

Convention on the Rights of the Child  
Alternative Report Submission:  
**Violations of Indigenous Children's Rights  
in Cameroon**

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## **Convention on the Rights of the Child Alternative Report Submission: Violations of Indigenous Children’s Rights in Cameroon**

### **I. Reporting Organization**

Cultural Survival is an international Indigenous rights organization with a global Indigenous leadership and consultative status with ECOSOC since 2005. Cultural Survival is located in Cambridge, Massachusetts, and is registered as a 501(c)(3) non-profit organization in the United States. Cultural Survival monitors the protection of Indigenous Peoples’ rights in countries throughout the world and publishes its findings in its magazine, the *Cultural Survival Quarterly*, and on its website: [www.cs.org](http://www.cs.org).

### **II. Background Information**

*“These peoples [the “Pygmies” and pastoralist peoples] still suffer discrimination experienced through the dispossession of their land and destruction of their livelihoods, cultures and identities, extreme poverty, lack of access to and participation in political decision-making and lack of access to education and health facilities.”<sup>1</sup>*

Cameroon is home to one of the most diverse environments in Africa, with regions that have an equatorial monsoon climate, regions with a tropical humid climate, and regions with a tropical arid climate. Cameroon became an independent, sovereign nation in 1960 and a united one (when East and West Cameroon were united) in 1961.<sup>2</sup>

Cameroon has a population of over 22 million people. A significant portion of the population self-identifies as Indigenous, and these people can be broken up into three main communities: the Pygmies, who are largely hunter-gatherers; the Mbororo pastoralists; and the Kirdi mountain communities. The term “Pygmy” is a controversial one - it has been used in a derogatory way to refer to Indigenous communities. However, it is the only umbrella term to describe this group of people, and thus is commonly used in literature and reporting about Indigenous communities in this region.

The “Pygmies” make up approximately 0.4% of the total population and can be further divided into 3 groups: the Bagyeli/Bakola (approx. 4,000 people) who live in the Bipindi, Kribi, Lolodorf, and Akom II districts; the Baka (approx. 40,000 people) who live in eastern and southern Cameroon; and the Bedzan (approx. 300 people) who live in central Cameroon.

The Mbororo make up approximately 12% of the total population. There are also three main groups of Mbororo: the Wodaabe, who live in the north; the Jafun, who live in the east, west, and north-west; and the Galegi, who live in the east, west, and north-west.

The population of the Kirdi mountain community is unknown. They live in the Mandara Mountain Range in northern Cameroon.

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<sup>1</sup> Nnah Ndobe, Samuel. “Experiences of Indigenous Peoples in Africa with Safeguard Policies: Examples from Cameroon and the Congo Basin.” *Chad-Cameroon Pipeline*. Forest Peoples Programme, 29 Apr. 2013. Web. 01 Mar. 2017.

<sup>2</sup> *Core Document Forming Part of the Reports of States Parties: Cameroon*. Convention on the Rights of the Child. 13 Apr. 2000.

Approximately 50% of the total Cameroonian population is under the age of 18, while over 40% is under the age of 15. This means there are hundreds of thousands of Indigenous children living in Cameroon.<sup>3</sup>

### **III. Ongoing Rights Violations of Indigenous Children**

#### **A. Lack of recognition of Indigenous Peoples (Articles 2, 8)**

The lack of adequate recognition of Indigenous Peoples by the Cameroonian government poses a substantial barrier to the full enjoyment of their rights, including the rights afforded children. The Constitution of Cameroon recognizes the term “indigenous” but it does not clearly define to whom that refers. Cameroon’s 5 year plan for the protection of human rights, active from 2015-2019, does not specifically reference Indigenous Peoples. Work that does include Indigenous Peoples often perpetuates stereotypes. For example, the second piece of a study to identify Indigenous Peoples in Cameroon was instituted in 2015 but it did not recognize or consult with the Mbororo people because they are more educated and economically well-off relative to other Indigenous groups. However, Indigenous Peoples are categorized as such based upon self-determination. Furthermore, the exclusion of the Mbororo from this study strengthens the stereotype that all Indigenous People are less educated and live in poverty, which creates a social barrier to helping Indigenous Peoples enjoy all their human rights.<sup>4</sup>

