



# CAMEROON

Legal System	Constitution	Bill of Rights	Country Structure	Form of Government
Common Law Civil Law Customary Law	Written	Yes	Single State	Republic

## 1. INTRODUCTION

### 1.1. Cameroon and Modern Slavery (Human Trafficking)

The Republic of Cameroon is a decentralized unitary State—it is one and indivisible, secular, democratic, and dedicated to social service.<sup>1</sup> The Republic comprises the State and the 10 Regions. The State has primary responsibility and jurisdiction over human trafficking.

The Constitution of Cameroon 1972 as amended provides for fundamental human rights and freedoms, which include the right to humane treatment in all circumstances and protection from cruel, inhumane, or degrading treatment; the protection of the family, women, the young, the elderly, and the disabled; and the right for every person to work.<sup>2</sup>

These rights are enforced through the Penal Code,<sup>3</sup> the Labour Code,<sup>4</sup> other laws, and the adoption of the national referral system/standard operating procedures.

According to the 2021 U.S. State Department Trafficking In Persons Report (**TIP Report**), Cameroon is ranked as Tier 2 Watch List. “The Government of Cameroon does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so.”<sup>5</sup>

The Government’s efforts included investigating more trafficking cases than the previous reporting period, identifying more potential victims, continuing its activities to raise awareness, and developing and partially implementing its one-year national action plan to enhance anti-trafficking efforts. However, the Government failed: (a) to take “action in response to multiple reports of diplomats exploiting individuals in forced labour”; (b) to report on “investigating allegations of security forces recruiting and using child soldiers” and “allegations military officials sexually exploited women”; (c) to “widely disseminate standard operating procedures on victim identification and referral to law enforcement”; and (d) “to pass draft anti-trafficking legislation from 2012 that conforms to international law.”<sup>6</sup>

<sup>1</sup> Constitution of Cameroon, article 1, available at: [https://www.constituteproject.org/constitution/Cameroon\\_2008.pdf?lang=en](https://www.constituteproject.org/constitution/Cameroon_2008.pdf?lang=en).

<sup>2</sup> *Id.*, Preamble.

<sup>3</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>4</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>5</sup> U.S. Dep’t of State, Trafficking in Persons Report 161 (2021), available at: <https://www.hssl.org/?abstract&did=855864>. The U.S. Department of State rankings are based on the minimum standards specified in the U.S. Trafficking Victims Protection Act of 2000, “which are generally consistent with the [UN] Palermo Protocol.” *Id.* at 51.

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

According to the TIP Report, “human traffickers exploit domestic and foreign victims in Cameroon, and traffickers exploit victims from Cameroon abroad.”<sup>7</sup> Pandemic-related border closures likely reduced the scale of transnational exploitation. However, economic impacts of the pandemic combined with ongoing violence in the Northwest and Southwest regions contributed to a sharp increase in the number of victims exploited domestically.<sup>8</sup>

Traffickers exploit those from “disadvantaged social strata,” in particular those from rural areas, in forced labor and sex trafficking in the Middle East (especially Kuwait and Lebanon), Thailand, Europe, the United States, and multiple African countries.<sup>9</sup>

Again according to the TIP Report, criminals coerce women, internally displaced persons, homeless children, and orphans into sex trafficking and forced labor throughout the country.<sup>10</sup> Children are exploited by way of forced labor in domestic service, restaurants, begging or vending on streets and highways; and working in artisan gold mining, gravel quarries, fishing, urban transportation, and construction and on animal breeding and agriculture plantations.<sup>11</sup>

Cameroon’s agencies that monitor and report human trafficking include:

- The Cameroon Human Rights Commission, established by a Presidential Decree in June 2019.<sup>12</sup> Its mandate includes protecting human rights. However, the President is yet to designate its members. It replaces the National Commission on Human Rights and Freedoms, which was established to promote and protect human rights and freedoms provided by the Constitution.
- The Directorate for Human Rights and International Cooperation, a department in the Ministry of Justice. This Directorate is vested with supervisory duties related to human rights complaints and implementation of human rights related international conventions, including trafficking in persons.
- The Interministerial Committee for the Supervision of Actions to combat Trafficking In Human Beings. This Committee is responsible for the national plan of action related to trafficking in persons.
- The National Committee against Child Labour. This National Committee monitors the national plan of action for the elimination of the worst forms of child labour in Cameroon known as PANETEC.<sup>13</sup>
- The Ministry of Social Affairs. This Ministry is responsible for the fight against trafficking in persons, including children.

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<sup>7</sup> *Id.* at 163.

<sup>8</sup> *Id.* at 162.

<sup>9</sup> *Id.* at 164.

<sup>10</sup> *Id.* at 167.

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

<sup>12</sup> Law No. 2019/014 of 19 July 2019 relating to the establishment, organization and functioning of the Cameroon Human Rights Commission, available at: <https://www.prc.cm/en/news/the-acts/laws/3683-law-n-2019-014-of-19-july-2019-relating-to-the-establishment-organization-and-functioning-of-th-cameroon-human-rights-commission>.

<sup>13</sup> *Child Labor and Forced Labor Reports: Cameroon*, U.S. Department of Labour – Bureau of International Labor Affairs, available at: <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/cameroon>.

## 1.2. Cameroon’s Policy and Legal Position

Cameroon’s Constitution sets out the fundamental rights and freedoms guaranteed for all citizens. Ratified international treaties and conventions and various domestic statutes, including the Penal Code, supplement the Constitution.

A one-year national action plan is in place for 2021.<sup>14</sup> It focuses on prevention through raising awareness, punishment for traffickers, development of statistical capacity, and inter-ministerial and multi-sectoral cooperation and coordination of anti-trafficking efforts.

Cameroon also is a party to United Nations and other conventions addressing fundamental human rights. It is a party to several treaties relevant to the fight against human trafficking and smuggling. Refer to Sections 2.1.1. and 2.1.2. The treaties and conventions become part of Cameroon’s law upon ratification by the Parliament and the President.<sup>15</sup> After publication, ratified treaties and conventions override the national law (to the extent of any inconsistency).<sup>16</sup>

## 2. OVERVIEW OF CAMEROON’S LEGAL APPROACH TO COMBATING MODERN SLAVERY AND HUMAN TRAFFICKING

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### 2.1. Cameroon’s Regional and International Law Obligations

#### 2.1.1. Fundamental human rights

Cameroon is a party to United Nations conventions addressing fundamental human rights. It has ratified the International Covenant on Civil and Political Rights (1984),<sup>17</sup> the Convention on the Elimination of All Forms of Discrimination against Women (1994),<sup>18</sup> and the Convention on the Rights of the Child (1993)<sup>19</sup> and the optional Protocol related to that Convention on the Involvement of Children in Armed Conflict (2013),<sup>20</sup> and the International Covenant on Economic, Social and Cultural Rights (1984).<sup>21</sup> It is also involved in human rights initiatives through a number of voluntary pledges and commitments, including its

<sup>14</sup> U.S. Dep’t of State, Trafficking in Persons Report 161 (2021), available at: <https://www.hsdl.org/?abstract&did=855864>.

<sup>15</sup> Constitution of Cameroon, article 45, available at: [https://www.constituteproject.org/constitution/Cameroon\\_2008.pdf?lang=en](https://www.constituteproject.org/constitution/Cameroon_2008.pdf?lang=en).

<sup>16</sup> *Id.*

<sup>17</sup> International Covenant on Civil and Political Rights: Signatories, United Nations Treaty Collection, available at: [https://treaties.un.org/pages/ViewDetails.aspx?src=treaty&mtdsg\\_no=iv-4&chapter=4&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=treaty&mtdsg_no=iv-4&chapter=4&clang=en).

<sup>18</sup> Convention on the Elimination of All Forms of Discrimination against Women: Signatories, United Nations Treaty Collection, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4).

<sup>19</sup> United Nations Convention on the Rights of the Child: Signatories, United Nations Treaty Collection, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg\\_no=IV-11&chapter=4](https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtdsg_no=IV-11&chapter=4).

<sup>20</sup> Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict: Signatories, United Nations Treaty Collection, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-11-b&chapter=4&clang=en](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-b&chapter=4&clang=en).

