Initial report

Cameroon

(23rd session)

30. The Committee considered the initial report of Cameroon (CEDAW/C/CMR/1) at its 476th, 477th and 483rd meetings, on 20 and 26 June 2000 (see CEDAW/C/SR.476, 477 and 483).

Introduction by the State party

31. In introducing the report, the representative of Cameroon informed the Committee that in Cameroon, discrimination against women resulted from the de facto situation rather than de jure. For example, the use by a woman of her husband's name was optional and not a legal obligation. Prior to the ratification of the Convention without reservations by Cameroon, the Government had implemented a variety of legislative and judicial measures to address de jure discrimination. These included the adoption, in 1972, of the Constitution, which enshrined the principle of equality between the sexes. Other legislative measures introduced prior to the ratification of the Convention were: the Labour Code, which recognized the right to work; the General Statute of the State Public Function, which gave all citizens, with no distinction on the grounds of sex, the right to have access to public functions; and the Code on Nationality, which granted women and men the same rights in relation to the award, change or retention of nationality.

32. The representative indicated that, although laws were not discriminatory, certain legal measures, because of ambiguity, might disadvantage women. In particular, article 7 of the Trade Code allowed a husband to interrupt his wife's working activity through notification of his opposition to the Trade Tribunal. According to articles 1421 and 1428 of the Civil Code, women were not fully entitled to use, enjoy or sell their property, although those rights were stipulated in the Constitution. In this context, article 1421 granted the husband the right to administer communal property, thereby giving him the right to sell or mortgage the couple's property without the wife's consent. Articles 108 and 215 of the Civil Code granted the husband the sole right to determine the family domicile, and article 361 of the Penal Code defined the crime of adultery in terms more favourable to men than women.

33. The representative informed the Committee that the Government had adopted several legal measures to ensure equality between women and men. These included removal of the requirement of the husband's authorization for the wife's travel abroad, the provision of housing benefits to women workers on an equal basis with men and the readmission of girls who had been suspended from school due to pregnancy. Court decisions, including ruling No. 14/L, 1993, by the Supreme Court, recognizing women's right to inheritance, had also helped to address discrimination.

34. The representative indicated that since ratification of the Convention, the Commission of Legislative and Juridical Reforms had been reorganized within the Ministry of Justice and now included a Commission on Civil Legislation, through which the Ministry on the Status of Women was represented. The Commission was drafting a new Family Code. A service unit in charge of reform had been created in the Ministry on the Status of Women, within the Directorate for Promotion and Reform, and planned to initiate bills to promote women's rights. In this regard, a bill was being prepared that would address violence against women, including the issue of female genital mutilation.

35. The representative informed the Committee that structures for the promotion of women existed at the central, intermediate and community levels and that focal points had been established within certain structures. Delegations of the Ministry on the Status of Women existed at the provincial and departmental levels, services at the district level and a pool of activities at the local level. There was also a network of organizations, including non-governmental organizations, that worked to promote women's rights, address violence and discrimination against women and promote training for women in cultural, socio-economic, scientific and technological areas.

36. The representative informed the Committee that among the factors impeding the implementation of the Convention in Cameroon were: the multi-ethnic nature of the country; the coexistence of conflicting norms of customary and general law; the existence of a dual system inherited from French and British colonialism; the limited knowledge of the Convention among the different social actors; the absence of a legal definition of discrimination and of discrimination-related sanctions; the high level of illiteracy among women; limited material, financial and human resource allocation to mechanisms aimed at promoting the advancement of women; the difficult international economic environment which, through structural

adjustment programmes, was leading to the dismantling of social security; and women's limited participation in efforts aimed at improving their status, both in terms of political participation and in awareness of the role they could play to improve their status.

37. The representative informed the Committee of developments that had occurred in Cameroon since the submission of its report to the Committee in 1998, particularly at the political level, demonstrating the Government's commitment to confront different forms of violence and discrimination against women. Further actions were envisaged for the future in order to ensure that women's rights were promoted and protected in accordance with the provisions of the Convention.

Concluding comments of the Committee

Introduction

38. The Committee commends the Government of Cameroon for ratifying the Convention without reservation and for presenting a detailed and well-structured initial report, which provides information on the implementation of all the articles of the Convention, as well as relevant statistics. It thanks the representative of Cameroon for her oral presentation and for the replies to questions from the Committee, which provided a better insight into developments regarding the situation of women in Cameroon.

39. The Committee also commends the Government for sending a large, high-level delegation headed by the Minister on the Status of Women. It appreciates the open-mindedness with which the report was prepared and presented by the State party, which has engaged the Committee in a constructive dialogue.

40. The Committee welcomes the incorporation, by article 65 of the Constitution of 1996, of the Convention into the domestic legal system.

41. The Committee commends the Government for involving women's associations and non-governmental organizations in the preparation of the initial report.

Positive aspects

42. The Committee welcomes the establishment, in December 1997, of the Ministry on the Status of Women, which testifies to the Government's interest in promoting the rights of women. It also notes with satisfaction that the Ministry has designated focal points in all the ministries, with a view to taking gender-specific matters into account in all national programmes and policies benefiting women. In particular, it welcomes the national action plan for the advancement of women.