In 2015, Cameroon celebrated the International Day of the World’s Indigenous People, involving both the Ministry of Social Affairs and the Ministry of Public Health. This was a positive step toward recognizing and celebrating Indigenous People in Cameroon. However, during the celebration the Foundation for Development and Environment in Cameroon (FDEC) and the Ministry of Social Affairs (MSA) forged an agreement regarding uses of some of the Baka forests without consulting the Baka. This violates the principle of free, prior, and informed consent and occurred on a day dedicated to the respect and promotion of Indigenous rights.<sup>5</sup>

In its State Report submitted for this treaty body review, the government of Cameroon outlined plans to improve education and access to healthcare, enhance the principles of respect for the child and working in the best interests of the child, and measures to ensure the full enjoyment of civil rights. For the majority of the report, though, there is no specific mention of Indigenous children, who are especially vulnerable. At most the report mentions “more vulnerable communities.” Toward the end of the report there is a section entitled “special protection measures” with a subsection called “children belonging to indigenous groups.” This section outlines measures being taken but also cites two key challenges: “poor ownership by the beneficiaries of the actions taken in their favor” and “absence of an institutional definition of the concept of indigenous peoples.”<sup>6</sup>

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<sup>3</sup> Bouba, Hawe Hamman. “Cameroon.” Ed. Vinding, Diana, and Caccilie Mikkelsen, eds. *The Indigenous World 2016*. N.p.: International Working Group for Indigenous Affairs, 2016. 370-376. Print.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

<sup>6</sup> *Consideration of reports submitted by States parties under article 44 of the Convention: Cameroon*. Convention on the Rights of the Child. 06 Dec. 2015.

So-called “Pygmy” groups in particular are not always recognized under international law. Both “Pygmies” and the Mbororo are considered “marginal populations” under Cameroonian law. The definition of “indigenous” varies across Africa, and even across Cameroon, but the principle of self-identification renders this an inadequate excuse.<sup>7</sup> Several elements can aid in the identification of Indigenous Peoples, including connection to land, historical origins, and the existence of distinct economic, political, social and cultural institutions. However, the ultimate deciding factor rests on an Indigenous community’s desire to self-identify.<sup>8</sup>

### **B. Birth registration (Articles 7, 8, 30)**

The issue of birth registration is important to Indigenous Peoples in Cameroon and particularly relevant to Indigenous children. The Convention on the Rights of the Child states that every child has the right to be registered “immediately after birth.” This is especially difficult for Indigenous Peoples who often live in rural areas or live nomadic lifestyles and find themselves far (both in distance and culture) from hospitals and government/administrative buildings. In its 2009 State Report, the government of Cameroon reported that it was working to promote birth registration for “marginal and disadvantaged populations.”<sup>9</sup> However, their efforts have proved insufficient eight years after the report was published. The percentage of children registered at birth in the country as a whole is 61.4%. However, in rural areas - which are predominantly where Indigenous communities reside - that percentage drops to 47.6%. Poor data collection and census-taking in the country also hinders birth registration efforts.<sup>10</sup>

Most Baka, Bakola, Bagyeli and Bedzan communities do not have birth certificates or national identity cards. Birth certificates are typically required for enrollment in schools, so this poses a barrier to the educational attainment of Indigenous children. National identity cards must often be furnished to the police, at checkpoints, and at hospitals.<sup>11</sup>

### **C. Barriers to education (Articles 2, 3, 8, 13, 14, 28, 29, 30)**

Indigenous children face significant barriers to fulfilling their right to education in Cameroon. These barriers exist at the primary, secondary, and university level. As of 2010, there were no known Indigenous students enrolled at university.<sup>12</sup> Specific obstacles include high fees, even at the primary level which, in theory, is free. However, the costs of uniforms, books,

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<sup>7</sup> *Indigenous Peoples Rights in Cameroon: Supplementary Report*. African Commission on Human and Peoples’ Rights. May 2010.

<sup>8</sup> International Labour Office. “Indigenous Peoples in Cameroon: A Guide for Media Professionals.” (n.d.) International Labour Organization, 2015. Web. 01 Mar. 2017.

<sup>9</sup> *Consideration of reports submitted by States parties under article 44 of the Convention*. Convention on the Rights of the Child. 03 Apr. 2008.

<sup>10</sup> “Cameroon Statistics.” *UNICEF*. N.p., 24 Dec. 2013. Web. 08 Mar. 2017.

<sup>11</sup> Tucker, Sarah. “Human Rights Violations and Indigenous 4B 2013 UPR Stakeholder Report: Cameroon.” On behalf of the Center for Environment and Development. 2013.

