaranteed the right to work; it was therefore illegal for a husband to prevent his wife from working. As for domestic workers, of whom there were approximately 65,500, mostly women and children, she said that such workers in principle enjoyed the same rights as other workers, for example regarding paid leave, periods of rest, etc., but their rights were often not respected in practice. Her Government, in cooperation with international partners, was undertaking programmes to increase awareness of those rights among domestic workers as well as their employers. For example, in November 2009 the Ministry of Labour and Social Security and the Ministry of Social Affairs, in cooperation with the International

Labour Organization (ILO), had held a workshop for civil servants, judges, prosecutors, non-governmental organizations and civil society representatives on protecting the rights of domestic workers and preventing human trafficking in Cameroon in the light of Act No. 2005/015 of 29 December 2005 on trafficking and trading in children, the Labour Code and the ILO conventions ratified by Cameroon.

7. The right to organize and the right to strike were recognized by the Constitution and the Labour Code. Attempts to infringe those rights could be prosecuted in the courts. In 2008, 2009 and 2010 respectively 23, 23 and 24 unions had been created. The only limit on the right to strike was in the area of essential services, for example public transport.

8. There were few cases of leprosy in Cameroon; they occurred mostly in the north-west of the country, where treatment was available in certain hospitals. In order to combat illegal or irresponsible logging in the south of the country, which contributed to deforestation and desertification, her Government and international partners encouraged tree-planting. In October 2010 it had entered into an agreement with the European Union aimed at eliminating illegal tree-cutting and improving the traceability of timber. The Ministry of the Environment and Nature Protection and the National Agency for Forest Development undertook tree-planting campaigns across the country.

9. She did not know when the draft Code of the Person and the Family would be adopted; it was a massive piece of legislation that tried to reconcile English common law and the French civil code. She stressed however that combating violence against women was a priority for her Government, which had decided to remove provisions relating to violations and discrimination against women, including assault, sexual harassment, rape, psychological violence and female genital mutilation, from the proposed Code of the Person and the Family and incorporate them into the draft Criminal Code, which was currently under final review. The new provisions would, for example, eliminate the possibility for a rapist to escape punishment if he married the victim, and introduced the notion of aggravating circumstances in cases of rape.

10. Child labour continued to be a problem, although its incidence had dropped recently. She pointed out that the Labour Code set the minimum age for child labour at 14. She noted that Act No. 2005/015 of 29 December 2005 on trafficking and trading in children criminalized child exploitation.

11. **Mr. Texier** (Country Rapporteur) reiterated that he had information from ILO according to which prisoners were forced to work for private businesses without their consent, a practice that should be banned, and political prisoners or prisoners jailed for their opinions were subjected to forced labour. He was also concerned that under article 223 of the Civil Code a husband could prevent his wife from doing certain types of work. He wondered whether the State party intended to adopt concrete legal reforms to ensure real equality of opportunity for women and men.

12. He also asked whether it planned to ratify the recently adopted ILO Domestic Workers Convention, 2011 (No. 189). The delegation should also respond to reports according to which the Government sometimes interfered in union-related activities, showed favouritism towards certain unions or refused to recognize others, hindered efforts to unionize the civil service and had even arrested some union leaders.

13. **Mr. Sadi** said he wondered whether the State party's efforts to eliminate child labour were truly effective, given the large number of children still working in restaurants and bars or as domestic workers, or living in the street, some involved in prostitution.

14. **Mr. Nkou** (Cameroon) said that no prisoners were required to work for private enterprises. The only work undertaken by prisoners was farming for the purpose of supplementing their rations. Furthermore, he noted that Cameroon enjoyed a very positive

relationship with the ILO; it had in fact chaired the 100th Session of the International Labour Conference in June 2011 and made every effort to implement the recommendations made to it by the ILO. With regard to the possibility of a husband being able to prevent his wife from accepting certain types of work, he said that such a thing was inconceivable in a developing country where every source of income was vitally important.

15. **Ms. Galega** (Cameroon) said that article 223 of the Civil Code would be amended in the context of the new Code of the Person and the Family. In any case, the more recent Labour Code, which guaranteed men and women equal opportunity to work, was the law observed in practice and she gave the example of the women members of the delegation, all of whom were married and also had jobs. As to trade union rights and the right to strike, she said that those rights were protected under the law and violations could be prosecuted before the courts. She added that her Government would certainly consider ratifying ILO Convention No. 189.

