

Immigration and Refugee Board of Canada

[Home](#)[> Research Program](#)[> Responses to Information Requests](#)

Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca.

24 November 2014

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Cameroon: Dowries in forced and arranged marriages, including whether they may be refunded; the role of the state in the payment of dowries, in particular, that of the Ministry of Finance; whether a document exists that takes into account the details of the dowry (2011-November 2014)

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1. Dowries in Cameroon

According to sources, there are three types of marriages in Cameroon: civil, traditional/customary and religious marriages (Cameroon 17 Nov. 2014; Professor 11 Nov. 2014). Sources state that the practice of giving dowries in Cameroon is customary (ibid.; Coordinator 15 Nov. 2014; VSO 2 July 2013).

In a report presented in 2009 to the United Nations Human Rights Committee to outline the status of its obligations under the International Covenant on Civil and Political Rights, the government of Cameroon explained that in order [Cameroon English version] "to marry validly under customary law, the man must pay some token (bride price) to the family of the bride" (Cameroon 11 May 2009, para. 60). According to *Encyclopedia Britannica*, in some cultures, particularly in Africa, bridewealth is a payment made in cash or goods by a groom to the kin of the bride [1] (3 May 2014). In correspondence sent to the Research Directorate, a postdoctoral researcher of the Free University of Amsterdam, who conducts research on women's rights in Cameroon, stated that "[t]here are a lot of differences in dowry payments, depending on the region and the village of origin of the respective spouses" (Postdoctoral Researcher 17 Nov. 2014). Similarly, in correspondence sent to the Research Directorate, the Executive Director of Reach Out Cameroon (REO), an NGO that is headquartered near Buea, the capital of the south-western region of Cameroon, and that focuses on women's rights (REO n.d.), explained that "practices vary from one region to the other or from one tribe to the other. Each one has its own code of conduct in matters of dowry" (Executive Director 12 Nov. 2014). Other sources also note the existence of a large number of ethnic groups in Cameroon, which have different traditional practices (Coordinator 15 Nov. 2014; Professor 10 Nov. 2014).

Several sources state that, according to traditional practices, a woman becomes the "property" of her husband once the dowry is paid (Cameroon 17 Nov. 2014; US 11 Mar. 2008, sect. 5; WIRA *et al.* [2009], 13, 45). Some sources add that a woman also becomes the property of her in-laws (VSO 2 July 2013; Cameroon 11 May 2009, para. 54). In correspondence sent to the Research Directorate, a representative of the Ministry of Women's Empowerment and the Family (ministère de la Promotion de la femme et de la Famille) of Cameroon, stated that a young woman is treated like a commodity in her family: they can force her into a marriage or arrange one for her with two or more suitors, and thus increase the amount of the bride price (Cameroon 17 Nov. 2014).

The representative of the Ministry stated that, "even if the marriage is ultimately dissolved informally through abandonment, or formally through a legal divorce, the woman remains the man's property if she does not refund the [brideprice]" (ibid.). Similarly, *Encyclopaedia Britannica* states that in cultures that practice this

form of bridewealth, a marriage is not considered to have ended if the bridewealth has not been returned (3 May 2014). The Ministry representative also gave the following example: if a woman were to remarry without refunding her bride price, her first husband would have property rights over the woman's corpse (upon her death), rather than her current husband (ibid.).

2. Refund or Return of the Dowry

Sources state that it is possible to refund or return dowries (Assistant Vice-President 20 Nov. 2014; Postdoctoral Researcher 17 Nov. 2014; Administrative Director 12 Nov. 2014). However, according to the Ministry representative, "there is no standard rule governing the return of bride price in the country," and "the circumstances vary according to the customs and tradition of the various independent communities or ethnic groups" (Cameroon 17 Nov. 2014).

In correspondence sent to the Research Directorate, the Assistant Vice-President of the International Federation of Women Lawyers for Cameroon (Fédération internationale des femmes juristes pour le Cameroun, FIDA Cameroon) stated that, "upon the termination of marriage for any reason the [bride price] must be refunded to the man; even if the man dies, the widow must refund the dowry to the family if she is not ready to re-marry one of the brothers of the deceased husband" (Assistant Vice-President 20 Nov. 2014). Similarly, speaking in particular about the north-western and south-western regions, the Executive Director stated that a widow may see herself forced to refund her bride price if she refuses to marry a member of her husband's family (Executive Director 12 Nov. 2014).

The Assistant Vice-President adds that, "in some parts of Cameroon where forced marriages are still practiced, any attempt at terminating the arrangement is by repayment of the [bride price] so far paid" (20 Nov. 2014).

According to the report of the government of Cameroon to the United Nations Human Rights Committee, [Cameroon English version]

[o]n divorce under some customary law, the totality of the bride price must be refunded to the husband notwithstanding the number of years the marriage subsisted, the number of children had during the marriage, and the services rendered to the husband by the wife during the duration of the marriage (Cameroon 11 May 2009, para. 60).

