



**Cameroon's Compliance with the Convention on the Rights of the Child  
Suggested List of Issues Relating to the Rights of LGBTI Children and  
Violence Against Girls**

**Submitted by**

**The Advocates for Human Rights,**

a non-governmental organization in special consultative status with ECOSOC since 1996

and

**The Cameroonian Foundation for AIDS (CAM-FAIDS)**

**75th Session of the Committee on the Rights of the Child (Pre-sessional Working Group)  
3-7 October 2016**

**Submitted 1 July 2016**

**Reporting Organizations**

**The Advocates for Human Rights** (The Advocates) is a volunteer-based nongovernmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates promotes human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is committed to ensuring human rights protection for women and children around the world and has published human rights reports on children's rights in Ethiopia, Haiti, Iran, Mexico, Uganda, and the United States. The Advocates collaborates with partner organizations to conduct a range of programs to protect the human rights of LGBTI persons around the world. In the United States, The Advocates also provides legal representation to LGBTI persons seeking asylum on the basis of sexual orientation or gender identity.

**The Cameroonian Foundation For AIDS (CAM-FAIDS)**, headquartered in Yaounde, Cameroon, is an apolitical, non-sectarian, non-profit association based on volunteerism. It is open to any individual without any discrimination on account of race, creed, ethnic origin, gender, HIV status, political opinion, or disability. The vision of CAM-FAIDS is to form a dynamic Cameroonian society based on freedom, democracy, tolerance, and respect for individual rights, including social and economic rights. CAM-FAIDS seeks to ensure the implementation of participation strategies taking into account social status and gender. Its mission is: to foster respect for human rights, including the right to information and education for victims and other people who are most at risk of human rights violations; to encourage civil, social, economic, educational, cultural, and sport activities for the benefit of those people; to collect information on issues concerning those people and make that information available to the public; to gather all people of good will, without distinction, to search for solutions to problems facing vulnerable persons and victims; to help people who are excluded to restore their emotional environment and thereby contribute to their social reintegration.

## EXECUTIVE SUMMARY

1. The Government of Cameroon participates in and condones discrimination against people on the basis of perceived and actual sexual orientation and gender identity.<sup>1</sup> In addition to criminalizing consensual same-sex sexual relations, the Cameroonian Government fosters a climate of impunity for officials and other persons who abuse, torture, and murder people who are lesbian, gay, bisexual, transgender, or intersex (LGBTI). This discrimination against people who are LGBTI includes Cameroonian youth, who are especially vulnerable.
2. Discrimination against LGBTI youth is apparent in the criminal justice system, especially due to Cameroon's laws criminalizing LGBTI people and its lack of a juvenile justice system. Article 347 *bis* (also known as Article 347a) of the Penal Code outlaws consensual sexual relations between same-sex adults, but has also been used to arrest and detain youth based on their perceived or actual sexual orientation. Children arrested under Article 347 *bis* are rarely allowed the protections entitled to them as children in conflict with the law. Police and prison officers routinely abuse detainees suspected of same-sex sexual relationships and there is no mechanism to hold them accountable.
3. The criminalization of same-sex sexual conduct, as well as discrimination against and stigmatization of individuals based on sexual orientation and gender identity in Cameroon undermine efforts to prevent and treat HIV/AIDS in LGBTI youth. The 3rd National Strategic Plan for HIV/AIDS Control (2011–2015) aims at controlling the transmission of the virus from mother to child,<sup>2</sup> even though there is evidence that men who have sex with men (MSM) are between 6 and 11 times more likely to be HIV-positive than the general population.<sup>3</sup> Due to the criminalization of same-sex sexual relations, Cameroon does not have programs for treating LGBTI youth with HIV/AIDS.<sup>4</sup>
4. In Cameroon, violence against girls is widespread and comes in the form of sexual abuse, rape, FGM, and breast ironing, among others.<sup>5</sup> Rape is the most common form of abuse, but few cases go to court.<sup>6</sup> Moreover, Cameroonian law allows a perpetrator to avoid prosecution by marrying his victim.<sup>7</sup>