Articles 10 to 12 of the Covenant

16. **Mr. Dasgupta**, noting the discrepancies in the child labour figures provided in the replies to the list of issues (E/C.12/CMR/Q/2-3/Add.1) and the admitted conspiracy of silence relative to that topic, asked for the source of the data and how reliable they were. He requested information on prosecutions for child slavery and their outcome.

17. **Ms. Barahona Riera** urged the State party to adopt the draft legislation on the protection of women. Concerned that the State budget for health care was insufficient and that a large segment of the population would not be able to afford voluntary insurance, she asked if there would be minimum coverage for all. She wondered what measures were being taken to enhance sexual and reproductive health education and what the legal status was of abortion.

18. **Mr. Texier** asked if all the provisions of the Committee's general comment No. 7 regarding forced evictions were respected, in particular compensation for those displaced.

19. **Mr. Sadi** asked what stage of the legislative process the draft Code of the Person and the Family had reached and whether rapists were in fact treated leniently if they married their victim.

20. **Mr. Riedel** requested further information on high-quality generic medicines for which patents had expired, in particular HIV/AIDS medication. He wondered what concrete actions were being taken in response to the report by the National Commission for Human Rights and Freedoms, which had cited the incidence of cholera, street sales of medicines of dubious quality and the rise of maternal mortality as major concerns, and whether the State party would consider decentralizing as a contribution to a solution. He enquired about the status of the decree to implement World Health Organization (WHO) recommendations for manufacturing, storing and distributing medicines and if it had yielded results since 2006. He wished to know why the State party had not ratified the Convention on the Rights of Persons with Disabilities or the Optional Protocol thereto.

21. **Mr. Abdel-Moneim** asked if the State party considered it received adequate support from the international community in respect of ensuring the right to food.

22. **Mr. Nkou** (Cameroon) said that Cameroon was self-sufficient in terms of food supply — although it did not hesitate to request assistance when necessary — and a specialized bank had been established to support farmers. Pending social security measures had been approved by WHO and the ILO and would guarantee universal health insurance according to each person's means. Most evictions had been carried out in unsanitary areas that had been occupied illegally; however, measures had been taken to relocate the persons affected.

23. **Ms. Nama** (Cameroon) said that there was a considerable shortage of drinking water due largely to an ageing infrastructure that did not keep pace with urban development. According to the Cameroon Water Utilities Corporation, in 2007–2008, fewer than one third of the population had been connected to the water network. It had undertaken a large-scale 10-year investment programme at a cost of CFAF 4 billion. In response to the cholera epidemic, an inter-ministerial committee had been set up to monitor the water supply. A national action plan for the drinking water supply and decontamination in rural areas had been formulated and allocated a budget of CFAF 100 billion. Cameroon had undertaken to keep the consumption of public services under control, repair leaks and raise awareness of resource management. A report by the independent auditor had revealed that the cost of water was high compared to other sub-Saharan countries with comparable living standards.

24. The supply of basic foodstuffs — sugar, wheat flour, palm oil and chicken — had been reviewed in the light of the economic crisis and drought. A special sugar import programme had been implemented in 2008 and importers had been urged to end their speculative practices which led to artificially inflated prices. The programme for supplying markets had been reinstated in 2008; 15 new markets had been created across the country and the Ministry of Trade had organized discount sale caravans to purvey cheaper food to the population.

25. **Ms. Galega** (Cameroon) said that the draft Criminal Code removed the provision for preferential treatment for rapists who married their victim. Once the code came into force, all rapists would be prosecuted, regardless of their relationship to the victim.

26. There had been some cases of forced eviction from land and houses in recent years, owing to the need to carry out development work and renovation to towns in order to maintain healthy conditions for the population, as explained in paragraphs 216 to 220 of the periodic report. By law, people who were evicted from land to which they had title had the right to compensation from the State. In addition, in 2008, the Prime Minister had decreed that even people who did not hold land title had the right to compensation. In 2010, some 50 families who had been evicted from their dwellings in Olembé in order to facilitate the construction of new social housing had received CFAF 197 million in compensation.