43. The Committee commends the Government of Cameroon for its measures aimed at eliminating the practice of genital mutilation, which is a violation of human rights and is injurious to the physical and psychological well-being of girls, and poses a threat to their lives and health.

Factors and difficulties affecting implementation of the Convention

44. The Committee recognizes that implementation of the structural adjustment programme, coupled with privatization, especially in the health and education sectors, poses serious challenges to the full implementation of the Convention.

Principal areas of concern and recommendations

45. The Committee notes with concern that, despite the incorporation of the Convention into domestic law and some legislative achievements, a number of discriminatory provisions exist, thus impeding full implementation of the Convention. The Committee is also concerned that the retention of discriminatory laws from two different legal systems, as well as customary law, compounds this problem.

46. The Committee recommends that the State party should urgently undertake a comprehensive reform of legislation in order to promote equality and human rights for women. The Committee also recommends the introduction of effective legal remedies and a review and revision of customary law that infringes the human rights of women.

47. The Committee considers that the inadequate allocation of resources for the advancement of women, with the resultant incomplete execution of programmes and projects, seriously jeopardizes the improvement of women's living conditions.

48. The Committee urges the Government to allocate sufficient resources for targeted programmes to promote the advancement of women.

49. The Committee notes with concern that, despite some efforts, there is no holistic approach to the prevention and elimination of the various forms of violence against women and girls, in particular female genital mutilation and domestic violence.

50. The Committee invites the Government to apply the Committee's general recommendation 19 and formulate policies and programmes to eliminate these violations of women's human rights. It recommends that the Government provide access to legal remedies and medical services, establish counselling services for the victims, train legal, health and police personnel, and launch public-awareness campaigns in order to achieve zero tolerance with regard to all forms of violence against women and girls.

51. The Committee is concerned that because of the increased feminization of poverty, more women and girls are entering prostitution and are thereby exposed to exploitation.

52. The Committee urges the Government to design and implement poverty alleviation programmes so that women and girls do not have to resort to prostitution for their livelihoods. It recommends that the Government develop programmes to reintegrate prostitutes, raise public awareness and prevent such exploitation. Moreover, in the light of the HIV/AIDS pandemic in Cameroon, full attention must be paid to the health services available to prostitutes.

53. The Committee is disturbed by the persistence of cultural practices and deep-rooted stereotypes relating to the roles and responsibilities of women and men in all areas of life, which affect their enjoyment of all human rights.

54. The Committee urges the Government to review all aspects of this situation and to adopt legislation to prohibit discriminatory cultural practices, in particular those relating to female genital mutilation, levirate, inheritance, early and forced marriage and polygamy. It also urges the Government to carry out further public-awareness, information and training programmes targeting community leaders and the general public, so as to change ways of thinking and the stereotyped perceptions of the roles and responsibilities of women and men.

55. The Committee is concerned at the extremely low percentage of women candidates for election and appointed to public office and decision-making posts, and at the low percentage of women in ministerial posts.

56. The Committee urges the Government to take effective measures to increase the number of women elected and appointed to public office and positions of decision-making.

57. Despite the Government's efforts in the area of education, the Committee is concerned at the low rate of female literacy, the high female dropout rate, and the low rate of female enrolment in basic education.

58. The Committee encourages the Government to intensify its efforts to promote female access to basic and secondary education and to develop programmes specifically designed to reduce female illiteracy.

59. The Committee notes with concern the high rate of fertility and repeated pregnancy, the high mortality rate among mothers and children and the HIV/AIDS pandemic in Cameroon.

60. The Committee urges the Government to review the abortion laws, to undertake to increase the use of contraceptives, and to develop programmes to protect mothers and children. It further recommends that the Government strengthen its awareness campaigns to make women aware of the risks and effects of sexually transmitted diseases, including HIV/AIDS.

61. The Committee notes with concern that, despite the important role of rural women in Cameroon and despite the Government's efforts to provide them with education and extension services, these women are disadvantaged and living in difficult circumstances.

62. The Committee urges the Government to pay the utmost attention to the needs of rural women and to ensure that they benefit from the policies and programmes adopted in all areas. It should also ensure that rural women are able to participate, on an equal basis, in the adoption of decisions to guarantee them access to literacy, health services, drinking water and credit.

63. The Committee urges the Government to accept the amendment to article 20, paragraph 1, of the Convention, concerning the time of meetings of the Committee.

64. The Committee encourages the Government to sign and ratify the Optional Protocol to the Convention.

65. The Committee urges the Government to respond in its next periodic report to the specific questions raised in the present conclusions. It also urges the Government to improve the collection and analysis of statistical data broken down by gender and age with regard to poverty and violence against women and with

regard to the application of articles 10, 11, 12, 14 and 16 of the Convention, and to submit such data to the Committee in its next report.

66. The Committee requests that the text of the present conclusions should be widely disseminated in Cameroon so as to inform the public, in particular administrators, officials and politicians, of the measures taken to guarantee equality de jure and de facto between men and women, and of the supplementary measures to be adopted in this area. The Committee also urges the Government to continue to give broad publicity, particularly among women's associations and human rights organizations, to the Convention, its Optional Protocol, the general recommendations of the Committee, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", held in June 2000.