<sup>21</sup> International Covenant on Economic, Social and Cultural Rights: Signatories, United Nations Treaty Collection, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-3&chapter=4](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-3&chapter=4).

participation in the African Charter on Human and Peoples' Rights<sup>22</sup> and the African Charter on the Rights and Welfare of the Child.<sup>23</sup>

Cameroon has also ratified the ILO Minimum Age Convention (No. 138)<sup>24</sup> and the ILO Worst Forms of Child Labour Convention (No. 182).<sup>25</sup>

### 2.1.2. *Slavery and trafficking*

Cameroon has ratified several treaties relevant to the fight against human trafficking and smuggling: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (2012);<sup>26</sup> the Convention against Transnational Organized Crime (2006);<sup>27</sup> and the Protocol Against the Smuggling of Migrants by Land, Sea and Air (2006).<sup>28</sup>

### 2.1.3. *Effect under Cameroon's law*

Article 43 of the Constitution provides that the President shall negotiate and ratify treaties and international agreements, and they shall be submitted to Parliament for authorization to ratify.<sup>29</sup>

According to Article 44 of the Constitution, when the Constitutional Council (which gives final rulings on the constitutionality of laws, treaties, and international agreements under Article 47) finds a provision of a treaty or of an international agreement to be unconstitutional, authorization to ratify and the ratification of the treaty or international agreement shall be deferred until the Constitution is amended.<sup>30</sup>

Article 45 provides that, after publication, duly approved or ratified treaties and international agreements override national laws, provided the other party implements the treaty or agreement.<sup>31</sup>

<sup>22</sup> African Charter on Human and Peoples' Rights, available at: [https://au.int/sites/default/files/treaties/36390-treaty-0011\\_-\\_african\\_charter\\_on\\_human\\_and\\_peoples\\_rights\\_e.pdf](https://au.int/sites/default/files/treaties/36390-treaty-0011_-_african_charter_on_human_and_peoples_rights_e.pdf).

<sup>23</sup> African Charter on the Rights and Welfare of the Child, available at: [https://au.int/sites/default/files/treaties/36804-treaty-african\\_charter\\_on\\_rights\\_welfare\\_of\\_the\\_child.pdf](https://au.int/sites/default/files/treaties/36804-treaty-african_charter_on_rights_welfare_of_the_child.pdf).

<sup>24</sup> C138 - Minimum Age Convention, 1973 (No. 138), available at: [http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ilo\\_code:C138](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ilo_code:C138).

<sup>25</sup> C182 - Worst Forms of Child Labour Convention, 1999 (No. 182), available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C182](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182).

<sup>26</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime: Signatories, United Nations Treaty Collection, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-a&chapter=18](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-a&chapter=18).

<sup>27</sup> United Nations Convention against Transnational Organized Crime: Signatories, United Nations Treaty Collection, available at: [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12&chapter=18&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12&chapter=18&clang=en).

<sup>28</sup> Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, United Nations Treaty Collection, available at: [https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=XVIII-12-b&chapter=18](https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XVIII-12-b&chapter=18).

<sup>29</sup> Constitution of Cameroon, article 43, available at: [https://www.constituteproject.org/constitution/Cameroon\\_2008.pdf?lang=en](https://www.constituteproject.org/constitution/Cameroon_2008.pdf?lang=en).

<sup>30</sup> *Id.*, articles 44 and 47.

<sup>31</sup> *Id.*, article 45.

The Preamble to the Constitution also affirms the country’s attachment to ratified international conventions.<sup>32</sup> Refer to Section 2.2.

## 2.2. Human Rights Protections Under Cameroon’s Law

The Preamble of the Constitution provides for fundamental human rights by stating:

We, the people of Cameroon,

Declare that the human person, without distinction as to race, religion, sex or belief, possesses inalienable and sacred rights and

Affirm our attachment to the fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of United Nations and the African Charter on Human and Peoples’ Rights and all duly ratified international conventions relating thereto, in particular to the following principles: 1. all persons shall have equal rights and obligations; ... 3. freedom and security shall be guaranteed each individual, subject to respect for the rights of others and the higher interests of the State; ... 12. every person has the right to life, to physical and moral integrity and to humane treatment in all circumstances. Under no circumstances shall any person be subjected to torture, to cruel, inhumane or degrading treatment; ... 17. the Nation shall protect and promote the family which is the natural foundation of human society. It shall protect women, the young, the elderly and the disabled; ... 22. every person shall have the right and the obligation to work; ... 25. the State shall guarantee all citizens of either sex the rights and freedoms set forth in the Preamble to the Constitution.<sup>33</sup>

Article 1(2) states that the Republic of Cameroon shall recognize and protect traditional values that conform to democratic principles, human rights, and the law.<sup>34</sup>

Article 65 states that the Preamble shall be part and parcel of the Constitution.<sup>35</sup>

Article 4 of the Universal Declaration of Human Rights states that no one shall be held in slavery or servitude and all forms of the slave trade shall be prohibited.<sup>36</sup> Article 16 states that marriage requires the free and full consent of the intending spouses.<sup>37</sup> Article 23 states that everyone has the right to work and to just and favourable conditions of work.<sup>38</sup> Article 24 states that everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.<sup>39</sup>

Article 5 of the African Charter on Human and Peoples’ Rights states that every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of a person’s legal

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<sup>32</sup> *Id.*, Preamble.

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*, article 1(2).

<sup>35</sup> *Id.*, article 65.

<sup>36</sup> Universal Declaration of Human Rights, article 4, available at: [https://www.un.org/en/udhrbook/pdf/udhr\\_booklet\\_en\\_web.pdf](https://www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf).

<sup>37</sup> *Id.*, article 16.

<sup>38</sup> *Id.*, article 23.

<sup>39</sup> *Id.*, article 24.

status.<sup>40</sup> The Charter prohibits all forms of exploitation and degradation of persons, particularly slavery, slave trade, torture, and cruel, inhuman, and degrading punishment and treatment.<sup>41</sup>

The Cameroon legal framework with respect to human rights is derived from its Constitution, ratified international treaties and agreements, including conventions and protocols, and domestic legislation. Refer to Section 3.

## 2.3. Criminalization of Modern Slavery

The Penal Code and the 2011 Law (refer to Section 3.1.) make unlawful and punishable both slavery and trafficking in persons, including children.<sup>42</sup>

## 2.4. Supply Chain Reporting

Cameroon does not have any laws or policies that specifically require supply chain reporting regarding human trafficking.

## 2.5. Investigation, Prosecution, and Enforcement

### 2.5.1. Investigation and prosecution of criminal offenses

The State Counsel, examining magistrates, and judicial police officers investigate and enforce criminal offences related to trafficking in persons and other crimes pursuant to general powers for all crimes conferred by the Criminal Procedure Code.<sup>43</sup>

Labour Inspectors appointed under the Labour Code are responsible for enforcement of offences under that Code, including compliance with employment conditions and health and safety obligations.<sup>44</sup>

Investigatory and prosecutorial functions with respect to the crimes of trafficking in persons and slavery in persons are the same as those for other crimes. The general rules for all crimes are set out in Law No. 2005 of 27 July 2005 Criminal Procedure Code.<sup>45</sup>

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<sup>40</sup> African Charter on Human and Peoples' Rights, article 5, available at: <https://au.int/sites/default/files/treaties/36390-treaty-0011 - african charter on human and peoples rights e.pdf>.

<sup>41</sup> *Id.*

<sup>42</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.

<sup>43</sup> Law No. 2005 of 27 July 2005 on the Criminal Procedure Code, available at: [https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure.html/Cameroon\\_Criminal\\_Procedure\\_Code\\_2005.pdf](https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure.html/Cameroon_Criminal_Procedure_Code_2005.pdf).

<sup>44</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, sections 105–111, available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>45</sup> Law No. 2005 of 27 July 2005 on the Criminal Procedure Code, available at: [https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure.html/Cameroon\\_Criminal\\_Procedure\\_Code\\_2005.pdf](https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure.html/Cameroon_Criminal_Procedure_Code_2005.pdf).

Criminal proceedings are instituted and prosecuted by the Legal Department, which consists of the magistrates in the Legal Department of the Supreme Court, the Court of Appeal, the High Court, and the Court of First Instance, as applicable, or the State Counsel.<sup>46</sup>

The State Counsel may investigate the commission of a criminal offence with assistance from judicial police officers.<sup>47</sup> After investigation, the State Counsel may commence criminal proceedings or may request the examining magistrate to carry out a preliminary inquiry. Such inquiry is obligatory for cases of felonies and discretionary for misdemeanours and simple offences. Trafficking in persons and slavery in persons are felonies under the Penal Code.<sup>48</sup>

Where the examining magistrate completes the preliminary inquiry and issues a committal order for an offence, then the State Counsel or the Legal Department may commence proceedings in court for that offence.

