III. Main areas of concern and recommendations

C. General principles (arts. 2, 3, 6 and 12)

Non-discrimination

14. The Committee welcomes the adoption of article 242 of the amended Penal Code prohibiting discrimination on the grounds of race, religion, sex or health status. It is concerned, however, about the persistent discrimination against children in marginalized and disadvantaged situations, including girls, children born out of wedlock, children with disabilities, children with HIV/AIDS, children with albinism, indigenous children, children in street situations, children suspected of association with Boko Haram, refugee, asylum-seeking and internally displaced children, and the lack of an overall strategy to combat such discrimination. The Committee is deeply concerned about the State party’s rejection during the dialogue of the identity of lesbian, gay, bisexual, transgender and intersex children and the stigmatization and discrimination experienced by such children.

15. The Committee, reiterating its previous recommendation (see CRC/C/CMR/CO/2, para. 28), urges the State party to:
   
E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

24. In view of the prevalence of corporal punishment within the family and the fact that violent discipline practices, despite being illegal, remain widespread in schools, the Committee, with reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 38) and urges the State Party to:

(a) Explicitly prohibit corporal punishment in law in all settings, including in the home and institutions;

(b) Ensure that all cases of corporal punishment of children are investigated and perpetrators are prosecuted;

(c) Introduce sustained public education, awareness-raising and social mobilization programmes, involving children, families, communities and their leaders, on the physically and psychologically harmful effects of corporal punishment, with a view to changing the general attitude towards this practice and promoting positive, non-violent and participatory forms of child-rearing and discipline as an alternative to corporal punishment.

F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Family environment

30. The Committee reiterates its previous recommendations (see CRC/C/CMR/CO/2, paras. 42 and 44) and further recommends that the State party:

(a) Finalize and adequately resource the national policy on social protection to ensure its implementation to guarantee families living in poverty the material and financial assistance necessary to provide children with a suitable family environment;

Children deprived of a family environment

31. Drawing the State party’s attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex), the Committee emphasizes that financial and material poverty, or conditions directly and uniquely attributable to such poverty, should never be the sole justification for removing a child from parental care, for receiving a child into alternative care or for preventing a child’s social reintegration. In that regard, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 46) and further recommends that the State party:

(a) Develop clear standards for the care and protection of children without parental care and for the recruitment and retention of foster families that are based on the best interests of the child;

(b) Take effective measures to enforce regulations on the establishment and licensing of alternative care centres and ensure the inspection of existing alternative care centres for children and that they operate in accordance with at least the minimum standards;

(c) Periodically review the situation of children placed in foster care and in institutions and monitor the quality of care therein, including by providing accessible channels for reporting, monitoring and remedying the ill-treatment of children;

(d) Support and facilitate family-based care for children wherever possible and strengthen the system of foster care for children who cannot stay with their families, with a view to reducing the institutionalization of children;

(e) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children residing therein to the greatest extent possible.

Adoption

32. The Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 48) and further recommends that the State party:

(a) Finalize the revision of the Civil Code consolidating the system of adoption;
(b) Raise awareness of the adoption procedures and regulations and promote and encourage domestic adoption;

(c) Establish clear regulations concerning intercountry adoptions and consider ratifying the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)

Children with disabilities

33. With reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability and specifically recommends that it:

...  

(c) Immediately release any children institutionalized on the basis of their disability and ensure they receive community-based support;

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)-(d) and 38-40)

Asylum-seeking and refugee children

40. While noting that conflict and instability in neighbouring countries have resulted in, collectively, over a half a million refugees, asylum seekers and internally displaced persons arriving in Cameroon, mostly residing in the East, North, Far North and Adamawa regions, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 68) and further recommends that the State party:

(c) Develop comprehensive referral and case management frameworks for services to refugee and asylum-seeking children, particularly in the fields of physical and mental health services, education and the police and justice sectors, including the provision of free legal aid, particularly for unaccompanied and separated children;

(d) Prevent the arbitrary detention of refugee and internally displaced children;

Children in street situations
44. With reference to its general comment No. 21 (2017) on children in street situations, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 72) and further recommends that the State party:

(a) Strengthen its programmes aimed at supporting poor and vulnerable families, at preventing children from being separated from their parents and at reintegrating children in street situations into their families and communities whenever possible;

(b) Ensure that the rights of street children are fully respected by State agents, including by the military and police, by sanctioning all acts of violence against them and providing victims with adequate protection and care, including food, shelter, education and health-care services;

(c) Conduct studies on the root causes that lead to children living in street situations, collect data in order to understand this phenomenon and involve children in street situations in the planning, implementation and evaluation of measures designed for them, as mentioned above.

Administration of juvenile justice

46. The Committee is seriously concerned that the legal and judicial protection of children in conflict with the law remains very weak. In particular, it is concerned about the:

... 

(b) Arbitrary detention of children by police and the informal fees demanded for their release, including informal fees for legal aid lawyers;

(c) Absence of juvenile justice courts, lengthy pretrial detention periods and limited access to legal assistance;

(d) Lack of alternatives to the detention of children in conflict with the law;

(e) Insufficiency and inadequacy of hygienic and serviced detention facilities for children and the lack of any systematic separation from adults of children in detention.

47. With reference to its general comment No. 10 (2007) on children’s rights in juvenile justice, the Committee reiterates its previous recommendation (see CRC/C/CMR/CO/2, para. 80) and urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards, in particular, by:

...
(c) Expeditiously establishing specialized juvenile court facilities and procedures with adequate human, technical and financial resources, presided over by designated specialized judges; ...

(e) Promoting measures for dealing with children accused of having infringed the penal law without resorting to judicial proceedings, such as diversion, probation, mediation, counselling or community service, and wherever possible, using alternative measures at sentencing, ensuring that detention is used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to ending it;

(f) In cases where detention is unavoidable, ensuring that children are systematically separated from adults and that detention conditions are compliant with international standards, including access to education and health services.

Country Report

CRC/C/CMR/3-5
5 September 2016


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**Acronyms and Abbreviations:**

- **CEDAW**: Convention on the Elimination of All Forms of Discrimination against Women
- **CRC**: Convention on the Rights of the Child/Committee on the Rights of the Child
- **CRPD**: Convention on the Rights of Persons with Disabilities
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