<sup>12</sup> *Indigenous Peoples Rights in Cameroon: Supplementary Report*. African Commission on Human and Peoples’ Rights. May 2010.

supplies, and parent-teacher association fees add up.<sup>13</sup> As mentioned before, enrollment typically requires an identity card, which many Indigenous children do not have because they were not registered at birth. For Indigenous children living in rural areas, simply getting to schools that are quite spread out presents its own challenge. In schools with non-Indigenous children and teachers, Indigenous children face bullying and humiliation from students and adults.<sup>14</sup>

Many Baka children drop out of primary school before completion in order to work in the forests with their parents as hunter-gatherers. Their parents often encourage them to drop out because they do not view the current education system as useful to their children - they view the forest, their home, as an adequate school.<sup>15</sup> This highlights the inadequacy of the current education system for addressing the cultural, economic, and logistical needs of Indigenous children. Curriculum in Indigenous languages that is culturally sensitive, incorporates Indigenous traditions and knowledge, matches their calendar and includes hands-on activities that tend to be very popular among Indigenous children would benefit these populations.<sup>16</sup>

In fact, Indigenous People in Cameroon have developed a culturally sensitive education policy called ORA (Observe, Reflect, Act), which is tailored specifically toward young Baka children to teach them to read, write, and count.<sup>17</sup> However, it is not recognized by the government or the public education system.<sup>18</sup>

#### **D. Land rights and intimidation (Articles 2, 16, 19, 30)**

There are several ongoing land issues that affect Indigenous children and adults in Cameroon. Disputes over land rights and intimidation inherently affect children by depriving them of a place to live, their family's livelihood, and access to education. In some cases, Indigenous children are even the direct victims of abuse and intimidation.

In southwestern Cameroon, an American company called Herakles Farms has been clearing forested land, illegally, since 2009 in order to put in a palm oil plantation. The Cameroonian government granted the company over 73,000 hectares of land, despite the fact that any amount of land in excess of 50 hectares can only be granted by presidential decree.<sup>19</sup> This land is occupied by Indigenous Peoples and is integral for their survival and livelihood. The Herakles Farm project is in violation of the principle of free, prior, and informed consent, and in addition has featured the manipulation of Indigenous communities to move forward. Some

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<sup>13</sup> Tucker, Sarah. "Human Rights Violations and Indigenous 4B 2013 UPR Stakeholder Report: Cameroon." On behalf of the Center for Environment and Development. 2013.

<sup>14</sup> *Indigenous Peoples Rights in Cameroon: Supplementary Report*. African Commission on Human and Peoples' Rights. May 2010.

<sup>15</sup> "Education: Elusive Dream for Cameroon's Indigenous People." *NewsDay Zimbabwe*. N.p., 10 Aug. 2016. Web. 01 Mar. 2017.

<sup>16</sup> *Ibid*.

<sup>17</sup> "Cameroon - Education of Pygmy Children." LaSalle.org, 1 Apr. 2016. Web. 08 Mar. 2017.

<sup>18</sup> *Indigenous Peoples Rights in Cameroon: Supplementary Report*. African Commission on Human and Peoples' Rights. May 2010.

<sup>19</sup> Gaworecki, Mike. "Cables Reveal US Gov't Role in Herakles Farms Land Grab in Cameroon." *Conversation News*. Mongabay, 30 Aug. 2016. Web. 08 Mar. 2017.

Indigenous communities sold their land to Herakles Farms because they were promised the construction of new roads and schools in return. Years later, that construction has not even been started and now those Indigenous communities are demanding their land back.

A palm oil plant would also have serious environmental consequences, which eventually trickle down to affect all people, including Indigenous communities. The plant would increase carbon emissions in the area and endanger local wildlife, in particular chimpanzees and elephants. Despite these human rights and environmental concerns, the Government of Cameroon recently was deciding to renew the lease of SG Sustainable Oils Cameroon (the Cameroonian subsidiary of company) for 99 years, without proper consultation of affected communities.<sup>20</sup> The dispossession of traditional lands used for foraging, subsistence farming, and inheritance directly affects the livelihoods of communities, their food sovereignty, and the wellbeing of Indigenous children.