The State Counsel or the examining magistrate has search and seizure powers, and the power to require persons to attend examinations and to produce all required documents.<sup>49</sup>

A National Referral System and Standard Operating Procedures have been developed, but are not in general use.

### 2.5.2. *Mutual assistance/international cooperation*

Cameroon has joined the Alliance 8.7 initiative as a pathfinder country.<sup>50</sup> Alliance 8.7 is a global partnership committed to achieving Target 8.7 of the Sustainable Development Goals. This Target calls for nations to take immediate and effective action to eradicate forced labour, end modern slavery and human trafficking by 2030, prohibit and eliminate the worst forms of child labour, including recruitment and use of child soldiers, and end all forms of child labour by 2025. Multi-stakeholder collaboration is required.

Cameroon is participating in the Regional Strategy for Combating Trafficking in Persons and Smuggling of Migrants.<sup>51</sup> The Regional Office for West and Central Africa of the United Nations Office of Drugs and Crime manages this program.

Cameroon has ratified the Economic Partnership Agreement with the European Commission.<sup>52</sup> The Commission supports the strategic priorities of Cameroon, including reducing poverty and restoring peace and security.

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<sup>46</sup> *Id.*, section 60.

<sup>47</sup> *Id.*, sections 83 and 84.

<sup>48</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, section 324-1, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>49</sup> *Id.*, section 92.

<sup>50</sup> *Partners*, Alliance 8.7, available at: <https://www.alliance87.org/partners/>.

<sup>51</sup> *Regional Strategy for Combating Trafficking in Persons and Smuggling of Migrants 2015-2020*, United Nations Office on Drugs and Crime, available at: [https://www.unodc.org/documents/westandcentralafrica/UNODC\\_Regional\\_Strategy\\_for\\_Combating\\_TIP\\_SOM\\_West\\_and\\_Central\\_Africa\\_2015-2020.pdf](https://www.unodc.org/documents/westandcentralafrica/UNODC_Regional_Strategy_for_Combating_TIP_SOM_West_and_Central_Africa_2015-2020.pdf).

<sup>52</sup> *Countries and regions: Central Africa*, European Commission, available at: <https://ec.europa.eu/trade/policy/countries-and-regions/regions/central-africa/>.

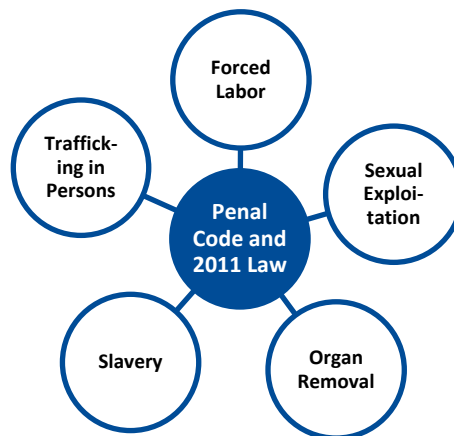
As a major supplier of cocoa to the European Union, Cameroon, along with Ghana and the Ivory Coast, is participating in the EU dialogue on sustainable cocoa.<sup>53</sup> This includes ensuring that farmers are aware of child labour regulations. Cameroon is considering participating in the cocoa price initiative of Ghana and the Ivory Coast. That initiative led to an agreement with the cocoa and chocolate industry to create a Living Income Differential to ensure decent revenue for local farmers. The EU has also sought to link cocoa price increases to further action with respect to deforestation and child labour related to cocoa production.

Cameroon is also collaborating with the United Nations on the United Nations Sustainable Development Cooperation Framework for Cameroon 2022–2026.<sup>54</sup>

### 3. CAMEROON’S FEDERAL CRIMINAL OFFENCES RELATING TO SLAVERY, SLAVERY-LIKE CONDITIONS, AND HUMAN TRAFFICKING

#### 3.1. Overview of Criminal Offenses

Law No. 2016/007 of 12 July 2016 relating to the Penal Code (**Penal Code**) is the main domestic law in Cameroon addressing offences and penalties relating to slavery, slavery-like conditions, and human trafficking.<sup>55</sup> The Penal Code is subject to the rules of international law and to all treaties duly promulgated and published.<sup>56</sup> The Penal Code reproduces the provisions from Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery (**2011 Law**).<sup>57</sup> The 2011 Law is a companion to the Penal Code.



<sup>53</sup> *EU boosts sustainable cocoa production in Côte d’Ivoire, Ghana and Cameroon*, European Commission, available at: [https://ec.europa.eu/international-partnerships/news/eu-boosts-sustainable-cocoa-production-cote-divoire-ghana-and-cameroon\\_en](https://ec.europa.eu/international-partnerships/news/eu-boosts-sustainable-cocoa-production-cote-divoire-ghana-and-cameroon_en).

<sup>54</sup> *United Nations Sustainable Development Cooperation Framework for Cameroon 2022 – 2026*, United Nations Cameroon, available at: [https://unsdg.un.org/sites/default/files/2021-06/Cameroon\\_Cooperation\\_Framework\\_2022-2026-ENG.pdf](https://unsdg.un.org/sites/default/files/2021-06/Cameroon_Cooperation_Framework_2022-2026-ENG.pdf).

<sup>55</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>56</sup> *Id.*, section 2(1).

<sup>57</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.



## 3.2. Slavery Offenses Under the Criminal Code

### 3.2.1. General

Section 293 of the Penal Code punishes whoever enslaves any person or keeps any person in slavery with imprisonment for 10 to 20 years.<sup>58</sup> A corporate body guilty of this offence shall pay a fine from XAF 1 million to XAF 500 million.

Section 342-1 of the Penal Code punishes:

(1) Whoever engages even occasionally in the practice of trafficking in persons or slavery with imprisonment for 10 to 20 years and a fine of XAF 50,000 to XAF 1 million.

(2) Whoever engages in the practice of trafficking in persons or slavery with imprisonment for 15 to 20 years and a fine of XAF 100,000 to XAF 10 million where (a) the offence is committed against a minor of 15 years old; (b) the perpetrator is the victim's legitimate, natural, or adopted ascendant; (c) the offender has authority over the victim or is expected to participate by virtue of his duties in the fight against slavery or in peace keeping; (d) an organized gang or association of criminals commits the offence; (e) the offence is committed with use of a weapon; (f) the victim sustains injuries permanently depriving the victim of the use of any member, organ, or sense, in whole or in part; or (g) the victim dies as a result of acts related to the offence.<sup>59</sup>

Section 5 of the 2011 Law is the same as the above.<sup>60</sup>

Several definitions appear in section 2 of the 2011 Law, but not in the Penal Code:

- Trafficking in persons: "promoting or ensuring the movement of a person inside or outside Cameroon in order to obtain, directly or indirectly, a financial or other material benefit of whatever nature."<sup>61</sup>
- Slavery in persons: "the recruitment, transfer, accommodation, or reception of persons for exploitation, through threat, use of force or other forms of coercion, kidnapping, fraud, deception, abuse of authority, taking advantage of a person's vulnerability, or through an offer or acceptance of benefits to obtain the consent of a person having authority over the victim."<sup>62</sup>
- Exploitation of persons: "includes, at least, the exploitation or promotion of prostitution of persons, any other forms of sexual exploitation, exploitation of labour or forced labour, slavery or practices similar to slavery, serfdom, or the removal of organs."<sup>63</sup>

<sup>58</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, section 25-1, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>59</sup> *Id.*, section 342-1.

<sup>60</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, section 5, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.

<sup>61</sup> *Id.*, section 2.

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

- Person: a “human being of either sex and of any age.”<sup>64</sup>

The consent of the person is void “where acts of violence were committed on the victim or on persons having legal or customary custody” over the victim.<sup>65</sup>

### 3.2.2. *Extraterritorial application*

The Penal Code includes extraterritorial provisions. The Penal Code applies to any act or omission committed abroad by a Cameroon citizen or resident that the law of the place of commission punishes and that the Penal Code defines as a felony or misdemeanour (which includes the slavery offence).<sup>66</sup> The Code also applies to trafficking in persons, the slave trade, and slavery even outside of Cameroon, provided that no foreigner may be tried in Cameroon for such an offence committed abroad unless the foreigner has been arrested in Cameroon, has not been extradited, and the appropriate authority initiates the prosecution.<sup>67</sup>

## 3.3. Slavery-Like Offenses in Cameroon’s Legal Order

### 3.3.1. *Servitude*

Servitude falls within the definition of slavery in persons under the 2011 Law and is an offence under the 2011 Law and the Penal Code.<sup>68</sup> Refer to Section 3.2.1.