---

<sup>1</sup> The Advocates for Human Rights, the Cameroonian Foundation for AIDS, Le Réseau des Défenseurs des Droits Humains en Afrique Centrale, L'Association pour la Défense des Droits des Homosexuels, *Report on the Violation of Rights on the Basis of Sexual Orientation and Gender Identity in the Republic of Cameroon Under the African Charter on Human and Peoples' Rights in Response to the Third Periodic Report of the Republic of Cameroon*, 53 Session of the ACHPR Commission, (Aug. 2013), available at: [http://www.theadvocatesforhumanrights.org/uploads/cameroon\\_african\\_commission\\_lgbti\\_rights\\_october\\_2013.pdf](http://www.theadvocatesforhumanrights.org/uploads/cameroon_african_commission_lgbti_rights_october_2013.pdf) (last visited June 30, 2016).

<sup>2</sup> *Periodic Report on the Implementation of the United Nations Convention on the Rights of the Child: Republic of Cameroon*, (Dec. 2014), ¶ 157.

<sup>3</sup> The Advocates for Human Rights, *supra* note 1.

<sup>4</sup> *Periodic Report*, *supra* note 2, ¶ 157.

<sup>5</sup> Association Camerounaise de Lute Contre les IST Dont le VIH, Sida and Cameroonian Foundation for AIDS, *Cameroon: Les violences faites aux filles résistent aux temps* (Oct. 2014), at 2–3.

<sup>6</sup> *Id.* at 2.

<sup>7</sup> *Infra* ¶ 27.

## **Cameroon fails to uphold its obligations under the Convention on the Rights of the Child**

5. The Preamble of the Constitution of Cameroon promises all citizens non-discrimination based on various factors, such as sex and religion.<sup>8</sup>
6. The Committee on the Rights of the Child in a General Comment construed the Convention on the Rights of the Child's prohibition on "discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status,"<sup>9</sup> also to "cover adolescents' sexual orientation and health status (including HIV/AIDS and mental health)."<sup>10</sup>

### **I. Children in Conflict with the Law**

7. In 2010, the Committee on the Rights of the Child expressed concern over the alarming rate of child torture while in detention or prison.<sup>11</sup> The Committee noted "the persistence of ill-treatment of children"<sup>12</sup> and stated that it was "deeply concerned that alleged cases of torture against children are not duly investigated and perpetrators not brought to justice."<sup>13</sup> The Committee recommended that the government train police officers to prevent acts of torture, fully investigate instances of torture and provide counseling and compensation to victims.<sup>14</sup>
8. The Committee also expressed deep concern that "children and adults are not separated in prisons despite Penal Code provisions which call for their separation."<sup>15</sup> The Committee urged the Government of Cameroon to establish juvenile courts and to "ensure that the juvenile justice system fully integrates and implements international juvenile justice standards," and in particular to "[e]nsure that children are always separated from adults in all detention facilities, including in police cells."<sup>16</sup>
9. The Periodic Report states that the government has organized "six training sessions for defence and security forces on compliance with international standards on human rights concerning arrest and detention."<sup>17</sup> The Report further states that the government has undertaken "significant actions" for "strengthening social actions for victims."<sup>18</sup> The Report makes no reference to any training sessions or other actions to enhance protection for LGBTI

---

<sup>8</sup> The Constitution of the Republic of Cameroon, preamble, *available at*:

<http://confinder.richmond.edu/admin/docs/Cameroon.pdf> (last visited June 30, 2016).

<sup>9</sup> Convention on the Rights of the Child, G.A. res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 167, U.N. Doc. A/44/49 (1989), *entered into force* Sept. 2, 1990, *available at*:

<http://www.ohchr.org/en/professionalinterest/pages/crc.aspx> (last visited June 30, 2016).

<sup>10</sup> Committee on the Rights of the Child, General Comment No. 4, (July 1, 2003), U.N. Doc. CRC/GC/2003/4, ¶ 6.

<sup>11</sup> Committee on Rights of the Child, *Concluding Observations: Cameroon* (18 Feb. 2010), U.N. Doc. CRC/C/CMR/CO/2, ¶ 36.