The Chad-Cameroon Petroleum Development and Pipeline Project is another project with ramifications for both the environment and Indigenous communities. This project is managed by ExxonMobil, Petronas, and Chevron, and is funded in part by the World Bank Group.<sup>21</sup> This project involves the drilling of oil wells in Chad and then the construction of a pipeline from Chad into Cameroon in order to transport the oil to Cameroon's port of Kribi. It was completed in 2003. The project also violated the principle of free, prior, and informed consent. Meetings with Indigenous Peoples were conducted in French, which many Indigenous People do not speak fluently, if at all. Documents were circulated with no consideration of the Indigenous Peoples' language, culture, or level of education and therefore they were largely incomprehensible. A compensation plan for people whose land was affected by the project was drafted in 2008.<sup>22</sup> However, the plan has still not been implemented, and many Indigenous People were not even considered eligible for the plan because the government does not recognize their ancestral claim to the land.<sup>23</sup> The government has only recognized violations against "Pygmy" populations by blaming these violations on the nomadic lifestyle of the Indigenous community. The Chad-Cameroon Pipeline Project disproportionately affects Indigenous Peoples, has led to human rights abuses in the oil regions, and potentially increases the risk of global warming and climate change.<sup>24</sup> In 2008, the World Bank ended its involvement in the project after it found that a

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<sup>20</sup> "Take Action Cameroon: Palm Oil vs. People and the Planet." *Cultural Survival*. Cultural Survival, 10 Oct. 2016. Web. 02 Mar. 2017.

<sup>21</sup> "The Chad-Cameroon Petroleum Development and Pipeline Project." *TED Case Studies*. American University, 12 Dec. 2001. Web. 02 Mar. 2017.

<sup>22</sup> *Indigenous Peoples Rights in Cameroon: Supplementary Report*. African Commission on Human and Peoples' Rights. May 2010.

<sup>23</sup> Nnah Ndobe, Samuel. "Experiences of Indigenous Peoples in Africa with Safeguard Policies: Examples from Cameroon and the Congo Basin." *Chad-Cameroon Pipeline*. Forest Peoples Programme, 29 Apr. 2013. Web. 01 Mar. 2017.

<sup>24</sup> "The Chad-Cameroon Petroleum Development and Pipeline Project." *TED Case Studies*. American University, 12 Dec. 2001. Web. 02 Mar. 2017.

percentage of the revenues intended to fund schools and hospitals had instead been used to consolidate the power of the President of Chad.<sup>25</sup>

Eco-Guards are people employed by the government of Cameroon and funded and supported, in part, by the World Wildlife Fund, to protect the Cameroonian forests from poaching. Under this mandate, they have been attempting to dissuade Baka, Bakola, Bagyeli, and Bedzan Indigenous communities from poaching. However, they do this through intimidation, brutality, torture, and arbitrary punishment.<sup>26</sup>

The Organization for Economic Cooperation is currently investigating claims against the World Wildlife Fund for human rights violations committed by Eco-Guards. The Eco-Guards have allegedly destroyed the homes, camps, and personal property of the Baka people and have threatened individuals with violence. Furthermore, the World Wildlife Fund has established protected forested areas with no regard for the Baka peoples' ancestral claims to land. One Baka man told Survival International, a human rights organization that does Indigenous rights advocacy, that the Eco-Guards had beaten people in his community with machetes, including children and old women.<sup>27</sup> Mike Hurrin, a campaigner for Survival International said, "Now the Baka are being illegally evicted in these areas and criminalized when they hunt. When they're found hunting, they risk being harassed, intimidated, beaten up, even tortured, or perhaps even killed by anti-poaching squads, who are also funded by the WWF."<sup>28</sup> In return, a spokesman for the WWF acknowledged that there have been "some verified instances of abuses" by Eco-Guards against Indigenous Peoples, though he claimed not to have seen this particular complaint.<sup>29</sup> This occurs despite Cameroon's responsibilities to sustainable use as party to article 10 of the Convention on Biological Diversity.

### **E. Infant mortality and access to healthcare (Articles 3, 6, 24, 30)**

The current infant mortality rate in Cameroon is 81 per 1,000 births,<sup>30</sup> and 1 in 8 children dies before the age of 5.<sup>31</sup> While this is an issue that affects all children in Cameroon, Indigenous children are at particular risk because they do not have adequate access to healthcare. Indigenous communities that live in rural areas are often too far from hospitals, and the low percentage of Indigenous Peoples with national identification also limits their access to healthcare. Furthermore, the healthcare they do receive is rarely culturally sensitive.<sup>32</sup> The World Bank

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<sup>25</sup> Rice, Xan. "World Bank Cancels Pipeline Deal with Chad after Revenues Misspent." *The Guardian*. Guardian News and Media, 11 Sept. 2008. Web. 08 Mar. 2017.