### 3.3.2. *Forced labor*

#### *Penal Code*

Section 292 provides that whoever for personal advantage compels another to do any work or to provide any services not offered of free will shall be punished with imprisonment for one to five years, a fine of XAF 10,000 to XAF 500,000, or both.<sup>69</sup>

#### *Labour Code*

Section 2(3) forbids forced or compulsory labour.<sup>70</sup> An infringement of section 2(3) is subject to the penalty in section 292 of the Penal Code.<sup>71</sup>

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<sup>64</sup> *Id.*

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

<sup>66</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, section 10, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>67</sup> *Id.*, section 11.

<sup>68</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, sections 2 and 5, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.

<sup>69</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, section 292, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>70</sup> *Id.*, section 2(3).

<sup>71</sup> *Id.*, sections 2(3) and 2.

Section 2(4) defines forced or compulsory labour as any labour or service that is demanded of an individual under threat of penalty and that the individual has not freely offered to perform, subject to section 2(5).<sup>72</sup>

Section 2(5) provides that forced or compulsory labour does not include any work or service required: (1) by virtue of compulsory military service laws and regulations for work of a purely military nature; (2) in the general interest because of civic obligations defined by laws and regulations; (3) as a consequence of a conviction in a court of law; and (4) in case of force majeure, war, disaster, or threatened disaster, such as fire, flood, severe violent epidemic, or epizootic diseases, invasion by animals, insects, or plant pests, and, in general, any occurrence that would endanger or threaten the existence of the well-being of all or part of the population.<sup>73</sup>

#### *Women and Child Protection*

Part V, Chapters II and III of the Labour Code deal with working conditions of women, young persons, and children:

- (1) No child shall be employed in an enterprise even as an apprentice before the age of 14 years except as otherwise authorized by order of the minister in charge of labour, taking account of local conditions and the jobs which the child may be asked to do.<sup>74</sup> Ministerial Order No. 017 on Child Labour prohibits hazardous activities for children under 18 years of age, but children aged 16 and 17 years may undertake certain activities.<sup>75</sup> The Order prescribes hazardous occupations and prohibited activities for children.
- (2) Night work (between 10 pm and 6 am) shall be prohibited for women and children, except for women with executive duties and women working in services not involving manual labour.<sup>76</sup>
- (3) A young person under 18 years of age may not be employed on board ship as a trimmer or stocker, but they may be employed for other work on ships if they have a medical certificate attesting fitness for that work. This requirement does not apply where only members of the same family are employed on the ship.<sup>77</sup>
- (4) Any person committing an infringement of sections (1) and (3) shall be punished with a fine of XAF 100,000 to XAF 1 million.<sup>78</sup>
- (5) Any person committing an infringement of section (2) shall be punished with a fine of XAF 200,000 to XAF 1.5 million.<sup>79</sup>

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<sup>72</sup> *Id.*, section 2(4).

<sup>73</sup> *Id.*, section 2(5).

<sup>74</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 86(1), available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>75</sup> *Child Labor and Forced Labor Reports: Cameroon*, U.S. Department of Labour – Bureau of International Labor Affairs, available at: <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/cameroon>.

<sup>76</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 82, available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>77</sup> *Id.*, section 86(2).

<sup>78</sup> *Id.*, section 167.

<sup>79</sup> *Id.*, section 168.

- (6) In case of a repeated infringement of sections (1), (2), or (3), imprisonment of six days to six months may also be required, and where the person is a second offender, imprisonment shall be mandatory.<sup>80</sup>

The Labour Code does not apply to staff within the Public Service, the Judicial and Legal Service, Servicemen, and National Security, as they have their own rules and regulations.<sup>81</sup>

### 3.3.3. *Deceptive recruiting for labor or services*

Deceptive recruitment is included in the definition of slavery in persons under the 2011 Law.<sup>82</sup> It is an offence under the 2011 Law and the Penal Code.<sup>83</sup> Refer to Section 3.2.1.

### 3.3.4. *Early and forced marriage*

Section 356 of the Penal Code provides that whoever compels anyone to marry shall be punished with imprisonment for five to 10 years and a fine of XAF 25,000 to XAF 1 million.<sup>84</sup> Where the victim is under the age of 18 years, the punishment may not be less than two years of imprisonment, whatever the mitigating circumstances.<sup>85</sup> Whoever gives in marriage a boy or girl under 18 years old shall receive the same punishment.<sup>86</sup> Upon conviction, the court may deprive the offender of parental power and disqualify the offender from being guardian of any person for up to five years.<sup>87</sup>

Article 52 of Order No. 81-02 of 29 June 1981 states that no marriage may take place if the girl is younger than 15 or the boy is younger than 18 unless the President of the Republic grants an exemption for a serious reason.<sup>88</sup> Only the President may determine if the reason is serious. The spouses must consent freely to the marriage, and the consent of a prospective spouse who is a minor is valid only if their father and mother consent to the marriage.

Forced and early marriage remains common in parts of Cameroon despite these laws.

### 3.3.5. *Debt bondage*

Section 342 of the Penal Code provides that whoever subjects a person to debt bondage shall be punished with imprisonment for five to 10 years and a fine of XAF 10,000 to XAF 500,000.<sup>89</sup> The penalties shall be doubled where the offender is either an ascendant, guardian, or person having customary custody over the

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<sup>80</sup> *Id.*, section 170.

<sup>81</sup> *Id.*, section 1(3).

<sup>82</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, section 2, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.

<sup>83</sup> *Id.*, section 5; Law No. 2016/007 of 12 July 2016 relating to the Penal Code, section 342-1, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>84</sup> *Id.*, section 356(1).

<sup>85</sup> *Id.*, section 356(2).

<sup>86</sup> *Id.*, section 356(3).

<sup>87</sup> *Id.*, section 356(4).

<sup>88</sup> *Cameroon: Information on forced or arranged marriage*, United States Bureau of Citizenship and Immigration Services, available at: <https://www.refworld.org/docid/3f51ec864.html>.

<sup>89</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, section 342(1), available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

victim.<sup>90</sup> Whoever boards a person in debt bondage shall be punished with imprisonment for 10 years and a fine of XAF 10,000 to XAF 1 million.<sup>91</sup>

The same provision appears in section 3 of the 2011 Law.<sup>92</sup> The 2011 Law defines debt bondage as the fact of pledging a person as security to a creditor of a loan or a debt for purposes of exploitation.<sup>93</sup>

Under the Penal Code, the court may also impose forfeiture orders on the offender, such as removal and exclusion from employment, incapacity to be a guardian, or prohibition on holding any post connected with the education or care of children, including teaching in any educational establishment.<sup>94</sup>

### **3.3.6. Any other relevant offenses**

Cameroon has no other relevant slavery-like offenses.

### **3.3.7. Extraterritorial application of the offenses**

Refer to Section 3.2.2.

## **3.4. Human Trafficking/Smuggling-Related Criminal Offenses**

### **3.4.1. International and domestic trafficking/smuggling of people**

The definition of trafficking in persons or slavery in persons in the 2011 Law appears to be broad enough to include smuggling of people.<sup>95</sup> Refer to Section 3.2.1.

### **3.4.2. International and domestic trafficking in children**

The definitions of trafficking in persons and slavery in persons in the 2011 Law include children.<sup>96</sup> Refer to Section 3.2.1.

### **3.4.3. Victim harboring**

The harbouring of trafficked persons is included in the definition of slavery in persons in the 2011 Law.<sup>97</sup> Refer to Section 3.2.1.

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<sup>90</sup> *Id.*, section 342(2).

<sup>91</sup> *Id.*, section 342(3).

<sup>92</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, section 3, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.

<sup>93</sup> *Id.*, section 2.

<sup>94</sup> Law No. 2016/007 of 12 July 2016 relating to the Penal Code, Chapter III, Part A, available at: <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>95</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, section 2, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.

<sup>96</sup> *Id.*

<sup>97</sup> *Id.*

#### 3.4.4. Extraterritorial application of human trafficking and smuggling offenses

Refer to Section 3.2.2.

#### 3.4.5. International and domestic organ trafficking

The removal of organs is included in the definition of exploitation in persons, and that definition in turn is used in the definition of slavery in persons in the 2011 Law. It is an offence under the 2011 Law. Refer to Section 3.2.1.

### 3.5. Online Exploitation of Children Offenses

Online exploitation of children is included in the definition of slavery in persons in the 2011 Law.<sup>98</sup> Increased penalties apply for exploitation of a minor of 15 years.<sup>99</sup> Refer to Section 3.2.1.