<sup>12</sup> *Id.*, ¶ 35.

<sup>13</sup> *Id.*, ¶ 35.

<sup>14</sup> *Id.*, ¶ 36.

<sup>15</sup> *Id.*, ¶ 79.

<sup>16</sup> *Id.*, ¶ 80(g).

<sup>17</sup> *Periodic Report*, *supra* note 2, ¶ 77.

<sup>18</sup> *Id.*, ¶ 78.

youth who are in conflict with the law, even though those youth are particularly vulnerable to torture and cruel, inhuman, and degrading treatment in detention facilities. The Report concedes that Cameroon does not have special courts for children.<sup>19</sup>

**A. LGBT children face torture and cruel, inhuman, and degrading treatment in detention facilities**

**10. LGBT children, like other LGBT detainees, are vulnerable to torture and other abuse while in custody.** Police and prison officials routinely subject individuals who are detained on suspicion of being LGBT to beatings, and they sometimes even force individuals, including minors, to undergo anal examinations to purportedly prove their homosexuality.<sup>20</sup> The UN Working Group on Arbitrary Detention noted that “[t]hese tests, forcibly undertaken, are in and of themselves intrusive in nature and violative of bodily rights of the individual under human rights law.”<sup>21</sup> Adolescents under the age of 18 are being arrested and charged under Article 347 *bis*.<sup>22</sup> Prison guards insult detainees who are charged under Article 347 *bis*, and also “hit them, throw water at them, and threaten them with rape. Other prisoners beat them with stones and fists, sexually abuse them, and urinate and defecate on their mattresses.”<sup>23</sup> One minor reported that his interrogator repeatedly beat him on the bottoms of his feet with the back of a machete.<sup>24</sup> Such treatment can prompt minors to sign confessions that then form the basis for a conviction.<sup>25</sup> Moreover, judges may convict and sentence individuals without clear and credible evidence that the defendant engaged in conduct prohibited under Article 347 *bis*.<sup>26</sup>

**11. LGBT children do not receive the special protections mandated for children in conflict with the law.** The Periodic Report states that in 2013, 36 of 88 prisons had sections for minors, and 15 additional prisons had “other premises for minors.”<sup>27</sup> Yet even if such facilities exist, they may not be provided to LGBTI children. Authorities place LGBTI children—minor boys in particular—in the same holding cells as convicted adults, fearing that the gay children will “teach [the other minors] to be homosexual.”<sup>28</sup> Moreover, children arrested under Article 347 *bis* are held in custody without a decision considering whether

---

<sup>19</sup> *Id.*, ¶ 213.

<sup>20</sup> Human Rights Watch, *Guilty by Association: Human Rights Violations in the Enforcement of Cameroon’s Anti-Homosexuality Law*, (March 21, 2013), at 23, 34, available at: <https://www.hrw.org/news/2013/03/21/cameroon-rights-abuses-homosexuality-prosecutions> (last visited June 30, 2016).

<sup>21</sup> Working Group on Arbitrary Detention, *Concluding Observations: Egypt*, (May 18, 2009), Opinion No. 25/2009, (A/HRC/16/47/Add.1), ¶¶ 23, 28-29.

<sup>22</sup> Human Rights Watch, *supra* note 20, at 30, 45.

<sup>23</sup> Human Rights Watch, *Criminalizing Identities: Rights Abuses in Cameroon based on Sexual Orientation and Gender Identity*, (Nov. 4, 2010), at 4, available at: <https://www.hrw.org/news/2010/11/04/cameroon-same-sex-relations-bring-attacks-arrests> (last visited June 30, 2016).

<sup>24</sup> Human Rights Watch, *supra* note 20, at 41

<sup>25</sup> Human Rights Watch, *Cameroon: Drop Charges Against 2 Transgender Youth*, May 17, 2013, <https://www.hrw.org/news/2013/05/17/cameroon-drop-charges-against-2-transgender-youth> (last visited July 1, 2016).

<sup>26</sup> Human Rights Watch, *supra* note 23, at 3.

<sup>27</sup> *Periodic Report*, *supra* note 2, ¶ 217.