<sup>26</sup> Tucker, Sarah. "Human Rights Violations and Indigenous 4B 2013 UPR Stakeholder Report: Cameroon." On behalf of the Center for Environment and Development. 2013.

<sup>27</sup> Barkham, Patrick. "Human Rights Abuses Complaint Against WWF to be Examined by OECD." *The Guardian*. Guardian News & Media, 05 Jan. 2017. Web. 02 Mar. 2017.

<sup>28</sup> Smith, Matt. "Human Rights Complaint Fled Against 'Eco-Guards' Who Terrorize African Pygmies." *VICE News*. N.p., 11 Feb. 2016. Web. 08 Mar. 2017.

<sup>29</sup> *Ibid.*

<sup>30</sup> *Core Document Forming Part of the Reports of State Parties*. Convention on the Rights of the Child. 2017.

<sup>31</sup> *Common Core Document Forming Part of the Reports of State Parties*. Convention on the Rights of the Child. 2017.

<sup>32</sup> *Concluding Observations*. Convention on the Rights of the Child. 2010.

Group launched a community-based healthcare program in 2011 to try and reach out to rural areas. The funding of these programs is contingent upon results in order to incentivize efficacy. However, mistrust of medical centers is a barrier for Indigenous communities too, not just access. Programs like these, if coupled with health education, could be a step in reducing the rate of infant and maternal mortality among Indigenous communities in Cameroon.<sup>33</sup>

Studies have found the Indigenous communities across the globe suffer from worse health issues than other population groups. Carl Soderbergh, the director of policy and communications for Minority Rights Group International said, “The right to health, as you know, is a precondition for all other rights. It’s essentially the right to survive. We found that health outcomes generally are far worse for minorities and indigenous peoples worldwide.”<sup>34</sup> Up to 90% of individuals belonging to forest-based Indigenous communities such as the Baka are infected with Yaws, a painful infection of the skin that can spread to the soft tissue, cartilage, and bone and cause irreparable damage. Children are affected by this disease even more so than adults.<sup>35</sup>

The government of Cameroon has expressed a desire to ending female genital mutilation (FGM) and breast ironing. Female genital mutilation constitutes “all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.”<sup>36</sup> The national prevalence rate of FGM is 1.4%, which is relatively low compared to neighboring countries. However, in the north alone, which is home to a high concentration of Indigenous communities, the prevalence rate is 13%.<sup>37</sup> One barrier to the eradication of FGM is economic - the Ministry of Women’s Empowerment and the Family in Cameroon points out that for those who perform the operation, it is their source of livelihood.<sup>38</sup> Breast ironing is a Cameroonian tradition of “massaging young girl’s chests with hot tools in an attempt to flatten their developing breasts. This is done with the intention of postponing their first sexual relationships by making their bodies less attractive to men.” This practice causes lasting health issues, including breast cancer and cysts. Approximately 10% of Cameroonian girls undergo this procedure when they reach puberty.<sup>39</sup> There has been no documented

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<sup>33</sup> Hebga, Odilia. “Addressing the Health Care Needs of Cameroon’s Most Vulnerable Populations.” *World Bank*. N.p., 9 May 2016. Web. 08 Mar. 2017.

<sup>34</sup> DeCapua, Joe. “Indigenous Peoples Have More Health Problems.” *VOA*. VOA, 27 Sept. 2013. Web. 08 Mar. 2017.

<sup>35</sup> Jackson, Dorothy. “The Health Situation of Women and Children in Central African Pygmy Peoples.” *Fores Peoples Programme*, 1 May 2006. Web. 08 Mar. 2017.

<sup>36</sup> “Female Genital Mutilation Fact Sheet.” *World Health Organization*. World Health Organization, Feb. 2017. Web. 08 Mar. 2017.

<sup>37</sup> “Prevalence of Female Genital Mutilation by Country.” *Wikipedia*. 02 Mar. 2017. Web. 08 Mar. 2017.

<sup>38</sup> Kindzeka, Moki Edwin. “Cameroon, WHO Push for End to Female Circumcision.” *VOA*. VOA, 17 June 2014. Web. 08 Mar. 2017.

