



**Republic of Cameroon's Compliance with the Convention Against Torture and Other  
Cruel, Inhuman or Degrading Treatment or Punishment**

**Suggested List of Issues Prior to Reporting relating to violence and discrimination on the  
grounds of sexual orientation or gender identity**

**Submitted by The Advocates for Human Rights**

a non-governmental organization in special consultative status with ECOSOC since 1996

and

**Alternatives Cameroon**

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**The Advocates for Human Rights** (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact-finding, direct legal representation, education and training, and publications. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. A growing number of LGBT people fleeing human rights violations in Cameroon have requested legal assistance from The Advocates in applying for asylum in the United States. First-hand information from asylum-seekers about the human rights violations that they experienced in Cameroon has been used in this submission with their permission.

**Alternatives–Cameroun** Alternatives-Cameroun is an organization working for equality, tolerance, and respect for people who suffer from social exclusion. Alternatives-Cameroun was founded in 2006 by young Cameroonian professionals fighting for human rights in Cameroon, especially for the rights of people who have sexual relations with people of the same sex.

## EXECUTIVE SUMMARY

1. The Republic of Cameroon, through its laws, police, and security forces, routinely persecutes and discriminates against people based on their perceived and actual sexual orientation and gender identity.<sup>1</sup> The State condones and participates in violence, persecution, and discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons. The State fails to appropriately respond to such conduct by officials and private individuals. The criminalization of consensual adult same-sex sexual relations, coupled with public animus toward sexual minorities, fosters a hostile and often deadly environment for the LGBT community in Cameroon.
2. Despite the Committee against Torture’s Concluding Observations in 2017, calling for the decriminalization of consensual same-sex relations, the Republic of Cameroon continues to criminalize consensual relations between same-sex adults under Article 347-1 of the Cameroon Penal Code. The State has also failed to place a moratorium on enforcement of Article 347-1. From 2017 to the time of this report’s submission, human rights organizations have documented scores of arrests and detentions under Article 347-1.
3. The Republic of Cameroon fails to adequately protect LGBT persons and their human rights defenders. Police routinely subject LGBT persons to arbitrary arrest and attempt to extort money through violence and threats. Homophobic vigilantes threaten, harass, and commit physical and sexual violence against LGBT persons and their human rights defenders. Discrimination against LGBT persons remains prevalent throughout Cameroonian society. LGBT persons are denied access to healthcare and government services such as the issuance of identification documents.
4. Authorities do not promptly, thoroughly, or impartially investigate allegations of violations on the grounds of sexual orientation or gender identity, including acts of torture, ill-treatment, and “corrective rape.” The police often participate in or condone the violations. As a result, LGBT persons do not feel safe reporting crimes committed against them.
5. In light of these findings, this report concludes that Cameroon fails to uphold its obligations under the Convention Against Torture.

### **Cameroon fails to uphold its obligations under the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment**

6. The Republic of Cameroon, as a State party to the Convention Against Torture, has an obligation to ensure that no person is subjected to torture or to cruel, inhuman or degrading treatment, or punishment. The State has failed to discharge this obligation with respect to LGBT persons.
7. The State’s duty extends to prohibiting, preventing, investigating, and providing redress for torture and ill-treatment, including by making such acts offenses under domestic criminal law. The State has failed to discharge this obligation both by committing, instigating, inciting torture, extortion, and arbitrary arrests and by failing to take steps to prevent and provide redress for such acts by private or public actors.

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<sup>1</sup> The information gathered for this report is from NGO fact-finding and reports, supplemented by country reports, journal articles, and news articles, as well as the first-hand accounts of asylum-seekers who have fled Cameroon.

**I. Cameroon has not repealed Article 347-1 of the Penal Code, which criminalizes consensual relations between same-sex adults and leads to arbitrary arrests and detentions, and the law on cybercrimes exacerbates the risk of such human rights violations. (Concluding Observations Paragraph 44(a))**

8. Article 347-1 of the Cameroon Penal Code remains in effect and continues to criminalize same-sex sexual acts between consenting adults. Under Article 347-1, consensual same-sex sexual activity is illegal and punishable by a prison sentence of six months to five years and a fine ranging from 20,000 to 200,000 CFA francs.<sup>2</sup>
9. In 2017, the Committee Against Torture recommended that Cameroonian authorities “[r]epeal article 347-1 of the Criminal Code criminalizing consensual relations between same-sex adults and, in the interim, declare a moratorium on its enforcement.”<sup>3</sup>
10. Alternatives-Cameroun<sup>4</sup> reported 27 arbitrary arrests based on sexual orientation in 2019 alone, as well as over one thousand incidents of violence and discrimination based on sexual orientation.<sup>5</sup> Cameroonian human rights organizations documented arrests of at least 25 men and at least two women on homosexuality charges in the first half of 2018.<sup>6</sup> Humanity First Cameroon and Alternatives-Cameroun documented 578 cases of human rights abuses related to homosexuality in 2017, including 27 arbitrary arrests.<sup>7</sup>
11. Cameroon’s rate of enforcement of punitive laws targeting the LGBT community is among the highest in the world.<sup>8</sup> Over the past few years, authorities have brought charges against scores of LGBTI people under Article 347-1.<sup>9</sup> Many arrests are based on nothing other than mere assumptions concerning one’s sexual orientation and gender identity, based on factors such as physical appearance.<sup>10</sup>
12. LGBTI persons are routinely subject to arbitrary arrests. For example, Humanity First-Cameroon reported that in 2017, eight men were arrested on suspicion that they were homosexuals.<sup>11</sup> In April 2018, police arrested 23 men on suspicion of being gay. In May 2020, a police squad raided a celebration held to recognize progress in international LGBTI

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<sup>2</sup> Penal Code of Cameroon, art. 347-1 (Cm.), <https://www.wipo.int/edocs/lexdocs/laws/en/cm/cm014en.pdf>.