<sup>28</sup> Human Rights Watch, *supra* note 23, at 4, 31.

holding the child in custody is in the child's best interest.<sup>29</sup> Minors are also denied contact with their parents; the parents of one minor arrested under Article 347 *bis* had no idea of their child's whereabouts for two months and had already conducted mourning rituals by the time he was released.<sup>30</sup>

12. **Article 347 *bis* underlies many of the abuses against LGBTI children.** Article 347 *bis* criminalizes consensual same-sex relationships. The Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions noted in a report that “criminalization of matters of sexual orientation” increases social stigmatization and makes people “more vulnerable to violence and human rights abuses, including death threats and violations of the right to life, which are often committed in a climate of impunity.”<sup>31</sup>

**B. The Penal Code contains provisions addressing sexual assault and rape that are not gender neutral and that discriminate against LGBT adolescents**

13. **The Penal Code's criminalization of sexual assault is not gender neutral and imposes harsher penalties if the perpetrator and adolescent victim are of the same sex.** Under Article 347, if sexual assault (“private indecency”), rape, or homosexuality “committed against a minor of 16 to 21 years, the penalties provided for under the [relevant] articles [(295, 296, and 347 *bis*, respectively)] are doubled.”<sup>32</sup> Coupled with the criminalization of homosexuality, the result of this law is that “consensual sexual intercourse between an adult and a person of the *opposite* sex between 16 and 21 years is permissible . . . but consensual sexual intercourse between an adult and a person of the *same* sex between 16 and 21 years is criminalized on two levels.”<sup>33</sup> This inconsistency “afford[s] differential treatment on the basis of whether or not the perpetrator and the victim are the same gender”<sup>34</sup> and furthers discrimination against same-sex couples and LGBTI individuals.
14. **The Penal Code's provision prohibiting rape is not gender neutral and contributes to the stigmatization of LGBTI people.** Article 296 criminalizes rape, but applies only to the rape of women.<sup>35</sup> This legal gap has prompted some law enforcement officials to use Article 347 *bis* to prosecute rapists of men and boys. Such a law contributes to the stigma around homosexuality, suggesting that homosexuality is interchangeable with rape and pedophilia; the “unfortunate result [is] that consensual and non-consensual homosexual acts become conflated in the eyes of law enforcement officials, the judiciary, and, by extension, the broader public.”<sup>36</sup>

---

<sup>29</sup> Human Rights Watch, *supra* note 20, at 37.

<sup>30</sup> *Id.* at 46.

<sup>31</sup> UN General Assembly, *Report of the Special Rapporteur of the Commission on Human Rights on extrajudicial, summary or arbitrary executions*, (July 2, 2002), U.N. Doc. A/57/138, ¶ 37.

<sup>32</sup> Human Rights Watch, *supra* note 20, at 12.

<sup>33</sup> *Id.* at 12–13 (emphasis in original).

<sup>34</sup> *Id.* at 13.

<sup>35</sup> *Id.* at 11.

<sup>36</sup> *Ibid.*

Suggested questions concerning juvenile justice:

- What steps does the State Party take to ensure that children in police or prison custody—particularly LGBT youth—are not subject to torture or cruel, inhuman, or degrading treatment or punishment?
- What steps does the State Party take to investigate, prosecute, and sanction police and prison officials who subject children in their custody to torture or cruel, inhuman, or degrading treatment? What steps is the State Party taking to provide care, recovery, reintegration, compensation to victims of such treatment?
- What steps is the State Party taking to protect LGBT youth in detention from violence from other people in detention?
- What steps is the State Party taking to set up a separate court system to specialize in the administration of juvenile justice?
- What steps is the State Party taking to ensure that detained children are afforded the treatment required by Cameroonian and international law, including separate detention facilities and the right to a preliminary inquiry prior to detention?
- What steps is the State Party taking to ensure that adolescents are not arrested or prosecuted under Article 347 *bis*?
- What steps will the State Party take to redefine rape and sexual assault in Articles 296 and 347 to make them gender neutral?
- What steps is the State Party taking to eliminate societal prejudice and discrimination toward LGBTI children?
- What steps is the State Party taking to protect LGBTI children and adolescents from mistreatment and discrimination by private groups and individuals?