Also, the Law No. 2010/012 of 21 December 2010 relating to Cybersecurity and Cybercriminality in Cameroon has created specific offences for online exploitation of children.<sup>100</sup>

Section 76 provides that whoever uses electronic communications or an information system to design, carry, or publish a child pornography message or a message likely to seriously injure the self-respect of a child shall be punished with imprisonment for five to 10 years, a fine of XAF 5 million to XAF 10 million, or both.<sup>101</sup>

Section 80 provides that whoever for consideration or free of charge uses electronic communications or an information system to publish, attach, record, or transmit an image showing acts of pedophilia or a minor shall be punished with imprisonment for one to five years, a fine of XAF 5 million to XAF 10 million, or both.<sup>102</sup> Whoever uses electronic means whatsoever to offer, provide, publish, import, or export an image or picture portraying pedophilia or whoever keeps an image or picture portraying pedophilia in an electronic communication network or an information system shall be punished with imprisonment of one to five years, a fine of XAF 5 million to XAF 10 million, or both.<sup>103</sup> These penalties shall be doubled where an electronic communication network is used to publish an image picture of a minor.<sup>104</sup> These provisions equally apply to pornographic pictures showing minors.<sup>105</sup>

Section 81 provides that several offences shall be punishable with imprisonment for 10 to 20 years or a fine of XAF 10 million to XAF 20 million where they are committed using an electronic communication network or an information system: (1) offering, producing, or providing child pornography for publication; (2) acquiring child pornography for oneself or for someone else using an information system; (3) sexual proposals by adults made to minors below 15 years old or to persons having the features of a minor; or (4) dissemination or transmission of child pornography using an information system.<sup>106</sup>

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<sup>98</sup> *Id.*

<sup>99</sup> *Id.*, section 5.

<sup>100</sup> Law No. 2010/012 of 21 December 2010 relating to Cybersecurity and Cybercriminality in Cameroon, available at: <https://ictpolicyafrica.org/en/document/xr0onx7xbq>.

<sup>101</sup> *Id.*, section 76.

<sup>102</sup> *Id.*, section 80(1).

<sup>103</sup> *Id.*, section 80(3).

<sup>104</sup> *Id.*, section 80(4).

<sup>105</sup> *Id.*, section 80(5).

<sup>106</sup> *Id.*, section 81(1).

Child pornography is defined as any act which visually presents a minor or any person with the physical features of a minor involved in sexually explicit acts, or real images of a minor involved in sexually explicit acts.<sup>107</sup>

### 3.6. Child Sex Tourism Offenses

Child sex tourism is included in the definition of slavery in persons in the 2011 Law.<sup>108</sup> Increased penalties apply for a minor of 15 years.<sup>109</sup> Refer to Section 3.2.1.

## 4. CAMEROON'S SUPPLY CHAIN REPORTING LEGISLATION

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Cameroon has no supply chain reporting legislation regarding human trafficking.

## 5. FORCED LABOR: OVERVIEW OF CAMEROON'S APPLICABLE EMPLOYMENT AND MIGRATION LAWS

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### 5.1. Employment Law Rights for Victims of Human Trafficking and Forced Labor

Law No. 92/007 of 14 August 1992 on the Labour Code governs labour relations between wage-earners and employers, as well as between employers and apprentices under their supervision, but the Code does not apply to staff within the Public Service, the Judicial and Legal Service, Servicemen, and National Security, as they have their own rules and regulations.<sup>110</sup>

Cameroon has ratified the ILO Minimum Wage Convention (No. 131),<sup>111</sup> the ILO Regular Pay and Wage Convention (No. 95),<sup>112</sup> the ILO Holidays with Pay Convention (No. 132),<sup>113</sup> the ILO Weekly Rest Days Conventions (Nos. 14 and 106),<sup>114</sup> the ILO Convention on Employment Termination (No. 158),<sup>115</sup> the ILO

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<sup>107</sup> *Id.*, section 81(2).

<sup>108</sup> Law No. 2011/024 of 14 December 2011 relating to the fight against trafficking in persons and slavery, section 2, available at: <https://www.justiceandpeacebamenda.org/attachments/article/24/THE+LAW+AGAINST+TRAFFICKING+IN+PERSONS+AND+SLAVERY.pdf>.

<sup>109</sup> *Id.*, section 5.

<sup>110</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, sections 1(1) and 1(3), available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>111</sup> C131 - Minimum Wage Fixing Convention, 1970 (No. 131), available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C131](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C131).

<sup>112</sup> C095 - Protection of Wages Convention, 1949 (No. 95), available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C095](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C095).

<sup>113</sup> C132 - Holidays with Pay Convention (Revised), 1970 (No. 132), available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C132](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C132).

<sup>114</sup> C014 - Weekly Rest (Industry) Convention, 1921 (No. 14), available at: [https://www.ilo.org/dyn/normlex/en/f?p=1000:12100::NO:12100:P12100\\_INSTRUMENT\\_ID:312159](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100::NO:12100:P12100_INSTRUMENT_ID:312159); C106 - Weekly Rest (Commerce and Offices) Convention, 1957 (No. 106), available at: [https://www.ilo.org/dyn/normlex/en/f?p=1000:12100::NO:12100:P12100\\_INSTRUMENT\\_ID:312251](https://www.ilo.org/dyn/normlex/en/f?p=1000:12100::NO:12100:P12100_INSTRUMENT_ID:312251).

<sup>115</sup> C158 - Termination of Employment Convention, 1982 (No. 158), available at: [https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C158](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C158).

Equal Remuneration for Work of Equal Value Convention (No. 100),<sup>116</sup> the ILO Freedom of Association and Protection of the Right to Organize Convention (No. 87),<sup>117</sup> and the ILO Right to Organize and Collective Bargaining Convention (No. 98).<sup>118</sup>

A worker is defined as “any person, irrespective of sex or nationality, who has undertaken to place his services in return for remuneration, under the direction and control of another person, whether an individual or a public or private corporation, considered as the ‘employer.’”<sup>119</sup>

Wages are defined as remuneration or earnings, however designated or calculated, capable of being evaluated in terms of money and fixed by mutual agreement or by the provisions, regulations, or collective agreements which are payable by virtue of a contract or employment by an employer to a worker for work done or to be done or for services rendered or to be rendered.<sup>120</sup> Wages are to be paid by legal tender only.<sup>121</sup>

Section 62 permits a decree to be issued for a guaranteed minimum industrial and commercial wage.<sup>122</sup> The minimum wage must cover the living expenses of the employee and the employee’s family members.<sup>123</sup> Such decrees have been issued from time to time.

The Labour Code has established a court for individual contract disputes and an arbitration body for collective labour disputes.<sup>124</sup> A worker can make a claim to the court for non-payment of wages. A worker’s claim for payment of wages is barred if not commenced within three years from the date the payment becomes due.<sup>125</sup>

If no wages are payable to a person, then that person does not appear to fall within the definition of worker.<sup>126</sup> If so, then employment laws would not protect victims of forced labour. Civil remedies under those laws may not be available. But the Penal Code and the Criminal Procedure Code could still apply.

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<sup>116</sup> C100 - Equal Remuneration Convention, 1951 (No. 100), available at:

[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C100](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C100).

<sup>117</sup> C087 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), available at:

[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_INSTRUMENT\\_ID:312232](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312232).

<sup>118</sup> C098 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98), available at:

[https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:C098](https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C098).

<sup>119</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 1(2), available at:

<https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>120</sup> *Id.*, section 61.

<sup>121</sup> *Id.*, section 67.

<sup>122</sup> *Id.*, section 62.

<sup>123</sup> *Id.*

<sup>124</sup> *Id.*, Chapter II, Part II.

<sup>125</sup> *Id.*, section 74.

<sup>126</sup> *Id.*, section 1(2).



## 5.2. Applicability of Employment Legislation in the Context of Forced Labor or Trafficking

As explained in Section 5.1, victims of forced labour must receive wages to enable employment laws to apply. Employment law does not provide any civil remedies to victims who do not fall within the definition of worker.