<sup>3</sup> Committee Against Torture, *Concluding observations on the fifth periodic report of Cameroon*, (18 Dec. 2017), U.N. Doc. CAT/C/CMR/CO/5, ¶ 44(a).

<sup>4</sup> Alternatives-Cameroun is a Cameroon-based organization focused on freedom, tolerance and respect for marginalized people. Established in 2006, Alternatives-Cameroun developed and offers a comprehensive wellness model for meeting the needs of persons with HIV. Alternatives-Cameroun’s Access Center is a holistic care center open to anyone living with or without HIV, especially for LGBT persons.

<sup>5</sup> Humanity First-Cameroon & Alternatives Cameroon, “Guilty Silence: Violence and rights violations based on sexual orientation, gender identity and gender expression in Cameroon,” 2019, <https://rightsafrika.com/wp-content/uploads/2020/05/ANNUAL-REPORT-2010-ON-VIOLENCE-AGAINST-MSG-IN-CAMEROON.pdf>.

<sup>6</sup> Human Rights Watch, *World Report 2019: Rights Trends in Cameroon*, by Kenneth Roth, Jan. 2019, [www.hrw.org/world-report/2019/country-chapters/cameroon#e81181](http://www.hrw.org/world-report/2019/country-chapters/cameroon#e81181).

<sup>7</sup> Human Dignity Trust, “Cameroon,” [www.humandignitytrust.org/country-profile/cameroon/](http://www.humandignitytrust.org/country-profile/cameroon/).

<sup>8</sup> OSAC, “Cameroon 2019 Crime & Safety Report,”

[www.osac.gov/Country/Cameroon/Content/Detail/Report/b1678858-8009-43c5-9c7b-160eea6972d9](http://www.osac.gov/Country/Cameroon/Content/Detail/Report/b1678858-8009-43c5-9c7b-160eea6972d9).

<sup>9</sup> OSAC, “Cameroon 2019 Crime & Safety Report,”

[www.osac.gov/Country/Cameroon/Content/Detail/Report/b1678858-8009-43c5-9c7b-160eea6972d9](http://www.osac.gov/Country/Cameroon/Content/Detail/Report/b1678858-8009-43c5-9c7b-160eea6972d9).

<sup>10</sup> U.S. Department of State, “Cameroon 2018 Human Rights Report,” <https://www.state.gov/wp-content/uploads/2019/03/Cameroon-2018.pdf>.

<sup>11</sup> *Violences et Violations des Droits Commises à l’Encontre des Personnes LGBTIQ au Cameroun : Rapport Annuel 2017*, Alternatives Cameroun & Humanity First Cameroon.

rights—accusing attendees of promoting homosexuality and violating COVID-19 public health regulations. Among the 50 individuals arrested were gay men, trans women, lesbians, and a number of minors.<sup>12</sup>

13. Most arrests and prosecutions are based on suspicion rather than evidence. The February 2019 joint report<sup>13</sup> states that “prosecution is regularly based on a neighbor’s or stranger’s information, [and] stereotypes such as clothing and conduct are included as evidence of the charge of homosexual acts.”<sup>14</sup> Dozens of Cameroonians serve time in prison solely because they are suspected of being gay or lesbian. Police in Cameroon claim that Article 347-1 of the Penal Code exists for the purpose of punishing people who engage in same-sex conduct in public. However, the four organizations (Alternatives-Cameroun, Association for the Defense of Gays and Lesbians, the Cameroon Foundation for AIDS and Human Rights Watch), are not aware of a single case in which a suspect was caught having sex in public. For most “homosexuality” arrests, law enforcement officials rely heavily on confessions, often extracted through torture and ill-treatment.
14. Moreover, “weekend arrests” of LGBTI people, or people perceived as LGBTI, are common in Cameroon. For example, in the town of Yaoundé, two brigades are notorious for carrying out arbitrary arrests and detaining victims for days with the aim of extorting “large sums of money.”<sup>15</sup>
15. Article 83<sup>16</sup> of the 2010 law on cybercrimes and cyber security makes it illegal for a person to make “sexual propositions to another person of the same sex” by electronic communications. Violators are subject to imprisonment and/or fines, and those penalties double if those propositions are followed by sexual relations.<sup>17</sup>
16. This law violates the right to privacy and provides an additional basis for law enforcement to target LGBTI persons for arbitrary arrest and detention. Moreover, the law invites anti-LGBTI vigilantes to engage in entrapment of unsuspecting members of the LGBTI community.