27. The 2010 budget of the Ministry of Health had amounted to CFAF 123,701 billion, which was over CFAF 10 billion greater than in 2009. All HIV patients received antiretroviral drugs free of charge. While they had to pay for an AIDS test, the test was subsidized and cost only CFAF 3,000. In 2010, the National Centre for the Supply of Essential Drugs and Medical Consumables had registered 669 new pharmaceutical products, most of which were generic drugs. The Centre had taken a number of steps to ensure that people had effective access to generic drugs, including agreeing price reductions for 350 such drugs with the relevant pharmaceutical companies. The Centre had withdrawn some 21 medications from the domestic market following reports that they could prove harmful, and had approved three new wholesale pharmaceutical companies. The Ministry of Health had also been taking measures to prevent street vending of medication, including seizing and destroying such medication.

28. While 10,441 cases of cholera had been detected during the 2010 epidemic, the Government had reacted swiftly with its development partners and limited the number of deaths to 651. It had implemented a series of multisectoral actions to curb the epidemic, including establishing a cholera control committee and a cholera control and coordination centre in Maroua, where the outbreak had been worst. In addition, existing local cholera control committees had been reactivated.

29. Although her country had not yet ratified the Convention on the Rights of Persons with Disabilities, comprehensive legislation had been adopted in that field.

30. **Ms. Nama** (Cameroon) said that, in October 2011, as part of the Government's anti-smoking campaign, it had imposed a tax of CFAF 5 on every packet of cigarettes sold in the country. Each year, on World No Tobacco Day, anti-smoking awareness-raising was carried out, particularly targeting young people in schools and universities.

31. With support from the United Nations Population Fund, representatives of 20 community and 15 regional radio stations had been given training on preventing gender-based violence and promoting reproductive health. That had resulted in 200 programmes that had been broadcast in French and local languages. The United Nations Development Fund for Women had organized four awareness-raising campaigns concerning female genital mutilation. Several thousand posters and brochures on the issue of gender-based violence had been distributed and an increasing number of women and girls were coming forward to report cases of domestic violence. Many of them had received care in specialist centres and had undertaken projects with the help of small Government subsidies.

32. **Ms. Galega** (Cameroon) said that abortion was illegal in Cameroon except when the woman's life was in danger or the pregnancy was the result of rape. Girls were taught in school that abortion was evil. In order to avoid girls dropping out of school because they were pregnant, schools were required by law to teach pregnant schoolgirls and ensure they could resume their studies once they had given birth.

33. She assured the Committee that, while the Criminal Code did not make specific reference to gender-specific offences such as female genital mutilation, there were provisions in the Code that could be invoked to combat and prosecute such offences. The Ministry of Women's Empowerment and the Family had prepared the draft Code of the Person and the Family. It had been examined several times at the Ministry of Justice, including in great detail in 2011, and had now been forwarded to the Prime Minister. While the time frame for its ultimate adoption was not known, she assured the Committee that the Government was aware of the need to adopt it to promote and protect women's rights, in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women.

34. **Ms. Nama** (Cameroon) added that the Government was aware of the need to eliminate child labour. However, many parents required their children to work alongside them in tasks such as selling produce at markets, in order to combat poverty.

35. **Mr. Sadi** asked whether the Government was familiar with the Committee's general comment No. 7 on forced evictions, particularly paragraph 16 which specified that evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights.

36. **Mr. Texier** asked whether the 5,000 people who had been evicted from their makeshift dwellings in the shanty town of Ntaba-Nlongkak in Yaoundé had been rehoused or had received any compensation from the State. While it was undeniable that the construction of those dwellings had been illegal, over 250 families had lived in that shanty town for 40 years. The Committee had received reports indicating that they had been left homeless, in violation of the Covenant and the Committee's general comment No. 7.

37. **Mr. Abdel-Moneim** observed that, between 2000 and 2008, gross national income in the State party had risen from US\$ 620 to US\$ 1,150 and inflation had dropped from 2.8 per cent to 1.7 per cent. Those figures were highly relevant to the provisions of article 11 of the Covenant.