## 5.3. Statutory Rights

### 5.3.1. *Rights to minimum wages, entitlements, and other applicable minimum standards*

A government decree can determine the minimum industrial and commercial wage. The current minimum wage is XAF 36,270 per month, which a decree of 30 July 2014 determined.<sup>127</sup>

Rates of pay for overtime during the day are 120% of hourly wage for the first eight hours, 130% of hourly wage for the following eight hours, and 140% of hourly wage for the next four hours.<sup>128</sup> The rate for overtime for night work is 150% of hourly wage.<sup>129</sup> The rate for overtime on Sunday is 140% of hourly wage.<sup>130</sup> The rate for overtime for force majeure and emergency is 150% of hourly wage.<sup>131</sup> The rate for work on civil public holidays and religious holidays is 200% of daily wage.<sup>132</sup> Other entitlements under the Labour Code and the Law No. 73-05 of 7 December 1973 relating to the Act Regulating Public Holidays in the United Kingdom of Cameroon for workers include:

- (a) paid leave at the employer's expense accruing at the rate of one-and-a-half working days for each month of actual service (deemed to be four weeks or 24 days of work) for workers, excluding young workers under 18 years of age.<sup>133</sup> For young persons under 18 years of age, leave shall accrue at the rate of two-and-a-half days per month of service.<sup>134</sup> For mothers, the leave shall be increased by either two working days for each child under six years of age or one day only if the mother's accrued leave does not exceed six days.<sup>135</sup> Leave accrues after a period of actual service

<sup>127</sup> Living Wages in Global Supply Chains: a New Agenda for Business, *Ethical Trading Initiative*, p. 21, available at: [https://www.ethicaltrade.org/sites/default/files/shared\\_resources/living-wages-in-global-supply-chains.pdf](https://www.ethicaltrade.org/sites/default/files/shared_resources/living-wages-in-global-supply-chains.pdf).

<sup>128</sup> Presidential Decree on Deviations of Legal Working Hours No. 95-677 of 18 December 1995, section 12, available at: [https://www.ilo.org/dyn/travail/travmain.sectionReport1?p\\_lang=en&p\\_countries=MG&p\\_sc\\_id=1001&p\\_year=2011&p\\_structure=2&p\\_countries=CM#:~:text=Overtime%20rate\(s\)&text=%2D%20%20first%20hours%3A%20%25,40%25%20of%20the%20hourly%20salary](https://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=MG&p_sc_id=1001&p_year=2011&p_structure=2&p_countries=CM#:~:text=Overtime%20rate(s)&text=%2D%20%20first%20hours%3A%20%25,40%25%20of%20the%20hourly%20salary).

<sup>129</sup> *Id.*

<sup>130</sup> *Id.*

<sup>131</sup> *Id.*

<sup>132</sup> Law No. 73/05 of 7 December 1973 relating to the Act Regulating Public Holidays in the United Kingdom of Cameroon, section 8(1), available at: [https://www.ilo.org/dyn/travail/travmain.sectionReport1?p\\_lang=en&p\\_countries=MG&p\\_sc\\_id=1001&p\\_year=2011&p\\_structure=2&p\\_countries=CM](https://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=MG&p_sc_id=1001&p_year=2011&p_structure=2&p_countries=CM).

<sup>133</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 89, available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>134</sup> *Id.*, section 90(1).

<sup>135</sup> *Id.*, section 90(2).

of one year.<sup>136</sup> Leave shall be increased by two working days for each full period whether continuous or not of five years of service with an enterprise;<sup>137</sup>

(b) maternity leave for pregnant woman of 14 weeks starting four weeks before due date of confinement with a right to extend for another six weeks in case of a duly certified illness with payment of wages by the National Social Insurance Fund.<sup>138</sup> For a period of 15 months following the birth of the child, the mother shall be entitled to nursing breaks of one hour per working day;<sup>139</sup>

(c) paid special leave of absence up to 10 days for family events directly concerning their own home;<sup>140</sup>

(d) pay on absence from work due to illness for up to six months depending on type of contract and employment sector;<sup>141</sup>

(e) travel and transport allowance where workers are required to move from their usual residence;<sup>142</sup>

(f) pay on civil and religious holidays;<sup>143</sup>

(f) unpaid leave up to 18 working days to attend a course exclusively devoted to worker education or trade union training;<sup>144</sup>

(g) severance pay for a worker with at least two successive years of seniority with the employer in the enterprise.<sup>145</sup> This pay corresponds to a percentage of the monthly overall wage per year of service and is set according to length of service from 20% up to 40% under Order No. 016/MTPS/SG/CJ of 26 May 1993 laying down the procedures for allocation and calculation of severance pay;<sup>146</sup> and

(h) the right to join a trade union and to strike in certain circumstances under the Labour Code.<sup>147</sup>

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<sup>136</sup> *Id.*, section 92.

<sup>137</sup> *Id.*, section 90(3).

<sup>138</sup> *Id.*, section 84.

<sup>139</sup> *Id.*, section 85.

<sup>140</sup> *Id.*, section 89.

<sup>141</sup> *Id.*, sections 32 and 89.

<sup>142</sup> *Id.*, section 94.

<sup>143</sup> Law No. 73/05 of 7 December 1973 relating to the Act Regulating Public Holidays in the United Kingdom of Cameroon, section 8(1), available at: [https://www.ilo.org/dyn/travail/travmain.sectionReport1?p\\_lang=en&p\\_countries=MG&p\\_sc\\_id=1001&p\\_year=2011&p\\_structure=2&p\\_countries=CM](https://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=MG&p_sc_id=1001&p_year=2011&p_structure=2&p_countries=CM).

<sup>144</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 91, available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>145</sup> *Id.*, section 37(1).

<sup>146</sup> Order No. 016/MTPS/SG/CJ of 26 May 1993, available at: <http://extwprlegs1.fao.org/docs/pdf/cm198306.pdf>.

<sup>147</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, sections 4(1) and 157, available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

### 5.3.2. Claims available in relation to misrepresentations and “sham” arrangements

Cameroon has no applicable laws.

### 5.3.3. Claims available in relation to unlawful deductions, loans, and debt bondage

Section 75 of the Labour Code prohibits deductions from wages unless: (a) there is a court order or attachment; (b) an agreement requires the employer to pay the ordinary trade union contribution due from the worker; (c) the worker agreed to a voluntary assignment; (d) the worker agreed to contributions to a friendly society; or (e) the deductions are for compulsory levies or for deposits stipulated in collective agreements or individual contracts.<sup>148</sup>

Deductions shall not exceed a percentage of wages prescribed by decree.<sup>149</sup>

### 5.3.4. Remedies

If a victim of trafficking is not classified as a worker under employment laws, then those laws do not provide any remedies. In that event, the Criminal Procedure Code can apply and a civil lawsuit for damages resulting from the crime may be commenced in parallel with any criminal proceedings or separate from the criminal proceedings.<sup>150</sup>

### 5.3.5. The well-being of workers: Rest time

Statutory hours of work in all public and private non-agricultural establishments may not exceed 40 hours per week.<sup>151</sup> For agricultural and allied undertakings, the hours of work shall be based on a total of 2,400 hours per year, within the maximum limit of 48 hours per week.<sup>152</sup> These provisions apply to all workers, irrespective of age and sex.<sup>153</sup>

The rest period for women and children shall be not less than 12 consecutive hours.<sup>154</sup>

Night work (10 pm to 6 am) shall not be permitted for women and children except for women with executive duties and women working in services not involving manual labour.<sup>155</sup>

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<sup>148</sup> *Id.*, section 75.

<sup>149</sup> *Id.*, section 76.

<sup>150</sup> Law No. 2005 of 27 July 2005 on the Criminal Procedure Code, section 59, available at: [https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure-code\\_html/Cameroon\\_Criminal\\_Procedure\\_Code\\_2005.pdf](https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure-code_html/Cameroon_Criminal_Procedure_Code_2005.pdf).

<sup>151</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 80(1), available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>152</sup> *Id.*, section 80(2).

<sup>153</sup> *Id.*, section 80(3).

<sup>154</sup> *Id.*, section 82(1).

<sup>155</sup> *Id.*, sections 82(2) and 82(3).

Weekly rest shall be compulsory.<sup>156</sup> It shall consist of at least 24 consecutive hours each week.<sup>157</sup> Such rest shall fall as a rule on Sundays and may under no circumstances be replaced by a compensatory allowance.<sup>158</sup>

No work is allowed on civil public holidays.<sup>159</sup> Work on religious holidays is allowed for workers over 18 years of age.<sup>160</sup>

Overtime may occur on a temporary basis for work necessary due to exceptional or seasonal overload of work, the impossibility of finishing work within a fixed time, and where recruitment of extra staff is not possible.<sup>161</sup> In case of urgent work or force majeure in non-working days, the employer can require the performance of overtime work.<sup>162</sup> Twenty hours of overtime work per week is permitted.<sup>163</sup> No overtime is authorized on public holidays.<sup>164</sup> Any person violating section 88 of the Labour Code shall be punished with a fine of XAF 100,000 to XAF 1 million.<sup>165</sup> Any person violating section 82 of the Labour Code shall be punished with a fine of XAF 200,000 to XAF 1.5 million.<sup>166</sup> In case of a repeated violation of section 82 or 88, imprisonment of six days to six months may also be required, and where the person is a second offender, imprisonment shall be mandatory.<sup>167</sup>

### 5.3.6. *The well-being of workers: Freedom to change jobs and right to leave*

A worker may enter into an employment contract with or without a specified duration.<sup>168</sup> No worker is allowed to work without a medical examination on recruitment.<sup>169</sup>

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<sup>156</sup> *Id.*, section 88(1).

