Refugee Documentation Centre (Ireland)
LEGAL AID BOARD

Cameroon: Researched and compiled by the Refugee Documentation Centre of Ireland on 12 May 2010

Treatment of lesbians by society and the government in Cameroon?
Attitudes towards lesbians within the Bamileke ethnic group in particular, in Cameroon?
NGOs supporting lesbians in Cameroon?

The *US Department of State* reports:

> "Homosexual 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 ($40 to $400). Homosexual persons generally kept a low profile because of the pervasive societal stigma, discrimination, and harassment as well as the possibility of imprisonment.
>
> Authorities prosecuted at least two persons under this law during the year. Homosexual persons suffered from harassment and extortion by law enforcement officials. False allegations of homosexuality were used to harass enemies or to extort money.
>
> On September 14, the instructing magistrate of the Wouri High Court in Douala ordered the release of Yves Noe Ewane for lack of evidence, after he had spent four months in jail. The police arrested Ewane on May 4, and on May 19, the prosecutor placed him under pretrial detention on homosexuality charges.
>
> On November 10, the Douala police arrested Alain Nje Penda on homosexuality charges. He remained in jail awaiting trial at year's end.
>
> In 2007 the Bonanjo High Court refused to release six Douala men held in New Bell Prison on charges of homosexuality. In January 2008 the judge held the first hearing on the case but adjourned it pending further discovery. There were no further developments on the case by year's end.
>
> Several lesbian, gay, bisexual, and transgender organizations operated in the country. However, there were no reports of discrimination based on sexual orientation in employment, housing, access to health care, or education" (US Department of State (11 March 2010) *2009 Country Reports on Human Rights Practices – Cameroon*)

Amnesty International states:

" Homophobia is endemic in Cameroonian society. In December 2005, a senior Cameroonian Roman Catholic Church leader was reported by local media to have publicly denounced homosexuality. In January 2006, three Cameroonian newspapers published a list of several dozen people, including a number of

> government officials, musicians and businessmen whom they accused of engaging in consensual same-sex sexual relations. On 13 February 2006, an anonymous person claiming to represent a youth organization published a memorandum in local newspapers urging all
> Cameroonians not to "tolerate" homosexuality and to report gay men and lesbians to the authorities. On 3 March 2006 the High Court in Yaoundé found the editor of paper guilty of defaming a government minister when the newspaper published a list, including the minister's name, of people the newspaper claimed were practising homosexuality. The editor was sentenced to four months' imprisonment and ordered to pay a fine of 300,000 CFA Francs (US$425). The editor was found guilty and sentenced on the basis of a claim by the minister that he had been criminally defamed." (Amnesty International (29 January 2009) *Cameroon: Impunity underpins persistent abuse*)

Behind the Mask reports in August 2008:

> "For the first time, the health of lesbian, gay, bisexual, transgender and intersex (LGBTI) people in Cameroon will be treated as priority in a newly established Health Care centre in Douala by Alternatives-Cameroun, a gay organisation in Cameron" (Behind the Mask, (8 August 2008), *New Cameroonian health centre for gays*)

It goes on to say

> "In a country where homosexuality is criminalised and punishable, such an initiative towards LGBTI people can be seen as a risky endeavour" (ibid).

An AFP report from August 2008 says:

> "A Cameroonian journalist has been jailed for six months for defamation after writing that a government minister was homosexual, various sources told AFP on Monday. Homosexuality is illegal in the Western African nation" (AFP, (4 August 2008) *Cameroon journalist jailed for six months for calling minister gay*)

Considering 'Political Rights and Civil Liberties' the Freedom House report of July 2008 on events of 2007 says "…homosexuality is both culturally taboo and illegal" (Freedom House, (2 July 2008), *Freedom in the World - Cameroon (2008)*)

Page 11 of a report on the worldwide legal status of homosexuality in May 2008 by the *ILGA* says for Cameroon that

> "Cameroon
> Male/Male Illegal Female/Female Illegal
> Penal Code (Law No. 65-LF-24 of 12 November 1965 and law No. 67-LF-1 of 12 June 1967) 16
> Section 347: Homosexuality–
> "Any person who has sexual relations with a person of the same sex shall be punished with a term