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<sup>12</sup> Rights Africa, “LGBTI in Cameroon: 50 arrested on Covid-19 charges,” May 25, 2020, <https://rightsafrica.com/2020/05/25/lgbti-in-cameroon-50-arrested-on-covid-19-charges/>.

<sup>13</sup> Rapport de la société civile au Comité des droits de l’homme, Examen du 5<sup>e</sup> rapport du Cameroun, Oct. 2017, [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/CMR/INT\\_CCPR\\_CSS\\_CM\\_29271\\_F.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/CMR/INT_CCPR_CSS_CM_29271_F.pdf).

<sup>14</sup> Immigration and Refugee Board of Canada, Responses to Information Requests, May 2019, <https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=457796>.

<sup>15</sup> The Independent Advisory Group on Country Information, “Country Policy and Information Note Cameroon: Sexual orientation and gender identity or expression,” 2020, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/865882/Cameroon\\_-\\_SOGIE\\_-\\_CPIN\\_-\\_v1.0\\_Final\\_Feb\\_20\\_Gov.uk.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/865882/Cameroon_-_SOGIE_-_CPIN_-_v1.0_Final_Feb_20_Gov.uk.pdf). See also Humanity First-Cameroon & Alternatives Cameroon et al., “The Violations of the Rights of Lesbian, Gay, Bisexual, and Transgender (LGBT) Individuals in Cameroon,” 2017, [https://www.ecoi.net/en/file/local/1411429/1930\\_1507721874\\_int-ccpr-css-cmr-29079-e.pdf](https://www.ecoi.net/en/file/local/1411429/1930_1507721874_int-ccpr-css-cmr-29079-e.pdf).

<sup>16</sup> Cyber Security and Cyber Criminality in Cameroon, Law No. 2010/012 of 21st December, 2010.

<sup>17</sup> “Chapter 23: Heretical Falsification and the Challenge of Theorizing LGBT Politics from the South.” The Oxford Handbook of Global LGBT and Sexual Diversity Politics, by Michael J. Bosia et al., Oxford University Press, 2020, p. 367.

17. **Suggested questions** relating to Article 347-1 of the Penal Code and the law on cybercrimes:

- What, if any, concrete steps is the State Party taking to repeal Article 347-1 and decriminalize consensual sexual relations between adults of the same sex?
- How many people have been arrested under Article 347-1 from 2017 to present? For each arrest, what evidence did law enforcement or prosecutors obtain prior to arrest to form the basis for the charge? How many have been prosecuted? How many have been convicted? How many charges under those laws have been dismissed? How does the government collect and maintain these data?
- What are the evidentiary standards for establishing grounds to arrest a person under Article 347-1? To what extent have those standards been met for arrests of actual or perceived LGBT persons? What safeguards are in place to ensure that those standards are met for every arrest and to hold accountable law enforcement officers who make arrests that do not satisfy these standards?
- What measures has the State Party taken to ensure that law enforcement officials do not arrest people merely because their conduct or appearance does not conform to traditional gender stereotypes? What, if any, sanctions are imposed on law enforcement officials who arrest people based merely on their actual or perceived gender identity and sexual orientation? What remedies are provided to individuals who are arbitrarily detained or arrested based on their conduct or appearance?
- Please provide details of the use of Article 83 of the 2010 law on cybercrimes and cyber security, including all arrests, charges, prosecutions, and convictions under that provision. For each case, please provide the factual basis for the arrest and charge, the evidence adduced at trial, and the penalty imposed, if any.
- What measures is the State Party taking to ensure that individuals are not subject to arbitrary arrest or detention, torture, or other forms of ill-treatment for communicating electronically with someone of the same sex?

**II. Cameroon fails to adequately protect LGBT persons—and the human rights defenders who provide them with assistance—against violence, harassment, “corrective rape,” and murder, especially in places of detention. (Concluding Observations Paragraph 44(b))**

18. In its 2017 Concluding Observations, the Committee recommended that Cameroonian authorities “[t]ake all necessary steps to protect LGBT persons, especially in places of detention, and the human rights defenders who provide them with assistance.”<sup>18</sup>
19. In 2019 alone, Alternatives-Cameroun reported 1,380 cases of violence against LGBT individuals, including 25 cases of arbitrary detention, 656 cases of psychological violence, 19 cases of sexual violence (including 12 cases of “corrective rape”), 191 cases of physical

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<sup>18</sup> Committee Against Torture, Concluding observations on the fifth periodic report of Cameroon, UN Doc. CAT/C/CMR/CO/5, ¶ 44(b) (18 Dec. 2017).

violence, and 249 cases of blackmail and extortion in Cameroon.<sup>19</sup> According to Humanity First Cameroon, an LGBT umbrella organization, as of 2018, 1 in 5 lesbians and 1 in 10 gay men reported that they had been raped.<sup>20</sup>