38. He noted that the State party had embarked on major dam building projects, which was laudable, given the need to ensure the right to food in the context of climate change and the current demand for grain. Any evictions required for those projects to go ahead

should be preceded by the consent of those concerned and they should receive adequate compensation.

39. **Ms. Barahona Riera** asked whether the Government planned to amend its legislation on abortion in order to legalize it under a wider range of circumstances. The State party had reported high numbers of illegal abortions; it would be useful to know whether any reliable data existed on maternal mortality resulting from such abortions. She asked what sexual and reproductive health services were available to the population, including young people. She wished to know whether sexual and reproductive health services were included in the Minimum Health Package.

40. **The Chairperson**, speaking as a member of the Committee, asked what measures the State party had taken to address the housing shortage of about 1 million units. According to a 2010 report of the United Nations Human Settlements Programme, some 67 per cent of families in urban areas lived in shanty towns.

41. **Mr. Nkou** (Cameroon) said that 67 per cent seemed a rather exaggerated figure. Local construction materials were not expensive in his country; one could build a house for the equivalent of US\$ 2,000. Owing to the illegal settlements in Ntaba-Nlongkak, it had become a lawless district. The residents had refused to move, obliging the Government to forcibly evict them. The dam construction projects had begun, with compensation being given to residents of the areas that needed to be cleared.

42. **Mr. Ngantcha** (Cameroon) said that, since the 1980s, the *Crédit foncier* had been granting loans for the building of low-cost houses. There was also a commission that promoted the use of local, cheap building materials.

43. Under the Minimum Health Package, pregnant women were entitled to free consultations in public hospitals. Children under the age of 5 received free prescription medicines as well as free consultations.

44. **Mr. Bidima** (Cameroon) said that several social housing projects were under way, including one that would provide 10,000 housing units. The Government had encouraged public-private partnerships for social housing and student accommodation.

45. **Ms. Galega** (Cameroon) said that there were several ongoing projects to build low-cost social housing in Cameroon to alleviate the housing shortage, especially in Yaoundé and other urban areas. The projects were being executed by State-owned companies, in conjunction with local and regional authorities, and Government-appointed private companies. The aim was to construct 10,000 low-cost houses and develop 50,000 building plots for purchase at low cost from the Government between 2010 and 2013.

46. Forced evictions and demolition of property did not take place overnight. The normal procedure was for the local council to mark illegally built properties with a red "X" and the deadline date, thus notifying owners and giving them sufficient time to make alternative arrangements. There had been a problem of forced evictions in Yaoundé and Douala in 2008 and, following an urgent appeal by the United Nations Special Rapporteur on adequate housing, Decree No. 2008/0738/PM had been issued to ensure that no one would be made homeless as a result of a compulsory eviction order. The Decree had taken into consideration the provisions of the Committee's general comments Nos. 4 and 7 on the right to adequate housing and forced evictions, as well as the basic principles and guidelines on development-based eviction and displacement defined by the Special Rapporteur. Compensation was paid to persons subject to eviction and demolition orders who had title to their land, and even to persons who did not hold land title.

47. **Ms. Nama** (Cameroon) said that regional school medical networks provided a programme of sexual health education to young people, although there was room for

improvement in that area, given the continuing high incidence of teenage pregnancy and sexually transmitted infections (STIs).

48. The Minimum Health Package supported free education and included a set of materials to help students from poor families who could not afford books, paper and other school equipment. The package also provided for free school meals to ensure that the overall dietary requirements of pupils were met.

49. **Ms. Galega** (Cameroon) said that 10 to 15 per cent of adolescents were affected by early pregnancy and STIs. The school programme to raise awareness on sexual health, early pregnancy and STIs included three films, literature and teaching materials developed in collaboration with the United Nations Educational, Cultural and Scientific Organization. She did not have information on whether Cameroon intended to amend its legislation on abortion, but the current law was adequate for the time being.

50. **Ms. Nama** (Cameroon) said that the question of eviction posed a dilemma. Cameroon always followed the correct procedure, even though, as a developing country, it was constrained by a lack of resources. Its overriding concern was to protect the lives of persons living in precarious conditions. People often built homes illegally in swampy areas liable to flooding and mudslides, which sometimes meant having to take urgent action.