> of imprisonment of five years and a fine of between 20,000 and 200,000 francs." (IGLA, (14 May 2008) *State Sponsored Homophobia, A world survey of laws prohibiting same sex activity between consenting adults*)

The *IGLHRC* in December 2007 note

> "In October 2006, the United Nations Working Group on Arbitrary Detention declared that detention on the basis of sexual orientation in Cameroon constitutes an arbitrary deprivation of liberty contrary to the International Covenant on Civil and Political Rights (ICCPR). The UN human rights body called on the government of Cameroon to adopt necessary measures to remedy the situation, including the possible repeal of Article 347. The human rights groups Alternatives-Cameroun, Amnesty International, IGLHRC, Les Pantheres Rose, and OUT are calling for the repeal of Article 347, the release of all individuals detained under this law, and an end to official discrimination based on sexual orientation in Cameroon" (IGLHRC, (10 December 2007) *Human Rights Activists Protest Continued Arrests of Gay Men in Cameroon: Demonstrations in Paris, Pretoria and Washington, D.C.)*

In January 2008 *Behind the Mask* note the following story:

> "A Regional Court in Douala (Cameroon) sentenced three men accused of homosexuality to a maximum sentence of six months in prison and fined them 50.000 Francs (R700) each and another 27.000 Francs (R378) for legal expenses. These three men were among the nine arrested in August last year on charges of homosexuality and they only appeared in court for the first time on 2 January this year" (Behind the Mask, (21 January 2008) *Accused homosexuals get maximum sentence and fine*).

The article goes on to say that

> "Presently homosexuals in Cameroon live in fear and suspicion in their own country because of threats of arrest outlioned in section 347 of the penal code which criminalises homosexuality. According to the International Gay and Lesbian Human Rights Commission (IGLHRC), more than 30 people have been arrested in Cameroon during the last two years on charges of homosexuality despite an October 2006 ruling by the United Nations that termed such arrests to be arbitrary and unfair" (ibid).

An undated summary of the situation for homosexuals in Cameroon by *Behind the Mask* says:

> "Homosexual acts are banned in Cameroon, and are punishable with up to five years in jail according to Section 347 of the country's penal code. In May 2005, 11 men were arrested at a nightclub on suspicion of sodomy, and the government threatened to conduct medical examinations to "prove" their homosexual activity. As of February 2006, nearly all were still being detained, with trials scheduled in March 2006…Cameroon is a conservative society. Homosexuality is frowned upon. In 2006, a number of tabloids published the names of at least 50 very prominent people they claimed were homosexual. They

> condemned them for deviant behaviour. The stories boosted newspaper circulation, but were criticized by the state communication council for invading people's privacy. The campaign provoked a national debate about gay rights and privacy" (Behind the Mask, (Undated), Cameroon)

In the background to a story issued by *Amnesty International* in July 2006 it says

> "Homophobia is endemic in Cameroonian society" (Amnesty International, (7 July 2006) *Cameroon: further information on fear of torture or ill-treatment/prisoners of conscience/harsh prison conditions*)

BBC News reports:

> "The newspaper editors say they are exposing people who engage in "deviant behaviour". Some 50 people have been named and the papers have sold out.
>
> Homosexual acts are banned in Cameroon, with up to five years in jail.
>
> But the campaign has been condemned by the state communication council for invading people's private lives." (BBC News (6 February 2006) *Row over Cameroon 'gay' witchhunt*)

Human Rights Watch state:

> " Moreover, these men now face a further invasion of their physical privacy in the form of forced anal examinations. In our discussions with colleagues in Cameroon, we have learned that the Prosecutor's Office has ordered the men to undergo a medical examination, in the belief that such a test would prove definitively whether the men have engaged in homosexual conduct. This treatment, in its intrusiveness and invasiveness, amounts to cruel and inhuman treatment—a violation not only of the ICCPR but of the UN Convention Against Torture, to which Cameroon acceded in 1987." (Human Rights Watch (30 November 2005) *Letter to the Minister of Justice of Cameroon Regarding 11 Men Detained on Suspicion of Homosexual Activity*)

