



Immigration and
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Cameroon: Situation of homosexuals, including legislation, and availability of state protection and support services (January 2008 - March 2010)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Legislation

Country Reports on Human Rights Practices for 2009 states that homosexual acts are illegal in Cameroon (US 11 Mar. 2010, Sec. 6). An Amnesty International (AI) report states that section 347a of the Cameroonian Penal Code indicates that the penalty for same-sex sexual relations is imprisonment from a period of six months to five years, and a fine of between 20,000 and 200,000 CFA Francs (approximately 35 to 350 United States (US) dollars) (AI 29 Jan. 2009, 24). *Country Reports 2009* notes that at least two people were prosecuted in 2009 for homosexual activity (US 11 Mar. 2010, Sec. 6).

Treatment by Society and Government Authorities

The AI report adds that from 2006 to 2009, several dozen men and women were arrested, detained, or sentenced to prison terms and fined for purportedly engaging in same-sex sexual relations (AI 29 Jan. 2009, 25). In 18 March 2010 correspondence, the Director of Alternatives-Cameroun, an organization that "works for the full realisation of the rights of vulnerable and excluded communities in Cameroon, including gay, lesbian, bisexual, transgender and intersex (LGBTI) persons, with a specific focus on issues concerning the right to health..." (Centre for Human Rights 6 June 2009), provided the following information on legal proceedings against homosexuals and on their treatment by society:

According to the records of Alternatives-Cameroun, approximately sixteen (16) homosexuals have been subject to legal proceedings since January 2008. Some of them were arrested in 2007, but judged in 2008. Almost all of them were condemned for homosexuality or 'attempt to homosexuality' after an average of six (06) months of imprisonment....

Homosexuals or presumed homosexuals in Cameroon suffer from different kinds of mistreatment because of their real or perceived homosexuality.... Lots of cases of physical aggression [against homosexuals] are also reported every year.

Country Reports 2009 states that homosexuals normally keep a low profile

due to the "pervasive societal stigma, discrimination, and harassment as well as the possibility of imprisonment" (US 11 Mar. 2010, Sec. 5) and that people imprisoned in the New Bell Prison for homosexual acts faced "discrimination and violence" from other inmates (ibid., Sec. 1). A *Pink News* article states that people held in detention or prison for their purported sexual orientation have often received "verbal and physical threats" from other inmates (17 Mar. 2008). The founder of the Association for the Defence of Homosexuals (ADEFHO) in Cameroon, who is a defence lawyer for lesbian, gay, bisexual and transgender people, was quoted in an Inter Press Service (IPS) article as saying that although the criminal procedural code allows prosecutors to arraign homosexuals only if they are caught engaging in sex, homosexuals are frequently subjected to illegal arrest merely for being suspected of being gay; suspected homosexuals are also at risk for extortion by police (6 Aug. 2009). The Director of Alternatives-Cameroun corroborates the latter allegations, saying that "police officers have been reported repeatedly as perpetrators of financial harassment of gay night clubs, extortion and even sexual abuse of the clients of those clubs" (Alternatives-Cameroun 18 Mar. 2010).

An International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) article reports that the deputy president of ADEFHO experienced an incident where his sexual orientation resulted in "homophobic slurs and discrimination" and overnight detention in the Douala police station (ILGA 9 Nov. 2009). *Country Reports 2009* provides details of several incidents where men were released after spending several months in detention on homosexuality charges (US 11 Mar. 2010, Sec. 6).

Protection and Support Services

In 18 March 2010 correspondence, the Director of Alternatives-Cameroun stated:

...[T]here is no state protection available to homosexuals who are victims of discrimination or threatened. According to the last Code of penal procedures, any citizen has the right to claim for legal assistance, but the reality is different. Homosexuals are often beaten and tortured to extort confessions of their homosexuality.

...

Alternatives-Cameroun provides homosexuals with free counseling and psychological support at the Access Centre. A volunteer offers some counseling every Tuesday, and refers cases that need legal support to a lawyer. A psychologist is available every Tuesday, Thursday and Saturday. Apart from that, we provide those imprisoned with material assistance including food, drugs, clothes. And with medical, psychological and material support for their social rehabilitation after prison....Legal aid is not free in Cameroon. Alternatives usually works with a lawyer in Douala and another in Yaoundé to provide people in need with such aid....

The president of the Alternatives-Cameroun Access Centre in Douala was cited in a Behind the Mask article (BTM) as saying that the Centre was established because homosexuals are "generally excluded from the national programmes and policies that deal with HIV and AIDS" (Behind The Mask 8 Aug. 2008). The head of communications for Alternatives-Cameroun stated that a fear of discrimination dissuades some homosexuals from using public health

institutions (ibid.).

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.

References

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Amnesty International (AI). 29 January 2009. "Cameroon: Impunity Underpins Persistent Abuse." (AFR 17/001/2009)
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United States (US). 11 March 2010. Department of State. "Cameroon." *Country Reports on Human Rights Practices for 2009*. <<http://www.state.gov/g/drl/rls/hrrpt/2009/af/135942.htm>> [Accessed 16 Mar. 2010]

Additional Sources Consulted

Oral sources: Amnesty International (AI) in Toronto, Behind the Mask (BTM) in Braamfontein and the Cameroonian Association for the Defense of Homosexuality did not respond to requests for information within the time constraints of this Response.

Internet sources, including: Africa News Update, AfricanFiles, Afrik.com, Afrimap, AllAfrica.com, British Broadcasting Corporation (BBC), European Country of Origin Information Network (ecoi.net), Fédération internationale des ligues des droits de l'homme (FIDH), Freedom House, GlobalGayz, Human Rights Watch, International Crisis Group, International Gay and Lesbian Human Rights Commission (IGLHRC), Legalbrief Today, Médecins sans frontières (MSF), Office of the United Nations (UN) High Commissioner for Refugees (UNHCR), Presse de la Nation, United Nations (UN) Integrated Regional Information Networks (IRIN).

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