51. **Mr. Sadi** asked whether there was an appeals procedure under Decree No. 2008/0738/PM in the event of an eviction order. He requested specific details of how the decree had taken into consideration the Committee's general comments Nos. 4 and 7.

52. **Mr. Texier** asked whether all of the 5,000 persons evicted in the Ntaba-Nlongkak neighbourhood had been rehoused, or whether some of them remained homeless.

53. **The Chairperson** enquired how the 40 per cent of people in Cameroon earning less than US\$ 1 a day could afford to buy the US\$ 2,000 housing unit referred to by the delegation.

54. **Mr. Nkou** (Cameroon) said that the average Cameroonian family comprised six people — the parents and four children — which meant that it had US\$ 6 a day on which to live. A modest house in Cameroon was affordable for the average family.

55. **Ms. Nama** (Cameroon) said that some of the 5,000 persons evicted in the Ntaba-Nlongkak neighbourhood had found new homes in the region and others had returned to their villages, as was the Cameroonian custom. Under the eviction procedure, a letter was circulated in the local community notifying inhabitants of the deadline for demolition. In such cases, the community usually formed a collective, the president of which negotiated the conditions of departure. There had been friction in Ntaba-Nlongkak because, unusually, the police had been present to facilitate the eviction, but normally there was cooperation between the parties and the whole process was peaceful. If the collective refused to leave, or did not have the means to find new housing, that posed a dilemma because, as previously mentioned, lives might be in danger and urgent action had to be taken.

56. **Mr. Texier** said that he was familiar with the Ntaba-Nlongkak area and questioned the information provided by the State party.

57. **Mr. Dasgupta** asked whether, by indicating that average family income was US\$ 6 a day, the State party was assuming, or admitting, that the incidence of child labour was as high as 100 per cent. According to demographic statistics for Cameroon, several of the four children in the average family of six would be below the age of 14.

58. **Mr. Nkou** (Cameroon) confirmed that the correct statistic for remunerated child labour was 41 per cent. As the school attendance rate was 91 per cent, child labour could not be 100 per cent. When children returned home after school, they were expected to wash their glass and plate and put them away after their meal and carry out other tasks such as

making their beds. That should not be misconstrued as child labour; it was just part of education in the home.

59. **Mr. Dasgupta** said that the statistics in the State party's replies to the list of issues were contradictory and he sought further clarification. The figures in paragraph 8, which had come from a study carried out by the ILO in cooperation with the Cameroonian Government, differed from the figures given in paragraph 69, the origin of which had not been explained. What was the source of those figures and how reliable were they? Moreover, paragraph 73 stated that there were no reliable statistics on child labour and child slavery due to a conspiracy of silence on the subject.

Articles 13 to 15

60. **Mr. Ribeiro Leão** asked what was meant by the reference in paragraph 619 of the State party's report to having to assign a major role to the financing of culture by the private sector due to the economic crisis and the liberalization of the economy.

61. **Mr. Marchán Romero** requested clarification on reports that the State party was more concerned about integrating indigenous groups into Cameroonian society than fostering inclusion that guaranteed respect for the cultural specificity of those communities. He asked what measures had been adopted to recognize the right of indigenous peoples to their ancestral lands, especially since many groups, such as the Baka Pygmies, had been evicted as a result of deforestation activities, in disregard of the fundamental material and spiritual significance of those lands and forests to such peoples. With regard to article 15, paragraph 1 (b), on the right to enjoy the benefits of scientific progress and its applications, he asked whether the State party had a specific intellectual property regime that recognized the traditional knowledge of indigenous communities.

62. **Mr. Kerdoun** requested specific statistics demonstrating that the number of girls attending school had increased. He also asked for more recent figures on the number of students with disabilities attending school, showing that measures adopted to increase such attendance were taking effect. He asked about efficiency within the educational system and why there was a difference between the French-speaking and English-speaking systems. Were they compatible, and could they be harmonized? He enquired what problems had been encountered in trying to implement the so-called "LMD" (Bachelor's-Master's-Doctorate) system, adopted by Cameroon in 2008, which appeared to be becoming a world standard. It worked well in developed countries, but in developing countries like Cameroon a lack of resources might prove problematic.

The meeting rose at 1 p.m.