## II. Access to Health Care and HIV/AIDS Treatment

15. The Committee expressed concern in 2010 about the rising prevalence of HIV/AIDS rates among women and children.<sup>37</sup> The Committee therefore recommended that the State Party “strengthen its efforts to prevent the spread of HIV/AIDS”<sup>38</sup> by providing free voluntary counselling, testing, antiretroviral medication and by reducing the stigma associated with HIV/AIDS. The Committee further recommended that the Government of Cameroon take steps “to reduce stigma and discrimination related to HIV/AIDS and provide awareness-raising on human rights within the context of HIV/AIDS.”<sup>39</sup>
16. **Cameroon has adopted some policies aimed at preventing and treating HIV/AIDS among children and youth, but they largely ignore LGBT youth.** As the Committee noted in 2010, Cameroon has provided free antiretroviral medication for those aged 0 to 15, while making efforts to address the problem of mother-child transmission.<sup>40</sup> Nonetheless, the Government’s June 2015 national report on the global AIDS response progress makes only one reference to MSM as being a most at-risk population, and in doing so notes that HIV/AIDS educational prevention activities targeting MSM declined between 2013 and

---

<sup>37</sup> *Concluding Observations, supra* note 11, ¶ 61.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Id.*, ¶ 62(d).

<sup>40</sup> *Id.*, ¶ 61.

2014.<sup>41</sup> The Cameroonian Government identifies youth and adolescents as vulnerable populations with respect to HIV and AIDS transmission.<sup>42</sup> Yet the prevention activities targeting youth that are described in the 2015 report make no mention of any efforts to tailor messages to LGBT youth.<sup>43</sup>

**17. Cameroon’s criminalization of same-sex relationships increases the likelihood that HIV/AIDS will spread.** The government “does not have HIV/AIDS programs especially targeting the distinct and particular needs of men who have sex with men (MSM) or women who have sex with women (WSW), which makes the spread of the virus more likely among those communities.”<sup>44</sup> “The capacity of health systems to meet the specific prevention needs of [MSM] is limited because homosexual acts . . . are illegal. . . . MSM face ostracism, stigmatization and imprisonment.”<sup>45</sup> The Government of Cameroon keeps no statistics on HIV/AIDS prevalence among LGBTI people, and does not distribute condoms in prisons where the risk of HIV/AIDS is particularly high.<sup>46</sup> Rape is common in prison yet the government refuses to acknowledge its existence, leaving detainees who have HIV/AIDS without proper protection, care, or medication.<sup>47</sup>

**18. Cameroon’s criminalization of same-sex relationships has limited LGBTI youth’s access to adequate healthcare.** LGBTI people, including youth, are less likely to seek health services due to the social stigma around homosexuality and due to the criminal prohibition against same-sex sexual conduct.<sup>48</sup>

**19. The Government lacks vital laws relating to the protection of people living with HIV/AIDS.** There is no law specifically related to protecting people living with HIV/AIDS.

Suggested questions concerning health care and HIV/AIDS treatment:

- What steps is the State Party taking to reduce the rate of HIV/AIDS among LGBTI and MSM youth?
- What steps is the State Party taking to prevent the spread of HIV/AIDS in prisons and other detention facilities? What steps is the State Party taking to ensure that there are condoms available in prisons?
- What steps is the State Party taking to ensure that detainees who have HIV/AIDS have access to adequate medical care?

---

<sup>41</sup> Republic of Cameroon, Ministry of Public Health, National AIDS Control Committee, *Rapport National de Suivi de la Declaration Politique sur le VIH/SIDA Cameroun Global AIDS Response Progress (GARP)*, June 2015, at 13, [http://www.cnls.cm/docs/Rapport\\_GARP\\_2014\\_Juin\\_2015\\_CNLS.pdf](http://www.cnls.cm/docs/Rapport_GARP_2014_Juin_2015_CNLS.pdf) (last visited June 30, 2016).