<sup>157</sup> *Id.*

<sup>158</sup> *Id.*

<sup>159</sup> Law No. 73/05 of 7 December 1973 relating to the Act Regulating Public Holidays in the United Kingdom of Cameroon, section 5, available at: [https://www.ilo.org/dyn/travail/travmain.sectionReport1?p\\_lang=en&p\\_countries=MG&p\\_sc\\_id=1001&p\\_year=2011&p\\_structure=2&p\\_countries=CM](https://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=MG&p_sc_id=1001&p_year=2011&p_structure=2&p_countries=CM).

<sup>160</sup> *Id.*, section 6.

<sup>161</sup> Presidential Decree on Deviations of Legal Working Hours No. 95-677 of 18 December 1995, section 9, available at: [https://www.ilo.org/dyn/travail/travmain.sectionReport1?p\\_lang=en&p\\_countries=MG&p\\_sc\\_id=1001&p\\_year=2011&p\\_structure=2&p\\_countries=CM#:~:text=Overtime%20rate\(s\)&text=%2D%208%20first%20hours%3A%20%25,40%25%20of%20the%20hourly%20salary](https://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=MG&p_sc_id=1001&p_year=2011&p_structure=2&p_countries=CM#:~:text=Overtime%20rate(s)&text=%2D%208%20first%20hours%3A%20%25,40%25%20of%20the%20hourly%20salary).

<sup>162</sup> *Id.*, section 10(3).

<sup>163</sup> *Id.*, section 10(4).

<sup>164</sup> Law No. 73/05 of 7 December 1973 relating to the Act Regulating Public Holidays in the United Kingdom of Cameroon, section 8(2), available at: [https://www.ilo.org/dyn/travail/travmain.sectionReport1?p\\_lang=en&p\\_countries=MG&p\\_sc\\_id=1001&p\\_year=2011&p\\_structure=2&p\\_countries=CM](https://www.ilo.org/dyn/travail/travmain.sectionReport1?p_lang=en&p_countries=MG&p_sc_id=1001&p_year=2011&p_structure=2&p_countries=CM).

<sup>165</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 167, available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>166</sup> *Id.*, section 168.

<sup>167</sup> *Id.*, section 170.

<sup>168</sup> *Id.*, section 25(1).

<sup>169</sup> *Id.*, section 100(1).

A contract of employment of specified duration may not be terminated prior to its expiry, save in the case of gross misconduct, force majeure, or the written consent of both parties.<sup>170</sup>

Either party may terminate a contract of employment of unspecified duration at any time, subject to giving the prior written notice for the period prescribed in the Minister's order under section 34(3) of the Labour Code.<sup>171</sup> However, notice is not required in the case of serious misconduct.<sup>172</sup> The prescribed notice periods vary according to the professional category and length of service. The notice period ranges from 15 days to four months under Order No. 015/MTPS/SG/CJ of 26 May 1993 determining the conditions and period of notice.<sup>173</sup>

#### 5.4. Rights to a Safe Workplace and Compensation Associated With Injuries or Illness

Order No. 039/MTPS/IMT of 26 November 1984 requires employers to provide all prevention, health, and safety measures needed to protect workers' health. Employers also have a duty to provide personal protective equipment, to ensure use of that equipment, and to provide first-aid and welfare facilities.<sup>174</sup>

The Labour Code requires employers to provide medical and health services for their workers.<sup>175</sup> Those services must monitor hygiene in the employer's establishment, monitor the risks of contagion and the state of health of the workers and of their spouses and children if housed by the employer, take appropriate preventative measures, and provide necessary medical care.<sup>176</sup> Approved medical doctors and qualified paramedical personnel must be responsible for those services.<sup>177</sup>

A person infringing section 98 or 99 shall be punished with a fine of XAF 100,000 to XAF 1 million.<sup>178</sup> In the case of a repeated infringement of section 98, imprisonment from six days to six months may also be required, and where the person is a second offender, imprisonment shall be mandatory.<sup>179</sup>

Labour inspectors in the Directorate of Health and Safety at Work have powers under the Labour Code to investigate any such infringements.<sup>180</sup>

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<sup>170</sup> *Id.*, section 38.

<sup>171</sup> *Id.*, section 34(1).

<sup>172</sup> *Id.*, section 36.

<sup>173</sup> *Termination of employment legislation digest: Country profile – Cameroon*, Angelika Muller, p. 4, available at: <https://docplayer.net/47670231-Termination-of-employment-legislation-digest.html>.

<sup>174</sup> *Health and Safety Compliance*, Kima & Partners, available at: <https://www.kimaandpartners.com/blog/occupational-health-and-safety-compliance-in-cameroon/>.

<sup>175</sup> Law No. 92/007 of 14 August 1992 on the Labour Code, section 98(1), available at: <https://www.ilo.org/dyn/natlex/docs/WEBTEXT/31629/64867/E92CMR01.htm>.

<sup>176</sup> *Id.*, section 98(2).

<sup>177</sup> *Id.*, section 99.

<sup>178</sup> *Id.*, section 167.

<sup>179</sup> *Id.*, section 170.

<sup>180</sup> *Id.*, section 95(3).

The National Social Insurance Fund compensates workers for work-related injuries. Employers are required to register their workers with that Fund and to make monthly payments to the Fund of up to 4.2% of gross pay, according to the assessed degree of risk.<sup>181</sup>

When a worker suffers an injury at work, the worker is required to notify the employer of the injury, setting out full details of the accident as soon as possible, and the employer is required to notify the Fund of those details within three days.<sup>182</sup> The Fund then takes charge of processing the notification, determining entitlements, and making payments under Decree No. 77/11 of 1979.<sup>183</sup> The employer is subject to a fine from XAF 5,000 for non-compliance.<sup>184</sup> Repeat offenders may be imprisoned from one to six months or subject to both the fine and imprisonment.<sup>185</sup>

## 5.5. Access to Justice and Practical Issues Associated With Enforcing Social Legislation

Victims face obstacles to access justice. Enforcing legislation through prosecutions has progressed slowly. Additional resources and funding for enforcement could be beneficial.

Victims often are not aware of their rights or of available remedies and protection. Additional funding and assistance for victims to make claims and to seek protection could be useful.

There have not been many prosecutions. Consequently, prosecution currently is not seen as a major deterrence.

The Ministry of Social Affairs is responsible for assisting victims, and various NGOs also assist. Refer to Section 7.

## 5.6. Interaction Between Employment Law and Migration

### 5.6.1. *Employment rights affected where employment is unlawful under migration law*

If the victims can be classified as workers, claims under employment law are available. Victims who are foreign nationals and who do not have permanent residence permits may obtain temporary residence permits in the government's discretion.

Cameroon follows the principle of discretionary prosecution, so the State Counsel and Law Department have discretion not to prosecute persons who committed crimes because they were subjected to trafficking.<sup>186</sup>

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<sup>181</sup> *Expanding your business in AFRICA*, Mauve, p. 5, available at: [https://mauvegroup.com/wp-content/uploads/2021/04/Expanding-Your-Business-in-AFRICA\\_Final.pdf](https://mauvegroup.com/wp-content/uploads/2021/04/Expanding-Your-Business-in-AFRICA_Final.pdf).

<sup>182</sup> Law No. 77-11 of July 13, 1977 relating to reparation and prevention of accidents at work and occupational diseases, section 17(2), available at: <https://www.ilo.org/dyn/natlex/docs/MONOGRAPH/13468/87371/F-1486994511/CMR-13468.pdf>.

<sup>183</sup> *Id.*, section 17(6).

<sup>184</sup> *Id.*, section 46(1).

<sup>185</sup> *Id.*

<sup>186</sup> *Country Review Report of Cameroon*, United Nations Office on Drugs and Crime, p. 6, available at: <https://uncaccoalition.org/files/Cycle1-Country-Report-Cameroon.pdf>.