<sup>39</sup> Bidan, Matthieu. “The Victims of Cameroon’s Breast Ironing Tradition.” *Vice*. N.p., 19 Aug. 2015. Web. 08 Mar. 2017.



correlation between this practice and a decrease in sexual activity, sexual violence, or teenage pregnancy.<sup>40</sup>

No domestic law in Cameroon forbids these practices. However, if they are carried out on children under 15 years of age then it constitutes a violation under the Convention of the Rights of the Child and legal recourse can be pursued against the perpetrator.<sup>41</sup> The government of Cameroon has not adequately addressed another practice that affects Indigenous children - early forced marriage.<sup>42</sup> Both early forced marriage and female genital mutilation can have serious, adverse health effects - “these two practices in particular increase the risk of something called obstetric fistula, which is a gynecological problem that can be deadly if not treated. And certainly leads to the exclusion of minority and Indigenous women who have his problem.”<sup>43</sup> Approximately 13% of all Cameroonian girls are married before the age of 15 and 38% before the age of 18. However, in the north where there is a higher proportion of Indigenous communities, the percentage increases to 73%.<sup>44</sup> Measures should be taken to address FGM and breast ironing within Indigenous communities but should do so with the Free, Prior and Informed Consent of Indigenous Peoples, and should specifically include Indigenous women and girls themselves in the research, design, and implementation of legislation developed to eradicate these practices.

Finally, in recent decades Cameroon has experienced an HIV/AIDS epidemic. The government had attempted to mitigate the effects of this disease on children by providing antiretroviral drugs for free to children under the age of 15.<sup>45</sup> In Indigenous communities in particular, though, the effects could be further mitigated by culturally sensitive sex education and STD education. Communities like the Baka have avoided rampant infections because of their isolation, but the prevalence of HIV/AIDS has increased nonetheless. In 1993 the prevalence rate among the Baka was 0.7% and in only 10 years, in 2003, that had increased to 4%.<sup>46</sup>

#### **IV. CRC Concluding Observations**

In 2010, the Committee on the Rights of the Child made several recommendations for Cameroon regarding issues that affect Indigenous children, and Indigenous children specifically. First, the Committee urged Cameroon to coordinate its domestic legislation with the Convention in regards to the defined age of the child and the age of consent for marriage. The Committee

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<sup>40</sup> Ikearu-Udoh, Victoria Oseyande. “Breast Ironing: An Under-Reported Violence Against the Girl Child.” International Centre for Investigative Reporting. N.p., 31 Aug. 2016. Web. 08 Mar. 2017.

<sup>41</sup> *Common Core Document Forming Part of the Reports of State Parties*. Convention on the Rights of the Child. 2017.

<sup>42</sup> *Concluding Observations*. Convention on the Rights of the Child. 2010.

<sup>43</sup> DeCapua, Joe. “Indigenous Peoples Have More Health Problems.” VOA. VOA, 27 Sept. 2013. Web. 08 Mar. 2017.

<sup>44</sup> “Cameroon - Child Marriage Around the World.” Girls Not Brides. N.p., 2016. Web. 08 Mar. 2017.

<sup>45</sup> *Consideration of reports submitted by States parties under article 44 of the Convention: Cameroon*. Convention on the Rights of the Child. 03 Apr. 2008.

<sup>46</sup> Purdy, Britnae. “Our Women and Girls Are Dying - HIV/AIDS in Indigenous Communities.” *First Peoples Worldwide*. N.p., 04 Dec. 2013. Web. 08 Mar. 2017.

also recognized that Indigenous children face discrimination in the educational system and when accessing healthcare and other social services, and it urged Cameroon to work to remedy that.

Second, the Committee wanted Cameroon to institutionalize the youth parliament and encourage Indigenous participation. The Convention enshrines the importance of including children in decisions that affect them and creating spaces for their voices to be heard.

Third, the Committee wanted Cameroon to focus on reaching out to Indigenous communities in rural areas. This included birth registration and access to culturally sensitive healthcare. The Committee also recommended officially criminalizing female genital mutilation, breast ironing, and early forced marriage.

Fourth, the Committee recommended that Cameroon create and adopt domestic legislation to incorporate the principles of the Universal Declaration on the Rights of Indigenous Peoples and General Comment 11 which speaks specifically to the rights of Indigenous children.