20. UNAIDS reports there is an increasing level of violence and abuse against LGBT individuals since the start of the COVID-19 pandemic.<sup>21</sup> Alternatives Cameroon confirms these reports. One court case was suspended due to the COVID-19 pandemic. And from April 2020 onward, law enforcement officers have been less responsive to reports of violence targeting the LGBT community. Moreover, since the start of the pandemic, more members of the LGBT community have missed appointments for HIV treatment.
21. LGBT persons who are arrested under Article 347-1 often face torture and other forms of ill-treatment at the hands of law enforcement and prison officials. Some are subjected to forced anal examinations.<sup>22</sup> One client of The Advocates and two of his friends were arrested by plainclothes officers in 2012 based on allegations that they had engaged in sexual activities together. Police made similar charges against him in 2014, and again in 2018 for “promoting homosexuality.” In 2018, he spent a week in jail during which he was tortured, made to sleep on the ground in only his underwear, and was electrocuted.<sup>23</sup>
22. LGBT persons are victims of extortion and threats. In addition to physical violence, as described above, suspected members of the LGBT community often receive threats in person and by phone, text, and email. Police and civilians frequently try to extort money from presumed LGBT individuals with threats of exposure and/or arrest.<sup>24</sup> For example, on April 5, 2018, “Michael,” a young man living in Kumbo, invited a man to his home after a long exchange with him on social media. When the man arrived at Michael’s house, he asked if they could watch pornographic videos together. When Michael started to play a video, the man immediately demanded money from Michael with a menacing tone. After Michael refused to pay, the man began to cry out and alert the whole neighborhood. The neighbors rushed to the scene, and the man told them that Michael wanted to rape him and that Michael had homosexual pornographic movies. Michael’s landlord then called the police. When the police arrived at the scene, they arrested Michael and detained him for

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<sup>19</sup> Humanity First-Cameroon & Alternatives Cameroun, “Guilty Silence: Violence and rights violations based on sexual orientation, gender identity and gender expression in Cameroon,” 2019, <https://rightsafrika.com/wp-content/uploads/2020/05/ANNUAL-REPORT-2010-ON-VIOLENCE-AGAINST-MSG-IN-CAMEROON.pdf>.

<sup>20</sup> Reuters, “Lesbian ‘Witches’ Chained and Raped by Families in Cameroon,” Oct. 2018, [www.reuters.com/article/us-cameroon-lgbt-rape/lesbian-witches-chained-and-raped-by-families-in-cameroon-idUSKCN1MC001](http://www.reuters.com/article/us-cameroon-lgbt-rape/lesbian-witches-chained-and-raped-by-families-in-cameroon-idUSKCN1MC001).

<sup>21</sup> UNAIDS, “UNAIDS calls on governments to stop arbitrary and discriminatory arrests of LGBTI people and to protect their human rights,” May 2020, [https://www.unaids.org/en/resources/presscentre/pressreleaseandstatementarchive/2020/may/20200517\\_IDAHOT](https://www.unaids.org/en/resources/presscentre/pressreleaseandstatementarchive/2020/may/20200517_IDAHOT).

<sup>22</sup> Rights Africa, “LGBTI in Cameroon: 50 arrested on Covid-19 charges,” May 25, 2020, <https://rightsafrika.com/2020/05/25/lgbti-in-cameroon-50-arrested-on-covid-19-charges/>.

<sup>23</sup> Interviews conducted by The Advocates (2015-2020).

<sup>24</sup> OSAC, “Cameroon 2019 Crime & Safety Report,” 2019, [www.osac.gov/Country/Cameroon/Content/Detail/Report/b1678858-8009-43c5-9c7b-160eea6972d9](http://www.osac.gov/Country/Cameroon/Content/Detail/Report/b1678858-8009-43c5-9c7b-160eea6972d9). See also U.S. Dep’t of State, “Cameroon 2018 Human Rights Report,” 2018, <https://www.state.gov/wp-content/uploads/2019/03/Cameroon-2018.pdf>.

four days at the police station. He was released after paying 80,000 FCA Francs. Michael's landlord asked him to leave his home.<sup>25</sup>

23. Similarly, "Ignatius" met someone online and agreed to meet at his home for a date one evening. During the visit, the men agreed to have sex. Shortly afterward a group of people forced their way into the room accusing Ignatius of drawing their brother into homosexuality. They then beat Ignatius up, took his phone, and compelled him to disclose his bank account information to drain his account. The group called Ignatius' contacts, demanding a ransom for his release, and only freed him once the ransom was paid.<sup>26</sup>
24. Homophobic vigilantes engage in torture and murder. For example, Lesly Jordan, a young man reportedly with a relatively feminine physique, was the subject of homophobic remarks and attacks by his neighbors. On October 26, 2018, Lesly was attacked by a group of people who said that they were going to kill him because they did not want any gays in their neighborhood. They stabbed him as onlookers observed. Lesly later died from his injuries.<sup>27</sup>
25. "Moumi" was a 19-year-old student living in Bertoua. On March 20, 2017, after having left an educational session where he received preventive and contraceptive materials (lubricating gel and condoms), Moumi was intercepted by a group of young men, who beat him and brought him to the Commissioner of Police. They told the officers that they had a gay person who was walking around with lubricants. When Moumi was released from prison, he was disowned and chased out of his home. Moumi now lives on the streets of Bertoua and has since stopped his studies.<sup>28</sup>
26. One lesbian client and her partner were discovered having sex in a shop she owned. A crowd of people gathered and began attacking the couple. One person cut her on the leg and the arm. Church elders reported the couple to the police a few years later and they were detained. One officer told her our client's partner that he would let them go if she had sex with him. When she refused, he threatened to kill them both. Her partner was taken to a different room in the station, and our client never saw her again and never learned what became of her. One of the officers hit our client so hard in the breast with his fist that she passed out. This injury led to a liquid-filled lump that she is still dealing with.<sup>29</sup>
27. Lesbians and transgender persons are particularly likely to face threats and physical violence in public places, especially when visiting public spaces such as markets and clubs and when using transportation services. On April 15, 2018, a 23-year-old transgender woman went to the market with her transgender friends. After making their purchases and riding in a taxi on their trip home, the taxi driver decided to drop them off before their destination under the pretext that they did not have any change. Once the group exited the

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<sup>25</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives Cameroun & Humanity First Cameroon.