More specifically concerning the practices of the Bamiléké ethnicity, a professor of social demography and anthropology from Carleton College in Minnesota, who is researching reproductive health care in Cameroon, particularly among Bamiléké women, states in correspondence sent to the Research Directorate that bridewealth can be returned or refunded if a woman is infertile or if the couple divorces without having children, whether it was a forced or arranged marriage (Professor 11 Nov. 2014). However, she adds that the members of a bride's family will "often" discourage her from leaving her husband even if she is in an abusive situation, because it would cost them the bridewealth (Professor 11 Nov. 2014).

Similarly, the postdoctoral researcher states that, in general in Cameroon, although "in principle" it is possible to return a dowry,

[i]n practice, however, this is a difficult matter to implement as it usually requires the support of other family members, who are likely to disagree with a divorce. In the case of forced or arranged marriages, it is a lot less likely for a woman to be able to mobilise family support to be able to refund or return a dowry (17 Nov. 2014).

3. Role of the State

According to sources, the state does not play a role in the payment of dowries because they are customary and are not required in civil marriages (Coordinator 15 Nov. 2014; Postdoctoral Researcher 17 Nov. 2014; Professor 11 Nov. 2014). The postdoctoral researcher specifically stated that "the Ministry of Finance will most certainly *not* be aware of any such transfers of goods or money" as part of a dowry (17 Nov. 2014). In correspondence with the Research Directorate, the coordinator of the NGO Association to Combat Violence Against Women (Association de lutte contre les violences faites aux femmes, ALVF) [2] states that an [translation] "unreasonable dowry demand is punishable by law. Currently, it amounts to attempted fraud or a breach of trust" (Coordinator 15 Nov. 2014).

4. Dowry Document

The Ministry representative stated that, in Cameroon, no legal dowry document is provided, and explained that "dowry payment remains a private contract" (Cameroon 17 Nov. 2014). Similarly, the postdoctoral researcher and the ALVF coordinator both stated that no document is provided after a dowry is

given (Postdoctoral Researcher 17 Nov. 2014; Coordinator 15 Nov. 2014). The Assistant Vice-President added that, if the dowry were reimbursed by a third party, a receipt could be established to ensure the man could not subsequently take his ex-wife to court (Assistant Vice-President 20 Nov. 2014).

Some sources state however that lists of items demanded for the payment of a dowry exist (Executive Director 12 Nov. 2014; Cameroon 17 Nov. 2014). The Ministry representative explained that, in practice, [f]amilies work with lists of goods and money that constitute the [bride price]. These lists are kept by family heads of the couple, during the [bride price] payment and after the traditional marriage. Such lists are not given any legal status by the Notary-Public. Instead, it remains a secret...and can be examined usually when there is a misunderstanding or conflict (ibid.).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to the Professor, who had not seen a receipt of a list of goods and money that constitute the bridewealth, people remember the exchanges that led to such agreements and may document them by taking videos of the proceedings (Professor 11 Nov. 2014). According to the postdoctoral researcher, "customary marriage has a lot of weight and important[c]e, almost more than the civil ceremony. The strength of the witnesses and the dowry payment is mostly stronger than the strength of a document signed with the state" (Postdoctoral Researcher 17 Nov. 2014).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The French term *dot* refers to goods and a sum of money given by the family of either the bride or the husband to the other party; in English the term *dowry* is used to refer only to what is given to the husband's family, while *bride price* and *bridewealth* refer to what is given to the bride's family (Professor 11 Nov. 2014; *Encyclopaedia Britannica* 3 May 2014).

[2] Created in 1991, the ALVF seeks to promote [translation] "equitable social status" and "positive human values that take into account the difference between the two sexes," through its offices located in the Centre, Far North, Littoral and West regions of Cameroon (Juristes-Solidarités N.d.).

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Additional Sources Consulted

Oral sources: Attempts to contact the following people and organizations within the time constraints were unsuccessful: Cameroon – Direction générale des impôts, Direction générale du trésor, de la coopération financière et monétaire du ministère des Finances; coordonnateur de la Commission diocésaine Justice et Paix, Archidiocèse de Garoua; professeur de sociologie africaine, Université de Yaoundé; seven notaries in Douala, two notaries in Yaoundé and one notary in Mbalmayo.

Internet sites, including: AllAfrica; Association du notariat francophone; Belgium – Embassy of Belgium in Cameroon; *Cahiers d'études africaines*; *Cameroon Business Directory*; Cameroon – Direction générale des impôts, Direction générale du trésor, de la coopération financière et monétaire du ministère des Finances, présidence de la république, Services du premier ministre; CameroonianRoots; Cameroon-Info; Cameroon POSTline; Cameroun Guide GIE; Chambre nationale des notaires du Cameroun; Commission des affaires africaines de l'Union internationale du notariat; ecoi.net; France – Embassy of France in Yaoundé; Human Rights Watch; International Union of Notaries; Ireland – Refugee Documentation Centre; Koaci; Mboa News; *Les Pages jaunes Afrique*; Stanford University Libraries; United Kingdom – Home Office; United Nations – Integrated Regional Information Networks, Refworld, United Nations Populations Fund; United States – Embassy of the United States in Yaoundé; Université Sorbonne Nouvelle – Paris 3.

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[Top of Page](#)

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