Fifth, the Committee emphasized the importance of creating programmes for Indigenous children, both recreational and educational, that respected their culture and involved Indigenous children in their development. These programmes should provide information that is of interest to Indigenous children.<sup>47</sup>

## **V. Cameroonian State Report**

The Cameroonian State Report, submitted in 2016, addresses many issues relevant to Indigenous children but rarely mentions them directly. The report acknowledges the importance of free primary education and efforts to increase female enrollment, but does not mention Indigenous children. Instead, the report describes progress in “the drawing up of inclusive educational programmes, taking into account all categories of vulnerable and disadvantaged children.”

In other sections of the report, such as the ones addressing non-discrimination, birth registration, torture and other cruel, inhuman, or degrading treatment, corporal punishment, alternative care for children deprived of a family, child abuse, children with disabilities, and education, no mention of Indigenous children is made. In some sections, “more vulnerable communities” are referenced.

One section dedicated to Indigenous children called “children belonging to Indigenous groups” lists several positive measures the government of Cameroon has taken to help Indigenous communities. These include the National Action Plan for Indigenous Peoples, millions of dollars’ worth of agricultural and fishery equipment lent to “Pygmy” populations, a workshop in August of 2014 called Strategies and Methods of Adapting Education to the Culture and Way of Life of Indigenous Peoples, and the construction of schools and nurseries for the Mbororo people.

## **VI. Legal Framework**

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<sup>47</sup> *Concluding Observations*. Convention on the Rights of the Child. 2010.

*CRC Articles 2(1), 3(1), (2) & (3), 6, 7(1) & (2), 8(1), 13(1), 14(1), 16(1), 19(1), 24(1), (2) & (3), 28(!), 29(1), 30*

## **VII. CRC General Comments**

General Comment 11 expands upon the rights of Indigenous children under the Convention on the Rights of the Child. The General Comment emphasizes the particular discrimination Indigenous children still face in accessing education and healthcare. The primary goal of the General Comment is to “provide States with guidance on how to implement their obligations under the Convention with respect to Indigenous children.” It also acknowledges that positive measures are required to protect the rights of Indigenous children.

In reference to the principle of self-identification, the General Comment States that “there is no requirement for States parties to officially recognize indigenous peoples in order for them to exercise their rights.” In other words, a lack of proper recognition is not an adequate excuse to deny Indigenous Peoples their rights. The General Comment re-emphasizes the importance of gender equality, Indigenous participation, and culturally sensitive institutions.

Regarding health, the Comment notes that “disproportionately high numbers of indigenous children live in extreme poverty” and have high incidences of infant and child mortality due to malnutrition and disease. Mental health care is paramount as well - suicide rates for Indigenous children are often higher than those of non-Indigenous children. Mental health care must also be provided in a culturally sensitive manner.

Regarding the environment, the Comment notes that “States parties should closely consider the cultural significance of traditional land and the quality of the natural environment while ensuring the children’s right to life, survival and development to the maximum extent possible.”

The Comment acknowledges the high number of Indigenous children who are not registered at birth. It also says that Indigenous children have the right to receive their parents’ choice of Indigenous name in an effort to preserve their cultural traditions and identity.

Finally, the General Comment recognizes the ratification of the United Nations Declaration on the Rights of Indigenous Peoples and ILO Convention No. 169 as integral to adequately providing for the full enjoyment of the rights of Indigenous Peoples.<sup>48</sup>

## **VIII. Other UN Body Recommendations**

### **Universal Periodic Review**

#### **Recommendations during the second cycle:**

*131.1 Ratify the OP-CRC-SC as well as the Optional Protocol to the CRC on a communications procedure. (Slovakia)*

*131.3 Ratify the Optional Protocol to CRC on the sale of children, child prostitution and*

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<sup>48</sup> “General Comment 11: Indigenous children and their rights under the Convention.” Committee on the Rights of the Child. 12 Feb. 2009. Web. 08 Mar. 2017.