Amnesty International reports:

> " Six men accused of "practising homosexuality" were arrested in July in Douala. In August, a further two men were arrested in Douala and three others in Yaoundé for the same offence. All 11 men continued to be held awaiting trial at the end of the year.
>
> One man who had reportedly been detained for more than two years without trial on charges of "practising homosexuality" was released in February. The High Court in Yaoundé ruled that the state had failed to produce any evidence relevant to the charge." (Amnesty International (28 May 2008) *Amnesty International Report 2008 – Cameroon*)

References

Amnesty International (29 January 2009) *Cameroon: Impunity underpins persistent abuse*
http://www.unhcr.org/refworld/docid/498165c92.html
(Accessed 12 May 2010)

Amnesty International (7 July 2006) *Cameroon: further information on fear of torture or ill-treatment/prisoners of conscience/harsh prison conditions*
http://www.amnesty.org/en/library/info/AFR17/003/2006/en
(Accessed 12 May 2010)

Amnesty International (28 May 2008) *Amnesty International Report 2008 – Cameroon*
http://www.unhcr.org/refworld/docid/483e277f34.html
(Accessed 12 May 2010)

AFP (4 August 2008) *Cameroon journalist jailed for six months for calling minister gay*
http://www.lexisnexis.com/u
(Subscription website)
(Accessed 12 May 2010)

BBC News (6 February 2006) *Row over Cameroon 'gay' witchhunt*
http://news.bbc.co.uk/2/hi/africa/4685298.stm
(Accessed 12 May 2010)

Behind the Mask (8 August 2008) *New Cameroonian health centre for gays*
http://www.mask.org.za/article.php?cat=&id=1929
(Accessed 12 May 2010)

Behind the Mask (21 January 2008) *Accused homosexuals get maximum sentence and fine*
http://www.mask.org.za/article.php?cat=cameroon&id=1795
(Accessed 12 May 2010)

Behind the Mask (Undated) *Cameroon*
http://www.mask.org.za/index.php?page=cameroon
(Accessed 12 May 2010)

Freedom House (2 July 2008) *Freedom in the World - Cameroon (2008)*
http://www.freedomhouse.org/template.cfm?page=22&year=2008&country=7366
(Accessed 12 May 2010)

Human Rights Watch (30 November 2005) *Letter to the Minister of Justice of Cameroon Regarding 11 Men Detained on Suspicion of Homosexual Activity*

http://www.hrw.org/en/news/2005/11/30/letter-minister-justice-cameroon-regarding-11-men-detained-suspicion-homosexual-acti
(Accessed 12 May 2010)

IGLA (14 May 2008) *State Sponsored Homophobia, A world survey of laws prohibiting same sex activity between consenting adults*
http://www.ilga.org/statehomophobia/ILGA_State_Sponsored_Homophobia_2008.pdf
(Accessed 12 May 2010)

IGLHRC (10 December 2007) *Human Rights Activists Protest Continued Arrests of Gay Men in Cameroon: Demonstrations in Paris, Pretoria and Washington, D.C*
http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/partners/327.html (Accessed 12 May 2010)

US Department of State (11 March 2010) *2009 Country Reports on Human Rights Practices – Cameroon*
http://www.state.gov/g/drl/rls/hrrpt/2009/af/135942.htm
(Accessed 12 May 2010)

Sources Consulted:

All Africa
Amnesty International
BBC Monitoring
BBC News
ECOI
EIN
European Country of Origin Information Network
Freedom House
Google
Human Rights Watch
ICG
IGLHRC
ILGA
Immigration and Refugee Board of Canada
IRB
IRIN
Lexis Nexis
Minority Rights Group International
Norwegian Refugee Council
Online newspapers
Refugee Documentation Centre Library
Refugee Documentation Centre Query Database
Regional surveys of the world
Reliefweb

UK Home Office
UNHCR Refworld
University Of Maryland Minorities At Risk
US Department of State
Yahoo

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.