

## **Organisation for the Fight Against Child Abuse (OFACA): CAMEROON POSITION PAPER**

### **The Convention on the Rights of the Child by the Republic of Cameroon:**

The Republic of Cameroon signed the Convention on the Rights of the Child on the 27th of September 1990 and ratified it on the 11th of January 1993. It has also been party to the International Pact on Civil and Political Rights since 27 June 1984, and to the Convention against torture and other cruel, inhuman or degrading treatments or punishments since 19 December 1986. Furthermore, Cameroon ratified certain legal instruments of a regional nature such as the African Charter on Human and People's Rights on 20 June 1989, and the African Charter on The Rights and Well-being of the Child on 5 December 1997. In its Constitution signed on 2 June 1972, and revised by law N° 96/06 on 18 January 1996, Cameroon instigated the integration of Human Rights into the constitution by incorporating some dispositions of the Universal Declaration of Human Rights, and of the African Charter of Human and People's rights in the Preamble. The Preamble states that the nation "shall protect women, the young, the elderly and the disabled". In addition, article 45 of the Constitution states that the treaties or international agreements that have been ratified enter into force from the moment they are published, thus superseding the authority of the law.

The principle of the direct applicability of international instruments that are ratified by Cameroon ensues from this direct incorporation of treaties and agreements regularly ratified and published, such as articles 19, 37 and 40 of the United Nations Convention on the Rights of the Child, which must supersede conflicting legal dispositions. As to a legal perspective, Cameroon has decreed numerous laws, orders, decrees and circulars that purport to be in accordance with the Convention, but are sometimes insufficient and may prove to be an obstacle to efficient protection of the Rights of the Child

### **PRELIMINARY OBSERVATIONS:**

#### **Education:**

In more than 50 schools visited, OFACA realises that schools generally lack teachers. The teacher/Pupils, student ratio is too high i.e., 1:70. The government most often open up schools by signing a text ordering the opening up of schools and after that everything is left in the hands of the parents. That is why most schools lack the basic necessities such as teachers and infrastructures.

In some schools like government school Banga, G.S. Mile 40, G.S. Mbalangi, OFACA discovered that these schools have just 3 qualified trained teachers each respectively. This is equally true in many other areas. The whole teaching task is left in the hands of the P.T.A. (Parents Teachers Association) who just recruit people around to do the job. And most often these PTA teachers are not qualified. The salaries for teachers are too low especially for the PTA

teachers and at times they go for months without salaries. We therefore do not expect them to be efficient.

OFACA also observe that most of the schools lack toilets, good source of drinking water and medical aid posts. This is detrimental to the welfare of these children.

Most of the schools are locally constructed with planks without enough classes, and floors are not cemented. Since there is a lack of classrooms, some children are forced to hold classes under trees and this means that during the rainy seasons they can go for days, weeks or even months without holding classes. And this time cannot be compensated for. There is also a lack of desks or benches. Most of the children sit on bare floors; floors which are not even cemented. This exposes the children to diseases and dirtiness.

The parents here are generally very poor and cannot afford to sponsor their children effectively. We observed that most of the children do not have text books and writing materials, thereby making teaching very difficult for the teachers. As observed, by what the teachers are saying, when children are driven from school because of their school needs, they go and stay for weeks before coming back. At times they have to go to farm and work very hard with their parents, or hawk to raise money for their school needs.

The turn out in school is generally very low. Most children generally go to school 3 times a week and the rest of the days work with their parents.

#### **Street Children/Abandonment:**

The number of street children is on the increase in our streets. The government is doing nothing to remedy this situation. They are exposed to many vices hence most of them end up taking drugs which gives them the courage needed to perform various unlawful activities. They also work in markets, selling cigarettes, or washing cars, etc. They are vulnerable to join criminal gangs. OFACA has been particularly concerned with street children, i.e. going deep into the root causes of street children to see how this situation can be remedied.

#### **Child Labour:**

The situation of child labour in the areas that OFACA has visited is alarming. In about 40 local schools visited, we discovered that 40% of the children are not present in class. Interviews conducted showed that most of them have gone to look for money to meet up with their school needs. This is either because their parents do not have the money to sponsor them or they deliberately want these children to work and pay for their fees all by themselves, or work as bread winners of the family.

Some of these children end up as child labourers or in cases where they are stubborn, are driven out of their homes and end up as street children. Or they may end up trafficking drugs.

**Discrimination against Girls:**

Article 52.1 or order No 81/02 of 29 June 1981 on the organisation of civil status and various dispositions on the status of people, forbids marriage of girls under the age of 15. In addition, article 356 of the penal code forbids forced marriages. But unfortunately, this practice of forced and early marriage is still practiced in many parts of Cameroon. OFACA has observed that parents offer or simply sell their daughters aged between 8 and 9 to older men.

This premature marriage and pregnancy puts girls at risk of various health problems. The age difference between boys and girls at the time of marriage encourages discrimination regarding the education of the girls. Girls getting married below the age of 15 means that their education is less important than that of boys. Leaving school at an early age has serious consequences on health and emancipation. OFACA observes that this brings about discrimination between the girl and the boy child.

**Health:**

The ratio of infant mortality is alarmingly high. The rate of infant mortality is 17‰.

Most parents do not take care of the health of their children due to ignorance, poverty and lack of health centres, health personnel and effective drugs. We have this particular case of a child whose leg has been consumed by a wound (Ulcer). In an interview with the parent, we discovered as the old man said, that he has spent all his meagre resources to treat her leg but the wound did not yield. The wound instead spread. This is a very pathetic situation for a child of just 16 years. It is worth noting that the type of treatment undertaken was a local treatment. How then do we expect the wound to heal at this point?