<sup>42</sup> Republic of Cameroon, Ministry of Public Health, National AIDS Control Committee, *Plan Strategique National de Lutte Contre le VIH, le SIDA et les IST 2014–2017*, Dec. 2013, at vii, 17, [www.cnls.cm/docs/publications/PSN\\_2014\\_2017\\_CAMEROUN.pdf](http://www.cnls.cm/docs/publications/PSN_2014_2017_CAMEROUN.pdf) (last visited June 30, 2016).

<sup>43</sup> National AIDS Control Committee, *supra* note 41, at 12–13.

<sup>44</sup> Human Rights Watch, *supra* note 23, at 5.

<sup>45</sup> PEPFAR, Cameroon Operational Plan Report, FY 2012, at 29, <http://www.pepfar.gov/documents/organization/212134.pdf> (last visited June 30, 2016).

<sup>46</sup> Human Rights Watch, *supra* note 23, at 5.

<sup>47</sup> *Id.* at 5, 33, 34.

<sup>48</sup> *Id.* at 6; The Advocates for Human Rights et al., *supra* note 1, at 30–33.

- What steps is the State Party taking to eliminate the stigma surrounding HIV/AIDS, particularly with respect to LGBTI youth?
- What steps will the State Party take to introduce more legal protections for people living with HIV/AIDS?

### III. Violence against Girls

20. In 2010, the Committee expressed deep concern about “the persistence of abuse and neglect especially in families, including sexual violence and rape.”<sup>49</sup> The Committee urged the Government of Cameroon to take further measures to prevent such abuse and to provide child victims of sexual violence “with the necessary measures for physical and psychological recovery, as well as full support for their social reintegration.”<sup>50</sup> The Committee also called on the government to “[t]ake appropriate measures to prosecute perpetrators of sexual offences against children.”<sup>51</sup>
21. In response to these recommendations, the Periodic Report states that the Government of Cameroon has created an education program to prevent child abuse and abandonment and has trained judges and other professionals working with children.<sup>52</sup> The Report further describes several cases in which perpetrators of child rape have been prosecuted and describes the implementation of a national strategy on the fight against gender-based violence which takes into consideration sexual violence targeting young girls.<sup>53</sup>
22. The Committee also raised concern about “the persistence of harmful traditional practices in [Cameroon], including female genital mutilation, breast ironing and early and forced marriages.”<sup>54</sup> The Committee urged the Cameroonian Government to “[e]nsure that female genital mutilation, breast ironing and early and forced marriages are explicitly criminalized by the law” and to “prosecute those responsible for such acts.”<sup>55</sup> The Committee further called on the government to establish and adequately fund recovery programs for child victims, and to increase awareness-raising campaigns and educational programs on the negative effects of harmful practices on the health of girls.<sup>56</sup>
23. In response to these recommendations, the Periodic Report suggests that the Cameroonian Government has increased penalties for FGM and has criminalized breast ironing through the offence of “interfering with the growth of an organ.”<sup>57</sup> These changes, however, are part of a

---

<sup>49</sup> *Concluding Observations*, *supra* note 11, ¶ 49.

<sup>50</sup> *Id.*, ¶ 50(a), (c).

<sup>51</sup> *Id.* ¶ 79(b).

<sup>52</sup> *Periodic Report*, *supra* note 2, ¶¶ 106–108.

<sup>53</sup> *Id.*, ¶ 194.

<sup>54</sup> *Concluding Observations*, *supra* note 11, ¶ 74(b).

<sup>55</sup> *Id.*, ¶ 60(b).

<sup>56</sup> *Id.*, ¶ 60(d), (e).