### 5.6.2. Rights/remedies available under applicable migration law and regulations

Migration laws do not provide any rights or remedies for trafficking victims.

## 5.7. Employment Laws and Child Labor

Refer to Section 3.3.2.

## 6. GOVERNMENT PROCUREMENT RULES

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Presidential Decree No. 2004/275 of 24 September 2004, which establishes the Public Contracts Code, governs government procurement.<sup>187</sup>

The Public Contracts Code lays down the rules applicable to the award, execution, and control of public contracts.<sup>188</sup> Those rules are based on the principle of freedom of access to public procurement, equal treatment of candidates, and transparent procedures.<sup>189</sup> Public contracts are defined as contracts financed or co-financed by: (a) the State budget, (b) external, bilateral, or multilateral aid funds, (c) loans guaranteed by the State, or (d) the budget of a public establishment, a public or semi-public corporation, or a local authority where the goods and services contracted are XAF 5 million or more.<sup>190</sup>

Public contracts shall be awarded by invitation to tender after competitive bidding.<sup>191</sup> In exceptional circumstances, the government may award contracts through mutual agreement under prescribed conditions.<sup>192</sup> The criteria for choosing bids shall be based on: (a) the price of goods and services and variants proposed or the cost of their use, (b) their technical and functional value, especially the operating and maintenance conditions and the potential life span of the works or the supplies and services concerned, (c) the quality and professional capacity of the tenderers, and (d) the execution or delivery deadline.<sup>193</sup>

Certain natural or corporate persons are not allowed to bid for a public procurement: (a) persons who have not subscribed to the declarations required by the laws and regulations in force or who did not pay their duties, taxes, contributions, fees, or deductions of whatever nature; (b) persons who are the subject of a winding up or are bankrupt; (c) persons who have had public contracts terminated for default in the last two years; or (d) persons who are the subject of an exclusion order or forfeiture.<sup>194</sup>

No specific provisions require any tenderer to covenant that its business does not use trafficked workers, it does not use goods made by trafficked workers, or it does not otherwise act in violation of human trafficking laws.

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<sup>187</sup> Presidential Decree No. 2004/275 of 24 September 2004, available at: [http://diaspoexpo.weebly.com/uploads/1/7/3/9/17394711/public\\_contracts\\_code.pdf](http://diaspoexpo.weebly.com/uploads/1/7/3/9/17394711/public_contracts_code.pdf).

<sup>188</sup> *Id.*, section 1(2).

<sup>189</sup> *Id.*, section 2.

<sup>190</sup> *Id.*, sections 3 and 4(2).

<sup>191</sup> *Id.*, section 7(1).

<sup>192</sup> *Id.*, section 7(2).

<sup>193</sup> *Id.*, section 8.

<sup>194</sup> *Id.*, section 22.

## 7. RESTITUTION AND VICTIM COMPENSATION

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No specific laws in Cameroon deal with remedies and compensation available to slavery/human trafficking victims. As the crimes of trafficking in persons and slavery in persons are felonies under the Penal Code and all felonies are dealt with in the same way under the Criminal Procedure Code, the remedies and damages for the trafficked victims follow the same processes as are available to victims of other crimes.

Under the Criminal Procedure Code, the commission of an offence may lead to the institution of criminal proceedings and to a civil lawsuit.<sup>195</sup> The civil lawsuit is intended to provide compensation for damages resulting from an offence. A civil lawsuit may be made alongside a criminal proceeding before the same court so long as they arise from the same offence.<sup>196</sup> A civil lawsuit may also be brought separately from a criminal proceeding.<sup>197</sup> In such a case, the court handling the civil matter shall stay proceedings until a final decision on the criminal proceeding has been pronounced.<sup>198</sup> Where a court is handling both a criminal proceeding and a civil lawsuit at the same time, the judge must include a civil award in the court's judgment.<sup>199</sup> The civil award is payable by the offender and, if applicable, the insurer (see below).

A natural or legal person who has suffered injury, loss, or damage may bring a civil lawsuit.<sup>200</sup> The insurer may, at the request of the victim or the person vicariously liable, be summoned to appear before the court and to be found liable jointly with the accused to compensate the victim for the damage caused by the offence.<sup>201</sup>

A person who alleges an injury resulting from a felony may, when lodging a complaint with an examining magistrate, file a claim for damages and pay an amount sufficient to defray the cost of proceeding as fixed by that magistrate.<sup>202</sup> The magistrate will investigate the matter and issue a committal order or a no case ruling. The State Counsel will initiate the criminal proceedings based on that order.

Alternately, anyone who alleges injury suffered as a result of the commission of an offence may make an oral or written application for damages in court indicating the damages claimed.<sup>203</sup> Where the victim of an offence has not made an application for damages, the presiding judge shall ask whether the victim intends to do so.<sup>204</sup> Where the civil party is present in court, the civil party's application for damages must be made before the end of the proceedings, otherwise it shall be inadmissible.<sup>205</sup> But if the victim summoned as a

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<sup>195</sup> Law No. 2005 of 27 July 2005 on the Criminal Procedure Code, section 59, available at: [https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure-code.html/Cameroon\\_Criminal\\_Procedure\\_Code\\_2005.pdf](https://sherloc.unodc.org/cld/uploads/res/document/criminal-procedure-code.html/Cameroon_Criminal_Procedure_Code_2005.pdf).

<sup>196</sup> *Id.*, section 61.

<sup>197</sup> *Id.*

<sup>198</sup> *Id.*

<sup>199</sup> *Id.*, section 63.

<sup>200</sup> *Id.*, section 71.

<sup>201</sup> *Id.*, section 72.

<sup>202</sup> *Id.*, section 157.

<sup>203</sup> *Id.*, sections 385(1) and 385(2).

<sup>204</sup> *Id.*, section 385(3).

<sup>205</sup> *Id.*, section 385(4).



civil party does not appear, the right to bring a civil lawsuit is retained and the judge shall decide the criminal proceeding only.<sup>206</sup>

Additionally, no specific funds have been established under Cameroon law for the rehabilitation of victims of trafficking in persons, for the provision of material support and training for victims, to construct shelters for victims, or to pay court-ordered damages. A one-year national action plan in place for 2021 focuses on prevention through raising awareness, punishment for traffickers, development of statistical capacity, and inter-ministerial and multi-sectoral cooperation and coordination of anti-trafficking efforts, including provision for reintegration of victims.<sup>207</sup> A National Referral System also has been established. The Ministry of Social Affairs is the lead coordinator of the System, which seeks to provide assistance, shelter, medical care, psychological support, and reintegration services to victims. The Ministry works with other government agencies, including the Ministry of External Relations, Ministry of Labour and Social Security, and NGOs.

NGOs have established a number of shelters for victims of trafficking in Cameroon.

## 8. CAMEROON'S MULTIDISCIPLINARY/INTERAGENCY COOPERATION APPROACH

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### 8.1. Overview

Various government agencies within Cameroon deal with human trafficking.

### 8.2. The Responsible Agencies

The Cameroon Human Rights Commission was established by Presidential Decree in June 2019, and its mandate includes protecting human rights.<sup>208</sup>

The Directorate for Human Rights and International Cooperation, a department in the Ministry of Justice, is vested with supervisory duties related to human rights complaints and implementation of international conventions protecting human rights, including trafficking in persons.

The Interministerial Committee for the Supervision of Actions to Combat Trafficking In Human Beings is responsible for the national plan of action related to trafficking in persons.

The National Committee against Child Labour monitors the national plan of action for the elimination of the worst forms of child labour in Cameroon (PANETEC).<sup>209</sup>

The Ministry of Social Affairs is responsible for the fight against trafficking in persons, including children, and the National Referral System.

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<sup>206</sup> *Id.*, section 385(6).

<sup>207</sup> U.S. Dep't of State, Trafficking in Persons Report 161 (2021), available at: <https://www.hsdl.org/?abstract&did=855864>.

<sup>208</sup> Law No. 2019/014 of 19 July 2019 relating to the establishment, organization, and functioning of the Cameroon Human Rights Commission, available at: <https://www.prc.cm/en/news/the-acts/laws/3683-law-n-2019-014-of-19-july-2019-relating-to-the-establishment-organization-and-functioning-of-th-cameroon-human-rights-commission>.

<sup>209</sup> *Child Labor and Forced Labor Reports: Cameroon*, U.S. Department of Labour – Bureau of International Labor Affairs, available at: <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/cameroon>.

The State Counsel, Law Department, and judicial police officers are responsible for investigation and prosecution of the people trafficking crimes through the court system.

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