<sup>26</sup> Humanity First-Cameroon & Alternatives Cameroon, "Guilty Silence: Violence and rights violations based on sexual orientation, gender identity and gender expression in Cameroon," 2019, <https://rightsafrika.com/wp-content/uploads/2020/05/ANNUAL-REPORT-2010-ON-VIOLENCE-AGAINST-MSG-IN-CAMEROON.pdf>.

<sup>27</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives Cameroun & Humanity First Cameroon.

<sup>28</sup> Violences et Violations des Droits Commises à l'Encontre des Personnes LGBTIQ au Cameroun : Rapport Annuel 2017, Alternatives Cameroun & Humanity First Cameroon.

<sup>29</sup> Interviews conducted by The Advocates (2015-2020).

taxi, the taxi driver said, “God, what bad luck to have in my taxi,” leaving them in a public space. As the taxi driver drove away, he shouted, “Gays like that are unlucky!” Bystanders and passersby started cursing at the group of transgender friends. A crowd of people surrounded the group, started beating them with sticks, and tried to undress them.<sup>30</sup>

28. “Augustine” and “Estelle” lived in an apartment together in Yaoundé. On June 11, 2018 the electricity in their apartment was cut. When they asked the building manager why the electricity was cut, he told them that he did not want any lesbians living there and that they had to leave or would be kicked out. The manager used an iron bar to break down the door of the apartment, pulled Estelle outside and started to hit her. The young women suffered wounds, fractures, and other injuries before their neighbors intervened.<sup>31</sup>
29. Sexual violence targeting LGBT individuals is manifold in Cameroon. It is increasingly recurrent in the lesbian community and is also rising in the gay community.<sup>32</sup> For instance, “Vincent” was invited to his teacher’s home under the pretense that the teacher would help him with his studies. The teacher offered him food and drink, and when Vincent got drunk, the teacher raped him. The rapist ordered Vincent to stay quiet and threatened to have him expelled from school. This experience strongly affected Vincent’s mental health and he did not attend school for a prolonged period of time.<sup>33</sup>
30. Stigma and discrimination imperil LGBT persons’ economic, social, and cultural rights. On August 18, 2018, a young gay man named “Ambroise” from Yaoundé was the victim of an abusive termination of a rental contract because of suspicions about his sexual orientation by his neighbors. Ambroise’s neighbors complained that they saw young men visiting Ambroise and that they had heard male groans during the night. Ambroise’s landlord demanded that Ambroise leave immediately, refused to refund his security deposit and threatened to alert the police. Immediately after this confrontation, the neighbors and the landlord started throwing Ambroise’s personal belongings onto the street at 5:30 in the morning.<sup>34</sup> Ambroise is one of many individuals who have faced unstable housing conditions on account of their sexual or gender identities.<sup>35</sup>
31. In August 2015, Cameroon’s fastest-ever hurdler, Thierry Essamba, was banned from the national team because of his sexual orientation. Previously, in 2014, Cameroon Athletics

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<sup>30</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives Cameroun & Humanity First Cameroon.

<sup>31</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives Cameroun & Humanity First Cameroon.

<sup>32</sup> Humanity First-Cameroon & Alternatives Cameroun, “Guilty Silence: Violence and rights violations based on sexual orientation, gender identity and gender expression in Cameroon,” 2019, <https://rightsafrika.com/wp-content/uploads/2020/05/ANNUAL-REPORT-2010-ON-VIOLENCE-AGAINST-MSG-IN-CAMEROON.pdf>.

<sup>33</sup> Humanity First-Cameroon & Alternatives Cameroun, “Guilty Silence: Violence and rights violations based on sexual orientation, gender identity and gender expression in Cameroon,” 2019, <https://rightsafrika.com/wp-content/uploads/2020/05/ANNUAL-REPORT-2010-ON-VIOLENCE-AGAINST-MSG-IN-CAMEROON.pdf>.

<sup>34</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives Cameroun & Humanity First Cameroon.

<sup>35</sup> Rights Africa, “Cameroon family evicts trans daughter who loves men,” Feb. 26, 2020, (“In October 2019, [‘Nini’] was kicked out of the family home in Yaoundé by her mother after the family realized her gender identity. She pleaded to be allowed to come home, but all doors were closed to her. Her family stopped paying her university tuition.”). (“In October 2019, [‘Nini’] was kicked out of the family home in Yaoundé by her mother after the family realized her gender identity. She pleaded to be allowed to come home, but all doors were closed to her. Her family stopped paying her university tuition.”).