The distance from some villages to a health centre is more than 5km, and most of these villages do not have good motorable roads. The situation of those roads is worsened during the rainy seasons. This in effect means that anybody who happened to be sick during this period will die. Pregnant women are forced to give birth in the house locally and without any medical check-up. The result is that most of these women die during child birth or loose their children. At times some of these children have abnormalities that could have been rectified if they had a doctor near them.

**Sexual Exploitation:**

Sexual exploitation is a problem in this area, and it is on a rapid increase. The target is young girls. Children are taken from the villages by relatives to the town with the view to better their lives but the result is that most of these children end up working in bars and houses as domestic child workers and most often are sexually exploited.

**Female Genital Mutilation (FGM):**

This involves the cutting off of the clitoris of a girl child. This constitutes a serious offence against the physical and psychological integrity of the child submitted to it. In some cases, mutilations cause serious infections that may be fatal to the child. It is practiced in some regions of the southwest, Northwest and the Extreme North. It is carried out on girls aged between 6 and 8.

**Child Access to Pornography:**

Investigation has shown that in an area of 500,000m<sup>2</sup> the number of film halls or video clubs is about 50 and those in charge are not conversant with the law. They show films that children are not supposed to see and do not limit the age of children who come to watch them. Since they are out to maximize profit they do not prohibit children from watching. This has a devastating effect on the lives of children in this area. They watch pornographic films, which in turn shape their ideas towards prostitution. In towns children go to cyber cafés and spend their time on pornographic websites. This has a bad effect on their psychic since their brains are not yet well developed to know the difference between good and bad.

**Child Trafficking:**

Studies carried out shows that children under the ages of 10-18 are the real objects of human trade. In the southwest alone we have more than 500,000 children alleged as victims of human trade. Some of these children work as domestics, hawkers, and some work in cocoa plantations. Most of these children are not allowed to go to school and they work long hours with hard labour. It is a whole business with intermediaries involved. Most often these children are promised that they will be paid after serving for a certain period of time but most often this is not true. At times the money is paid but to an intermediary who ends up stealing the money and the child is left in misery.

**CONCLUSION:**

The office of OFACA is deeply concerned about the situation of children in Cameroon, and in particular about the cruel, inhuman and degrading treatment or punishment, ranging from the practice of female genital mutilation on many girls to other discriminatory practices of which girls are victims. The office of OFACA is also deeply worried about the situation of street children, children forced to work, and children victim of sexual abuse.

OFACA thinks that protection measures, legal as well as practical, must be implemented by Cameroon in order to conform to the rights stated in the convention on the rights of the child for which Cameroon has ratified.

## **RECOMMENDATIONS:**

### **On the Education of children:**

OFACA will like to recommend the government of Cameroon to:

- Train more teachers and put them on a good salary.
- Create more schools and equip them with the basic necessities for a conducive educational environment.
- Intensify the fight against poverty.
- Revise its banking system by giving the local masses access to loans.
- Educate the masses on the importance of education.
- Empower and encourage NGOS working in the domain of children's right.

### **On the Health of Cameroon:**

OFACA will like to recommend the government to:

- Train more doctors and provide them with conducive working conditions.
- Create more hospitals and equip them.
- Subsidies the treatment of children and pregnant mothers.
- Educate the local masses on the importance of always visiting a doctor when sick, and on the need for constant pre-natal consultations.

### **On the Practice of Female Genital Mutilation (FGM):**

OFACA would like to recommend the government of Cameroon to:

- Create and implement a law forbidding the practice of female genital mutilation, and provide for the punishment of the authors of such acts.
- Reinforce the preventive measures implemented by developing education and awareness campaigns for girls affected by the practice of female genital mutilation.
- Ensure the implementation of an education and awareness programme of communities, of traditional authorities and of practitioners in order to eradicate this practice all through the country.

### **On the Interdiction of Discrimination:**

OFACA would like to recommend the government of Cameroon to:

- Amend article 52.1 of the Order of 29 June 1981 on the legal age of marriage for girls and boys in order to ensure the age of marriage is the same for girls and boys.
- Guarantee the efficient application of article 356 of the Penal Code forbidding forced marriages.

### **On the Situation of Street Children and Forced Labour of Children:**

OFACA will like to recommend the government of Cameroon to:

- Protect the rights of children living or working in the street, including the rights to survival and development, to medical care, to be fed, to have housing and to be educated.
- Promote a campaign of protection and rehabilitation of street children.

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- Ratify Convention N° 182 of the ILO on the interdiction of the worst forms of children's labour.
- Implement measures in order to eradicate child trafficking in Cameroon, in particular of children coming from neighbouring countries.
- Ensure that measures will be taken in order to put an end to forced child labour.

### **On Sexual Abuse and Exploitation of Children:**

OFACA would like to recommend the government of Cameroon to:

- Implement a system of prevention of sexual violence of children, in particular within the school and the family.
- Implement a system of protection of victims of sexual abuse, in particular by allowing victims to have access to a system of individual complaints and to a trial ensuring the punishment of the author of the sexual abuse.
- Implement a programme of assistance to the victims by promoting their reintegration in society.
- Improve the living conditions in jails in order to conform to the United Nations Rules for the Protection of Juveniles Deprived of their Liberty, particularly by improving hygiene and food.

*OFACA (Organisation for the Fight Against Child Abuse) extend sincere thanks to all organisations working to safeguard the wellbeing of our children. Children are the leaders of tomorrow. Let's protect them now.*

For additional information on OFACA please go to their informational webpage:

<http://www.streetchildren.org.uk/organisation/?id=264>

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