

# **CAMEROON**

## **BRIEFING FOR THE HUMAN RIGHTS COUNCIL UNIVERSAL PERIODIC REVIEW – 16<sup>th</sup> session, 2013**

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Global Initiative to  
**End All Corporal Punishment  
of Children**

*Corporal punishment of children breaches their rights to respect for human dignity and physical integrity and to equal protection under the law. It is recognised by the Committee on the Rights of the Child and other treaty bodies, as well as by the UN Secretary General’s Study on Violence against Children, as a highly significant issue, both for asserting children’s status as rights holders and for the prevention of all forms of violence.*

*In June 2006, the Committee on the Rights of the Child adopted General Comment No. 8 on “The right of the child to protection from corporal punishment and other cruel or degrading forms of punishment”, which emphasises the immediate obligation on states parties to prohibit all corporal punishment of children, including within the home. Other treaty bodies and also regional human rights mechanisms have condemned all corporal punishment. In October 2006, the report of the UN Secretary General’s Study on Violence against Children was submitted to the General Assembly. It recommends universal prohibition of all corporal punishment as a matter of priority.*

*The Global Initiative to End All Corporal Punishment of Children has regularly briefed the Committee on the Rights of the Child on this issue since 2002, since 2004 has similarly briefed the Committee Against Torture, the Committee on the Elimination of Discrimination Against Women, the Committee on Economic, Social and Cultural Rights and the Human Rights Committee, and in 2011 began briefing the Committee on the Rights of Persons with Disabilities. There is growing progress across all regions in challenging this common form of violence against children. But many States persist in ignoring treaty body recommendations to prohibit and eliminate all corporal punishment. We hope the Working Group of the UPR will give particular attention to states’ response, or lack of response, to the concluding observations from treaty bodies on this issue, as well as to the recommendations made during the first cycle of the UPR.*

**Corporal punishment of children is lawful in Cameroon, despite the Government’s acceptance of the recommendation made during the UPR in 2009 to improve harmonisation of national legislation with the Convention on the Rights of the Child and the repeated recommendations on the issue by the Committee on the Rights of the Child.**

**We hope the Working Group will note with concern the legality of corporal punishment in Cameroon. We hope states will raise the issue during the review in 2013 and recommend to Cameroon that legislation is enacted to explicitly prohibit corporal punishment of children in all settings including the home as a matter of priority.**

## **1 The initial review of Cameroon by the Human Rights Council (2009)**

1.1 Cameroon was reviewed in the first cycle of the Universal Periodic Review in 2009 (session 4). No recommendations were made specifically concerning corporal punishment of children. However, the following recommendation was made and was accepted by the Government:<sup>1</sup>

“Take into account the comments of CRC and CEDAW in order to ensure better harmonisation of the national legislation with conventions and to allow women and children to fully enjoy their rights (Turkey)”

1.2 The Committee on the Rights of the Child has consistently interpreted the Convention on the Rights of the Child as requiring explicit prohibition of all corporal punishment of children in all settings, including the home. The Committee first raised the issue specifically with Cameroon in 2001, following examination of the state party’s initial report, recommending that the ban on corporal punishment in schools be monitored and enforced.<sup>2</sup> In its concluding observations on the state party’s second report in 2010, the Committee again expressed concern at corporal punishment of children in Cameroon, and recommended that the state party “explicitly prohibit by law all forms of corporal punishment in all settings, including the home, alternative care institutions and in situations of employment”.<sup>3</sup>

1.3 Numerous studies have revealed the nature and extent of corporal punishment of children in Cameroon, but its legality has not changed since the UPR in 2009. It is supposedly unlawful in the penal system and in schools but it is lawful in the home and in alternative care settings. The drafting of a new Family Code was expected to be complete by the end of 2011: early drafts stated that discipline in the family should be administered with respect for the child’s dignity but did not explicitly prohibit all corporal punishment.

## **2 Legality and practice of corporal punishment in Cameroon**

2.1 The legal system in Cameroon is based on French civil law and English common law, and a right to inflict corporal punishment on children is recognised, including in the **home**. Provisions against violence and abuse in the Penal Code (1967) and the Constitution (1996) are not interpreted as prohibiting all corporal punishment of children.

2.2 UNICEF’s major 2010 analysis of data on child discipline in 2005-2006 found that 93% of 2-14 year olds in Cameroon experienced violent “discipline” (physical punishment and/or psychological aggression) in the home; 28% experienced severe physical punishment (being hit or slapped on the face, head or ears or being hit over and over with an implement).<sup>4</sup> A comparative study of young women published in the same year found that in Cameroon 43% had been hit during childhood, 66% beaten, 21% kicked, 31% denied food, 7% choked or burned and 18% forced to do hard work.<sup>5</sup> A similar study found that children with disabilities were particularly vulnerable, with more than 50% of young disabled adults reporting having

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<sup>1</sup> 3 March 2009, A/HRC/11/21, Report of the Working Group, para. 76(16)

<sup>2</sup> 12 October 2001, CRC/C/15/Add.164, Concluding observations on initial report, paras. 54 and 55

<sup>3</sup> 18 February 2010, CRC/C/CMR/CO/2, Concluding observations on second report, paras. 7, 8, 37 and 38

<sup>4</sup> UNICEF (2010), *Child Disciplinary Practices at Home: Evidence from a Range of Low- and Middle-Income Countries*, NY: UNICEF

<sup>5</sup> The African Child Policy Forum (2010), *Childhood Scars in Africa: A Retrospective Study on Violence Against Girls in Burkina Faso, Cameroon, Democratic Republic of the Congo, Nigeria and Senegal*, Addis Ababa: The African Child Policy Forum

been hit, punched, kicked or beaten, over 25% made to eat hot chilli, pepper or very bitter food or drink, and over 25% choked, burnt or stabbed.<sup>6</sup>

2.3 Corporal punishment is considered unlawful in **schools** under article 35 of the Law of Cameroon National Educational Guidelines No. 98/004 (1998), which prohibits all forms of violence. However, we have yet to confirm that it explicitly prohibits corporal punishment.

2.4 In the **penal system**, corporal punishment is unlawful as a sentence for crime: there is no provision for judicial corporal punishment in criminal law. Corporal punishment appears to be unlawful as a disciplinary measure in penal institutions, but we have been unable to confirm explicit prohibition in law.

2.5 There is no explicit prohibition of corporal punishment in **alternative care settings**.

*Briefing prepared by the Global Initiative to End All Corporal Punishment of Children*  
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<sup>6</sup> The African Child Policy Forum (2010), *Violence Against Children With Disabilities in Africa: Field Studies from Cameroon, Ethiopia, Senegal, Uganda and Zambia*, Addis Ababa: The African Child Policy Forum