Federation National Technical Director Michel Nkolo announced before an audience of more than 1,000 athletes and coaches that the federation was suspending Thierry due to rumors that he was homosexual. Thierry's parents reportedly expelled him from their family home after the suspension.<sup>36</sup>

32. Health care personnel subject LGBT persons to degrading treatment by discriminating against them and refuse to provide health care to those who they suspect are members of the LGBT community. For example, "Karl" is a 25-year-old gay man. In 2018, Karl was refused medical care at the central hospital in Yaoundé because the nurse who triaged him knew that he was suffering from anal tears. The nurse told him that the doctor was available only for sick people and not for homosexuals.<sup>37</sup> Similarly, when a lesbian woman escaped a brutal group attack with a deep knife cut on her leg, a doctor refused treatment because she was a lesbian.<sup>38</sup>
33. "Grâce" is a 24-year-old woman. In 2017, Grâce became very sick and went to the hospital in Bonasama alone, wearing her typical masculine clothing. Although she was very ill, no nurse would take care of her when she arrived at the hospital. Grâce approached a nurse to request assistance. The nurse then told Grâce that she did not take care of lesbians. Grâce was finally taken care of only after her father arrived.<sup>39</sup>
34. Government officials have subjected LGBT persons to degrading treatment by refusing to issue identification documents to, or otherwise withheld such documents from, LGBT persons, on grounds that their physical appearances do not align with their names on their birth certificates. In 2017, numerous LGBT persons had difficulty accessing birth registration and other identification documents. Officials at identification units refused to issue identification cards to persons whose physical characteristics were not consistent with their birth certificate.<sup>40</sup> Without government-issued identification, a person cannot leave the country and is vulnerable to many other human rights violations.
35. Human rights defenders experience discrimination, threats, hate crimes, arbitrary arrests, and government harassment and surveillance. Human rights defenders who support the rights of LGBT people are frequently attacked for opposing homophobia and LGBT discrimination. The International Federation for Human Rights reported in January 2015 that LGBT activists in Cameroon are "regularly threatened by anonymous messages via SMS or Facebook."<sup>41</sup> Cameroonian police frequently fail to assist human rights defenders who face threats and harassment. Cameroonian police also fail to respond to requests for protection from lawyers who represent LGBT people.<sup>42</sup>

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<sup>36</sup> Erasing 76 Crimes, "Gay in Cameroon: National Team Bans Fastest-Ever Hurdler," 15 Sept. 2015, [www.76crimes.com/2015/09/15/gay-in-cameroon-national-team-bans-fastest-ever-hurdler/](http://www.76crimes.com/2015/09/15/gay-in-cameroon-national-team-bans-fastest-ever-hurdler/).

<sup>37</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives Cameroun & Humanity First Cameroon.

<sup>38</sup> Interviews conducted by The Advocates (2015-2020).

<sup>39</sup> Violences et Violations des Droits Commises à 'Encontre des Personnes LGBTIQ au Cameroun: Rapport Annuel 2017, Alternatives Cameroun & Humanity First Cameroon.

<sup>40</sup> Human Dignity Trust, "Cameroon," [www.humandignitytrust.org/country-profile/cameroon/](http://www.humandignitytrust.org/country-profile/cameroon/).

<sup>41</sup> Oberti, Charlotte, "LGBT Activists in Cameroon Face Threats and Violence," France 24, Feb. 2015, [www.france24.com/en/20150224-cameroon-lgbt-activists-face-threats-violence](http://www.france24.com/en/20150224-cameroon-lgbt-activists-face-threats-violence).

<sup>42</sup> Human Dignity Trust, "Cameroon," [www.humandignitytrust.org/country-profile/cameroon/](http://www.humandignitytrust.org/country-profile/cameroon/).

36. LGBT advocates are also subject to arbitrary arrest and rampant ill-treatment in detention. In April 2018, for example, police arrested five activists at the office of Avenir Jeune de l'Ouest (AJO), a non-governmental organization that provides HIV education for men who have sex with men. The five activists were arrested on false homosexuality charges. They spent a week in a single cell without sanitary facilities or beds before they were released.<sup>43</sup> Relatedly, one human rights defender was arrested and imprisoned on account of his work with an LGBTI rights organization on two occasions. During the first incident, he was tied up and beaten for six days and deprived of food and water. After three days, he was given dirty water and unidentifiable food.<sup>44</sup>
37. **Suggested questions** for the Government of Cameroon relating to protecting LGBT people and their advocates from violence, harassment, “corrective rape,” and murder:
- How is the government ensuring that victims of gender-based sexual violence can safely report violence or harassment?
  - What measures has the State taken to prevent and condemn acts of violence toward actual and perceived LGBT persons? What measures has the State taken to investigate such violent acts and hold perpetrators accountable?
  - What efforts will the State undertake to promote changes in cultural and societal attitudes toward LGBT people?
  - What measures has the State taken to ensure the safety and security of human rights defenders who work on LGBT issues? How can human rights defenders obtain protection from the government when they face threats and harassment? What kind of protection will the government provide? What measures has the State taken to deter future efforts to intimidate and harass human rights defenders who work on LGBT issues?
  - What efforts has the State taken to ensure that health care providers do not discriminate against sexual minorities and that such patients feel comfortable disclosing information to their providers without fear of harassment or stigmatization?
  - What protocols are in place at identification units to ensure that LGBT individuals are not denied identification documents because of their gender and sexual-orientation? Are officials sanctioned for refusing to issue identification documents to LGBT people?
  - What procedures are in place to ensure that intersex persons are able to obtain accurate identification documents, including birth certificates, without harassment or other obstacles? What steps has the State Party taken to investigate allegations that intersex individuals are encountering harassment in attempting to obtain official identity documents?