*child pornography and approve the Family Code to enhance the protection of the rights of children, especially with respect to the trafficking in minors. (Spain)*

*131.4 Strengthen the legal foundations, including through ratification, of relevant international human rights instruments such as the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography. (Indonesia)*

*131.26 Ratify the UNESCO Convention against Discrimination in Education. (Djibouti)*

*131.27 Ratify the Hague Convention on the Protection of Children and Cooperation in Respect of Inter-country Adoption. (Togo)*

*131.41 Criminalize the practice of female genital mutilation as an offence in its Penal Code. (Spain)*

*131.50 Criminalise as an offence domestic violence, violence within marriage and all forms of sexual abuse, as well as prohibit and punish by law the practice of early and forced marriages. (Mexico)*

*131.58 Enhance the legal protection of children against all types of violence and prohibit, through adequate legislative measures, all forms of corporal punishment. (Poland)*

*131.89 Promote equal treatment before the law, including through social protection, the right to birth registration, and the right to an equal use of natural resources. (Thailand)*

*131.150 Adopt all possible measures to reduce maternal and child mortality and to facilitate the access of women and adolescents to sexual and reproductive health services. (Uruguay)*

*131.167 Continue its policy aimed at the social integration of vulnerable groups such as Pygmies and Mbororos. (Burundi)*

*131.168 Strengthen measures to promote the rights of indigenous populations of the country, particularly, with respect to their access to the citizenship, land, justice and education. (Cape Verde)*

*131.169 Carry on with ensuring the access to health services for children and indigenous*

## **IX. Questions**

1. What steps are the government of Cameroon taking to increase the enrollment and retainment of Indigenous children in primary and secondary schools, and to encourage university enrollment?
2. Is culturally sensitive curriculum for Indigenous children being created? How and when will it be implemented?
3. What steps are the government of Cameroon taking to practice free, prior, and informed consent, especially regarding Herakles Farms and the Chad-Cameroon Pipeline Project?
4. What measures are the government of Cameroon taking to remedy the relationship between Indigenous Peoples and Eco-Guards?
5. How is Cameroon implementing the Addis Ababa Principles and Guidelines for the Sustainable Use of Biodiversity?
6. How will the government of Cameroon ensure greater access to culturally sensitive healthcare for Indigenous children?
7. What is the government of Cameroon's current stance on female genital mutilation, breast ironing, and early forced marriage? What measures are being taken to criminalize these practices in domestic law?

## **X. Recommendations**

Cultural Survival urges the government of Cameroon to:

1. Ratify the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.
2. Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.
3. Adopt domestic laws in harmony with the Universal Declaration of the Rights of Indigenous Peoples and General Comment 11 on Indigenous children under the Convention on the Rights of the Child.
4. Include Indigenous Peoples in the five year plan for the promotion and protection of human rights.
5. Recognize the "Pygmy" communities and the Mbororo people as "Indigenous" if they choose to self-identify.
6. Take measures to meet the Education for All or Universal Primary Education objectives.
7. Include Indigenous girls and women in the crafting of legislation to eradicate FGM and early and forced marriage in domestic law.
8. Promote birth registration of Indigenous children, making efforts to reach rural areas.

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<sup>49</sup> "Report of the Working Group on the Universal Periodic Review: Cameroon" Human Rights Council. 05 July 2013.

9. Provide health education to Indigenous children regarding sexual and reproductive health and HIV/AIDS.
10. Recognize the ORA (Observe, Reflect, Act) teaching technique and train teachers in it, as well as in cultural sensitivity in education.
11. Provide textbooks and instruction to Indigenous children in their native language.
12. Align the academic calendar with traditional agricultural practices.
13. Make primary education free and accessible for all children and encourage Indigenous children to pursue secondary education.
14. Provide scholarships to Indigenous children to defray the costs of attending secondary school and university.
15. Increase access to adequate, culturally sensitive healthcare for Indigenous communities in rural areas.
16. Implement health and sanitation measures to reduce the number of maternal and infant mortalities.
17. Return land seized by Herakles Farms/ SGSOC to Indigenous communities.
18. Suspend the land lease allowing SGSOC to develop palm oil until all communities impacted have given their Free, Prior and Informed Consent.
19. Compensate Indigenous Peoples whose land was compromised by the Chad-Cameroon Petroleum Development and Pipeline Project.
20. End impunity for Eco-Guards who violate the rights of Indigenous Peoples and protect the rights of Indigenous adults and children who live in close proximity to Eco-Guards.
21. Ratify ILO Convention No. 169.
22. Ensure Indigenous participation in decision-making at all levels in all matters affecting them.
23. Invite the UN Special Rapporteur on the Rights of Indigenous Peoples to visit Cameroon.
24. Create a National Action plan on implementing the rights of Indigenous Peoples based on the World Conference on Indigenous Peoples' Outcome Document.