<sup>57</sup> *Periodic Report*, *supra* note 2, ¶¶ 151–152.



draft law and have not yet been adopted.<sup>58</sup> The report also describes some research and awareness-raising activities concerning FGM.<sup>59</sup>

24. More recently, in 2014 the Committee on the Elimination of Discrimination against Women (CEDAW Committee) expressed deep concern that Cameroon “has not taken sufficient sustained and systematic action to eliminate stereotypes and harmful practices that discriminate against women, including child and forced marriages; female genital mutilation [(FGM)]; [and] breast ironing.”<sup>60</sup> The CEDAW Committee was also concerned about “persisting high prevalence of violence against women, including rape, and the limited number of investigations and prosecutions in such cases;”<sup>61</sup> “pervasive levels of domestic violence,”<sup>62</sup> and “the existence of a legal provision exempting rapists from punishment if they subsequently marry the victim.”<sup>63</sup>
25. **Girls are the victims of sexual violence, including rape.** An estimated 15.9% of all children below the age of 16 have experienced sexual abuse.<sup>64</sup> The most common form of sexual abuse is rape.<sup>65</sup> Rape can cause “physical injuries, fractures, bruises, scars, disorders sleep, gastrointestinal problems, headaches, respiratory problems, rashes,”<sup>66</sup> as well as lifelong psychological scarring. There is also a high instance of rape causing unwanted pregnancies and the transmission of HIV/AIDS.<sup>67</sup> Due to Cameroon’s restrictive laws on abortion, as many as 31% of all child rape victims seek dangerous illegal abortion procedures.<sup>68</sup> Additionally, many cases of rape are intra-familial, thereby jeopardizing any sort of safe space for young girls at home.<sup>69</sup>
26. **The Government of Cameroon rarely holds perpetrators of rape accountable.** Despite the examples provided in the Periodic Report, prosecutions of rape are rare, and Cameroonian law does not require judicial police officers to investigate cases of sexual assault.<sup>70</sup>

---

<sup>58</sup> Bareta Press, *Penal Code: Biya Sends Bill Back to National Assembly*, June 29, 2016, available at <http://bareta.press/penal-code-biya-sends-bill-back-national-assembly/> (last visited July 1, 2016).

<sup>59</sup> *Id.*, ¶ 153.

<sup>60</sup> Committee on the Elimination of Discrimination against Women, *Concluding Observations: Cameroon* (Feb.28, 2014), U.N. Doc. CEDAW/C/CMR/CO/4-5, ¶ 16.

<sup>61</sup> *Id.*, ¶ 18(a).

<sup>62</sup> *Id.*, ¶ 18(b).

<sup>63</sup> *Id.*, ¶ 18(c).

<sup>64</sup> Association Mondiale pour l’Ecole Instrument de Paix (EIP-Cameroun), *Les abus sexuels sur les enfants au Cameroun*, (May 2011), at 46.

<sup>65</sup> *Id.* at 48.

<sup>66</sup> *Id.* at 72.

<sup>67</sup> Association Camerounaise de lute Contre les IST dont le VIH, Sida and Cameroonian Foundation for AIDS, *supra* note 5, at 2.

<sup>68</sup> Association Mondiale pour l’Ecole Instrument de Paix, *supra* note 64, at 72.

<sup>69</sup> *Id.* at 43.

<sup>70</sup> The Advocates for Human Rights, *Written Statement Submitted to the Committee on the Elimination of Discrimination Against Women* (Jan. 2014), ¶ 11, available at [http://www.theadvocatesforhumanrights.org/uploads/cameroon\\_cedaw\\_vaw\\_february\\_2014.pdf](http://www.theadvocatesforhumanrights.org/uploads/cameroon_cedaw_vaw_february_2014.pdf) (last visited July 1, 2016).

27. **The Penal Code perpetuates impunity for rape by allowing the perpetrator to escape prosecution if he agrees to marry his victim.** Article 297 of the Penal Code forecloses prosecution if the rapist marries his victim, stopping the prosecution when the parties “freely consent” to be married, as long as the victim was above the age of puberty at the time of the sexual assault.<sup>71</sup> In light of the stigma adolescent girls who are rape victims may face, they may have very little choice but to “consent” to such a marriage.<sup>72</sup> Since the victim’s family often knows the rapist, family members often informally negotiate compensation or marriage as a settlement.<sup>73</sup>
28. **The harmful practice of breast ironing is rife.** One out of every four Cameroonian girls is subjected to breast ironing.<sup>74</sup> This practice of using heated objects to permanently scar the breasts of young girls, in an effort to delay physical maturation of the breasts, is known to cause cysts, breast cancer, and breastfeeding<sup>75</sup> issues, as well as pain and intense psychological trauma.<sup>76</sup> Girls as young as nine years of age are subjected to the practice.<sup>77</sup> The main perpetrators of breast ironing tend to be the mothers of the victims,<sup>78</sup> and family members frequently condone the practice.<sup>79</sup>
29. **Cameroonian law does not adequately address breast ironing.** The provision in draft revision to the Penal Code that purportedly criminalizes breast ironing does not specify the “organ” to which it refers, rendering the law vague and potentially unenforceable, even if victims of breast ironing were informed and empowered to invoke the provision.<sup>80</sup> The Periodic Report provides no examples of effective prosecutions of the practice.
30. **FGM still happens in Cameroon.** Although Cameroon has a relatively low rate of FGM,<sup>81</sup> the practice still continues.<sup>82</sup> FGM is carried out in nearly all areas of Cameroon.<sup>83</sup> The