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<sup>43</sup> International Federation for Human Rights, “Cameroon: Arrest and Arbitrary Detention of Five Members of the Association Avenir Jeune De L’Ouest (AJO),” 2018, [www.fidh.org/en/issues/human-rights-defenders/cameroon-arrest-and-arbitrary-detention-of-five-members-of-the](http://www.fidh.org/en/issues/human-rights-defenders/cameroon-arrest-and-arbitrary-detention-of-five-members-of-the).

<sup>44</sup> Interviews conducted by The Advocates (2015-2020).

### **III. Authorities do not promptly, thoroughly, or impartially investigate allegations of human rights violations on grounds of sexual orientation or gender identity, including acts of torture, ill-treatment, and “corrective rape.” (Concluding Observations Paragraphs 24, 44(c))**

38. In its 2017 Concluding Observations, the Committee recommended that the Government of Cameroon “[e]nsure that all reported acts of torture or ill-treatment are investigated promptly and impartially by an independent body,”<sup>45</sup> and specifically recommended that the Government of Cameroon “[e]nsure that allegations of violations on grounds of sexual orientation or gender identity, including acts of torture, ill-treatment and “corrective rape,” are investigated promptly, thoroughly, and impartially.”<sup>46</sup>
39. Despite this recommendation, police and gendarmes, as well as vigilante groups, subject LGBT persons to torture and ill-treatment with impunity. Police routinely fail to intervene during vigilante attacks, and acts of violence targeting LGBT persons are not investigated or prosecuted thoroughly.<sup>47</sup> State officials at all levels foster the societal attitudes that contribute to such violence.
40. Security forces harass individuals on the basis of their actual or perceived sexual orientation or gender identity. For example, in 2018, a police officer confronted a cross-dresser in northwest Cameroon, harassed him because of his perceived sexuality orientation, insulted him and then bludgeoned him when the man remained silent. The officer slapped him twice, punched him in the face and began beating him with his nightstick. He called for help, but no one came to rescue him. Blows from the nightstick left him with extensive injuries, including a broken arm.<sup>48</sup>
41. LGBT persons who are arrested face torture and other forms of ill-treatment at the hands of law enforcement and prison officials, who enjoy impunity. On the night of May 13, 2018, for example, eighteen men were arrested in a video club in Yaoundé and seven others at a cabaret. Those from the video club were accused of being homosexual because they were looking at pornographic movies, and those at the cabaret were accused of being homosexual because they were dancing together. The eighteen men were taken to police headquarters and charged with homosexuality. All the men were threatened and stripped of their personal property, which included their money, computers, tablets, and cell phones. They spent five days in detention. Some were made to reveal their HIV status to the police, who then forced them to divulge their HIV status and alleged sexual orientation to their relatives. All were ultimately released, but no one was able to recover the personal property taken from them during their arrests.<sup>49</sup>
42. Cases of violence, harassment, “corrective rape” and murder against the LGBT community are not subject to adequate investigation and the latter often fear reporting crimes against them to the police. Lesbians and transgender men are particularly vulnerable and face

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<sup>45</sup> Committee Against Torture, Concluding observations on the fifth periodic report of Cameroon, UN Doc. CAT/C/CMR/CO/5, ¶ 24 (18 Dec. 2017).

<sup>46</sup> *Id.* ¶ 44(c).

<sup>47</sup> Human Dignity Trust, [www.humandignitytrust.org/country-profile/cameroon/](http://www.humandignitytrust.org/country-profile/cameroon/).

<sup>48</sup> Erasing 76 Crimes ”Police bludgeon Cameroon cross-dresser for staying silent,” Sept. 2008, <https://76crimes.com/2018/09/25/police-bludgeon-cameroon-cross-dresser-for-staying-silent/>.

<sup>49</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives-Cameroun & Humanity First Cameroon.

torture and other forms of violence, often aimed at eliminating their sexual orientation, including so-called “corrective rape.” For example, in 2018, “Marina,” an 18-year-old woman deemed a lesbian “witch,” was chained and raped by her husband in Yaoundé. Marina’s family beat and lashed her after finding explicit text messages between Marina and her girlfriend and forced her to marry a local pastor. Marina’s aunt and brothers took her to the local witch doctor who forced her to drink chicken blood and inserted hot peppers into her anus as part of a “cleansing ritual.”<sup>50</sup>

