

## Women's rights protection instruments ratified by Cameroon:

- **CEDAW**: ratified in 1994
- **CEDAW Protocol**: ratified in 2005
- **Maputo Protocol**: signed in 2006, not ratified

**Ratify!** Cameroon has ratified the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and its Optional Protocol, but has still not ratified the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

**Respect!** The Coalition of the Campaign is particularly concerned by the following continued violations of women's rights in Cameroon: persistent discriminatory legislation; violence against women, including harmful traditional practices such as early and forced marriage and female genital mutilation; and limited access to education, public and political life and health services.

## / Discrimination and violence persist

### IN LAW

Cameroon's laws remain deeply discriminatory towards women and, despite observations and recommendations made by the CEDAW Committee to the Cameroon government in 2000 and 2009, no legal reforms have been undertaken to increase protection of women's human rights. Furthermore, customary law is applied alongside statutory law, creating numerous contradictions and inconsistencies.

### PENAL CODE

- Adultery is systematically punishable if committed by a woman, but is only punishable when committed by a man if it is "habitual" or takes place in the matrimonial home (art. 361).
- Abortion is criminalised, except if the mother's life is in danger or if pregnancy is the result of rape (arts. 337 and 339).
- Rape is criminalised, unless it takes place within marriage (art. 296).

### CIVIL CODE

- The minimum age for marriage is 15 years for girls and 18 years for boys (art. 52). Girls under 18 are not required to consent to marriage, parental consent is sufficient (art. 49).
- The man can choose which matrimonial regime applies (monogamy or polygamy). If no choice is made, the couple is married under common law, which allows polygamy and community of marital property. The payment of dowries is authorised (art. 70).
- The husband is considered to be the head of the family (art. 213). He also has the sole right to determine the family domicile (arts. 108 and 215) and, in the interest

of the household and the children, may prevent his wife from taking employment (Regulation 81-02, implementing the Civil Code).

-Women are not entitled to full use and enjoyment of property (arts. 1421 and 1428). The husband has the right to administer communal marital property, thereby giving him the right to sell or mortgage the couple's property without his wife's consent. These provisions are contrary to the Constitution.

## **IN PRACTICE**

Customs and traditions in Cameroon weigh heavily against the implementation of statutory laws. In rural areas customary courts often settle property and domestic disputes.

### **• Discrimination in the family**

Early and forced marriages are widespread, especially in rural areas and some girls as young as 12 are married. The practice of levirate, according to which widows are forced to marry the brother of the deceased husband, is also very common, since widows are considered as property to be bequeathed. According to tradition, only male children are permitted to inherit property.

### **• Violence**

Violence against women and girls is highly prevalent, in particular within the family, and remains widely socially accepted. Marital rape is not a criminal offence. The government has not established shelters or legal aid clinics and victims generally suffer from a culture of silence and impunity.

There are no laws prohibiting traditional harmful practices, and female genital mutilation (FGM) and the practice of breast ironing persist in parts of the North and the South-West of the country: it is estimated that 20% of women are victims.

Although Cameroon adopted a law against trafficking in children and slavery in 2005 (Law no. 2005/015) and has ratified the United Nations Convention against Transnational Organised Crime and its two optional protocols, trafficking, exploitation and prostitution of girls and women remain widespread.

### **• Obstacles to access to education**

The literacy rate for the 15-26 age group is 72% for boys and 59% for girls. This disparity can be explained in part by families' decisions to favour boys' education if financial resources do not permit sending all children to school. Although some efforts have been made by the government to promote girls' access to education, there remain fewer girls than boys in secondary and higher education. Girls are especially affected by the lack of infrastructure, educational materials and the shortage of qualified teachers. Only a handful of girls have been able to benefit from the scholarship policy (even though the policy imposed a quota of 40% girls). In rural areas, the quality of education is far lower than in urban areas.

## • Under-representation in political life

Although labour law guarantees gender equality, providing for equal access to employment and equal wages for equal work, women are still employed mainly in the informal sector: agriculture and household services. Women are thus generally excluded from social security benefits. Furthermore, sexual harassment in the workplace is very common and is not punished by law.

Following the September 2007 elections, out of 180 parliamentarians elected, only 25 (13.8%) were women.

## The Coalition of the Campaign calls on the authorities of Cameroon to:

- **Reform or repeal all discriminatory measures in statutory law**, in conformity with CEDAW, in particular the provisions of the Family Code concerning age of marriage, consent, polygamy, marital power and property; and the provisions of the Penal Code on adultery and rape.
- **Harmonise customary law with statutory law**, in conformity with CEDAW, and ensure that in case of conflict statutory law prevails.
- **Strengthen laws and policies to combat violence against women**, and in particular: adopt a specific law on violence against women, including domestic violence and marital rape; criminalise harmful traditional practices such as female genital mutilation and breast ironing and implement awareness-raising programmes targeting the general population; establish appropriate services to support victims and facilitate their access to justice.
- **Take all necessary measures to improve access to education for women and girls**, in particular by establishing a mechanism to monitoring primary education for girls, with a particular focus on rural areas; and by carrying out public awareness-raising campaigns on the importance of education for girls and women.
- **Take all necessary measures to improve women's access to public and political life**, especially to decision-making positions, including by adopting special temporary measures such as a quota system; and adopting legislation criminalising sexual harassment.
- **Ensure women's access to healthcare**, in particular by developing healthcare infrastructure, intensifying the fight against HIV/AIDS; taking steps to reduce the maternal mortality rate; and legalising abortion for non-medical reasons.
- **Adopt all necessary measures to reform or eliminate discriminatory cultural practices and stereotypes**, including by implementing awareness-raising programmes for all segments of the population, including religious, customary and traditional leaders.
- **Ensure women's access to justice**, including by providing information on recourse mechanisms to victims of violations; and implementing training programmes for legal personnel responsible for applying laws protecting women's rights.
- **Ratify the Maputo Protocol.**
- **Implement all recommendations issued by the CEDAW Committee** in February 2009.

## • Obstacles to access to health

Health services remain inadequate, in particular in rural areas, in the face of high prevalence of HIV/AIDS and very high maternal mortality rates (1000 per 100,000 births in 2005). HIV is more prevalent amongst women (4.3%) than men (1.2%). Child mortality rates are also very high (close to 9% in 2007), due to the lack of post/prenatal care. As a result of the criminalisation of abortion and the lack of sex education, non-medicalised abortions are common, endangering the lives of women.

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### PRINCIPAL SOURCES

- Focal Point: MDHC
- CEDAW Committee recommendations, February 2009
- UNICEF, State of the World's Children 2009, [www.unicef.org](http://www.unicef.org)
- AFROL Gender Profiles, [www.afrol.com](http://www.afrol.com)

**For more information on women's rights and the actions of the campaign in Cameroon, see: [www.africa4womensrights.org](http://www.africa4womensrights.org)**

### THE CAMPAIGN FOCAL POINT IN CAMEROON

#### **Maison des Droits de l'Homme au Cameroun (MDHC)**

MDHC is a network of human rights organisations based in Youndé. MDHC provides legal advice, representation and support to victims of human rights violations.