---

<sup>71</sup> *Id.* ¶ 12.

<sup>72</sup> *Ibid.*

<sup>73</sup> *Ibid.*

<sup>74</sup> Association Camerounaise de lute Contre les IST dont le VIH, Sida and Cameroonian Foundation for AIDS, *supra* note 5, at 2; Thomas Hajdukowicz, *La compagne contra le repassage des seins porte ses fruits*, TV5 Monde, Sep. 2, 2011 available at [www.information.tv5monde.com/terriennes/la-campagne-contre-le-repassage-des-seins-porte-ses-fruits-2499](http://www.information.tv5monde.com/terriennes/la-campagne-contre-le-repassage-des-seins-porte-ses-fruits-2499) (last visited on June 30, 2016); The Advocates for Human Rights, *supra* note 70, ¶ 21.

<sup>75</sup> Rosaline Ngunshi Bawe, *Breast Ironing: A harmful traditional practice in Cameroon*, Gender Empowerment and Development, Aug. 2011, at 8, available at [www.ohchr.org/Documents/HRBodies/CEDAW/HarmfulPractices/GenderEmpowermentandDevelopment.pdf](http://www.ohchr.org/Documents/HRBodies/CEDAW/HarmfulPractices/GenderEmpowermentandDevelopment.pdf) (last visited June 30, 2016).

<sup>76</sup> The Advocates for Human Rights, *supra* note 70, ¶ 22.

<sup>77</sup> *Id.* ¶ 21.

<sup>78</sup> Bawe, *supra* note 75, at 6.

<sup>79</sup> The Advocates for Human Rights, *supra* note 70, ¶ 23.

<sup>80</sup> *Id.* ¶ 20

<sup>81</sup> Stanley P. Yoder and Shanxiao Wang, *Female Genital Cutting: The Interpretation of Recent DHS Data*, DHS Comparative Reports No. 33 (Calverton, Maryland, USA: ICF International, 2002).

<sup>82</sup> Association Camerounaise de lute Contre les IST dont le VIH, Sida and Cameroonian Foundation for AIDS, *supra* note 5, at 2.

<sup>83</sup> The Advocates for Human Rights, *supra* note 70, ¶ 26.

Minister of Justice downplayed FGM as practiced in Cameroon, stating that it is “slicing off a section of the clitoris and is not as dramatic as in West Africa.”<sup>84</sup>

Suggested questions concerning violence against girls:

- What steps is the State Party taking to prevent violence against girls?
- What steps is the State Party taking to encourage individuals to report rape of girls to authorities?
- What steps is the State Party taking to investigate all suspected cases of violence against girls? What steps is the State Party taking to ensure accountability for those who commit violence against girls?
- How frequently do persons accused of rape of minor girls invoke Article 297 of the Penal Code to escape prosecution by marrying the victim? What measures is the State Party taking to repeal this provision?
- Describe all cases in which individuals have been charged and prosecuted for breast ironing or FGM.
- What steps is the State Party taking to provide medical and psychological support, as well as shelter, counseling and rehabilitation services, for victims of violence against girls?

---

<sup>84</sup> Amnesty International, *Cameroon: Only limited progress on human rights despite promises*, Submission to the UN Universal Periodic Review, 2013, at 3.