43. In October 2018, Reuters reported cases of family violence against lesbian women who were chained and raped after their families found out about their sexuality.<sup>51</sup> Authorities have not held perpetrators accountable, and victims continue to live in fear.
44. Sexual minorities are afraid to go to the police because once their sexual orientation is known they are at risk of abuse or extortion by police officers. The police are reportedly unresponsive to LGBT persons’ requests for assistance and fail to intervene and investigate or prosecute acts of violence targeting LGBT persons. Kenfack Tobi Aubin Parfait, a 20-year-old resident of Douala, was beaten to death by his older brother who thought he was gay. On August 12, 2018, Tobi’s oldest brother asked him whether he was gay. When Tobi remained silent, his older brother started to beat him in the presence of his older sister who watched the scene without saying a word. Tobi’s mother was not present. After viciously beating Tobi, Tobi’s older brother realized that Tobi was dead and fled the scene. The police arrived and arrested Tobi’s sister for not helping a person in danger. She was released several days later. Any charges against the older brother seem to have been dropped. The police did nothing to follow up on or investigate the crime. It is reported that the local community, and even Tobi’s mother, considered the crime justified. Tobi was buried in a secret burial.<sup>52</sup>
45. Violence and crimes against sexual minorities are often not investigated because the victims fear reporting them to the police.<sup>53</sup> A client of the Advocates, for example, was beaten and raped multiple times by citizens against homosexuality in 2014 but chose not to report the incident because she believed that she would be abused by the authorities and the police. She was later beaten and raped by officers of the military in 2016. Officers murdered her girlfriend during that same 2016 incident.<sup>54</sup> The perpetrators have never been held accountable.
46. Authorities do not hold accountable private persons who subject people to torture and ill-treatment on account of sexual orientation or gender identity. One client, for instance, volunteered with an LGBTI rights organization. He and his wife were asleep at home when they were blindfolded, tied up, assaulted, and raped by several men. The men told him that if he did not stop his work in support of LGBT issues, he would be killed.<sup>55</sup> Authorities

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<sup>50</sup> Reuters, “Lesbian ‘witches’ chained and raped by families in Cameroon,” Oct. 2018, [www.reuters.com/article/us-cameroon-lgbt-rape/lesbian-witches-chained-and-raped-by-families-in-cameroon-idUSKCN1MC001](http://www.reuters.com/article/us-cameroon-lgbt-rape/lesbian-witches-chained-and-raped-by-families-in-cameroon-idUSKCN1MC001).

<sup>51</sup> Reuters, “Lesbian ‘witches’ chained and raped by families in Cameroon,” Oct. 2018, <https://news.trust.org/item/20181002000143-ck5yb>.

<sup>52</sup> Rapport Annuel des Violences et Violations Faites aux Minorités Sexuelles et de Genre au Cameroun, 2018, Alternatives-Cameroun & Humanity First Cameroon.

<sup>53</sup> Immigration and Refugee Board of Canada, Responses to Information Requests, May 2019, <https://irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=457796>.

<sup>54</sup> Interviews conducted by The Advocates (2015-2020).

<sup>55</sup> Interviews conducted by The Advocates (2015-2020).

have done nothing to address this conduct. Attendees of a global health workshop were also subject to discriminatory treatment when hotel staff members discovered gay men were attending the workshop. Hotel staff stopped replacing towels in the rooms and reduced the quality of their meals.<sup>56</sup>

47. LGBT persons in the South West and North West regions are particularly vulnerable to human rights violations by government security forces, which act with impunity. In the South West and North West, government security forces have committed extrajudicial executions, burned property, carried out arbitrary arrests, and tortured detainees. Furthermore, “while the government maintained that it did not tolerate serious crimes committed by security forces, it failed to demonstrate progress in investigating and punishing them.”<sup>57</sup>
48. By failing to investigate adequately and promptly acts of discrimination on grounds of sexual orientation or gender identity, the Government refuses to protect and support LGBT people. By not taking comprehensive and specific measures preventing violence, torture, murder, rape and other acts of cruel and inhuman treatment towards the LGBT community, the Government contributes to such violence and persecution. It is important to develop and implement within civil society organizations a comprehensive training program for law enforcement officials and prison authorities in order to avoid the arbitrary detention and ill-treatment of LGBT persons.
49. **Suggested questions** for the government of Cameroon related to accountability for violence against LGBT people:
  - What measures has the State taken to investigate acts of violence against LGBT persons and to hold perpetrators accountable?
  - What measures has the State taken to prevent, investigate, and prosecute sexual orientation-based violence, including sexual violence and “corrective rape” of lesbians and transgender persons?
  - What steps do investigators and law enforcement officers take to ensure that LGBT individuals are protected from discrimination, harassment, and extortion based on allegations that they are sexual minorities?
  - What efforts has the State Party undertaken to encourage people to report torture and ill-treatment on account of their sexual orientation or gender identity and to protect victims who make such reports from reprisals?

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<sup>56</sup> “Rapport 2016 Sur Les Droits De L’homme - Cameroun,” Ambassade Des États-Unis Au Cameroun, 2016, [www.cm.usembassy.gov/fr/our-relationship-fr/official-reports-fr/rapport2016droitshommecm/](http://www.cm.usembassy.gov/fr/our-relationship-fr/official-reports-fr/rapport2016droitshommecm/).

<sup>57</sup> Human Rights Watch, “World Report 2019: Rights Trends in Cameroon,” by Roth Kenneth, Jan. 2019, [www.hrw.org/world-report/2019/country-chapters/cameroon#e81181](http://www.hrw.org/world-report/2019/country-chapters/cameroon#e81181).