

CAMEROON:

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Cameroon's Parliament:
From the colonial to the
bicameral era

PAGE 2

Uniting together to
bring more women
into politics

PAGE 4

Building an Opposition
culture in Cameroon:
The Social Democratic
Front (SDF) perspective

PAGE 8

The role of an MP in
Cameroon

PAGE 25



Photographs of the President of Cameroon, H.E Paul Biya, and the First Lady, Chantal Biya



CONTENTS 2014: ISSUE 3

A Profile on Cameroon, host to the 2014 Commonwealth Parliamentary Conference



Cameroon's Parliament: From the colonial to the bicameral era

Rt Hon. Cavayé Yéguié Djibril

Page 2

Uniting together to bring more women into politics

Hon. Monjowa Emilia Lifaka, MP

Page 4

Building an Opposition culture in Cameroon: The Social Democratic Front (SDF) perspective

Hon. Joseph Mbah-Ndam, MP

Page 8

Climate change and desertification: The role of the Pan-African Parliamentarians' Network on Climate Change (PAPNCC)

Hon. Awudu Mbaya Cyprian, MP

Page 12

The concept of separation of powers: Challenges and prospects of the Cameroonian example

HRH Chief Hon. Igelle Elias Terhemen, MP

Page 16

Front cover

Landscape in Bamenda Highlands, Cameroon: Shutterstock®

The role of the media in Cameroon

Hon. Joseph Mbah-Ndam, MP

Page 20

The role of an MP in Cameroon

Hon. Njume Peter Ambang, MP

Page 25

Fighting corruption: A permanent task for Cameroonian leaders

Hon. Lisinge Arthur Ekeke, MP

Page 26

Local development within the context of Commonwealth best practices

Senator Francis Isidore Wainchom Nkwain

Page 30

The work of REPAR-CAMEROON

Hon. Oyono Martin, MP

Page 32



Promoting sustainable forest management



CAMEROON'S PARLIAMENT: FROM THE COLONIAL TO THE BICAMERAL ERA

The Speaker of the National Assembly of Cameroon provides a historical timeline of the Parliament of Cameroon from 1946 to the present day.



Rt Hon. Cavayé Yéguié Djibril

Mr Djibril is the Speaker of the National Assembly of Cameroon. He was re-elected Speaker to set up a new permanent bureau for the 9th Legislature in November 2013. He has been an MP for 43 years and Speaker for an impressive 21 years. Going in for his 9th mandate, Mr Djibril will be serving as Speaker for a 22nd consecutive time.



Rt Hon. Cavayé Yéguié Djibril

In accordance with the constitution of 2 June 1972 as amended on 18 January 1996, Cameroon's Parliament now has two Chambers – the National Assembly and the Senate. In essence, the colonial legislation, the administration of Cameroon as a UN Trust territory by France and Great Britain respectively and the political organization of the country after independence significantly contributed to the evolution of Cameroon's Parliament.

Indeed, after the defeat of Germany at the end of the Second World War, Cameroon was

administered under the mandate system of the League of Nations, now known as the United Nations. The partition of Cameroon into two UN Trust territories under French and British administration engendered the setting-up of different representative bodies over the years in the two territories.

In compliance with the French law of 7 October 1946 instituting Representative Assemblies in French colonies, the first representative body known as the Representative Assembly of Cameroon (ARCAM) came into being on 22 December 1946 comprising 40 members, that is 24 Cameroonians and 16 French nationals. Subsequently, on 30 March 1952, ARCAM was transformed into the Territorial Assembly of Cameroon (ATCAM). The new Assembly which comprised 50 members – 32 Cameroonians and 18 French nationals – existed until 10 May 1952 when ATCAM became the Legislative Assembly of Cameroon (ALCAM) composed of 70 members. As such, a decisive stage was scaled by the parliamentary institution in

favour of more legislative power at the national level. As a result, ALCAM chose the anthem, flag and motto of the country through one of its maiden legislative Acts.

Meanwhile, on the other side of Cameroon under British administration, and in application of the Macpherson Constitution of 1951, some Cameroonians were members of the legislative organ of our Nigerian neighbour, notably in the House of Representatives and Regional Assemblies.

Cameroon under French administration gained its independence on 1 January 1960. On 10 April 1960, a new Assembly, the National Assembly of Cameroon comprising 100 members came into being. The reunification of West Cameroon (under British administration) with East Cameroon (under French administration) on 1 October 1961 gave birth to the Federal Republic of Cameroon comprising two federated States. Each State had its legislative assembly: the Legislative Assembly of East Cameroon (ALCAMOR)



Left: The National Assembly of Cameroon; Above: The Speaker (centre) speaking with the President of Cameroon, H.E. Paul Biya, (right) during the ceremony of giving New Year wishes to the Head of State. The Prime Minister of Cameroon, Hon. Philemon Yang looks on beside the Speaker

and the Legislative Assembly of West Cameroon (ALCAMOC). The peculiarity of the latter is that it was bicameral, that is it constituted of the West Cameroon House of Assembly and the House of Chiefs. In April 1962, the country's parliamentary institution was called the National Federal Assembly, but ten years on in 1972, the reunification of the two federated States was proclaimed and the United Republic of Cameroon was born. On 2 June 1972, the new Constitution of the United Republic of Cameroon was promulgated into law. Article 12 of the new constitution provided for a single House of Parliament and the dissolution of all the other legislative bodies. The constitution of the National Assembly

of the United Republic of Cameroon on 18 May 1973 was recognized as a milestone in the country's history. With the promulgation into law of the constitution as amended on 18 January 1996, the National Assembly once more underwent a significant and decisive evolution with the creation of the Senate and the dawn of the era of bicameralism. The existence of the National Assembly comprising 180 members elected by direct and secret universal suffrage for a five-year mandate and the Senate composed of 100 members of which 70 are elected by indirect universal suffrage on a regional basis and 30 appointed by the President of the Republic. The Senate was set up in 2013 following the organization

of the first ever senatorial elections in our country.

There have been eight legislative periods since the advent of the unitary State in 1972, the first four of which (1983-1992) were held during the one-party system. So far, the other legislative periods are identified with the era of multi-party politics in Cameroon. Seven political parties are represented in the National Assembly for this new Legislative Period, the 9th inaugurated in October 2013. The steering organs of the National Assembly include:

- The Bureau comprising the Speaker, the Senior Deputy Speaker, five Deputy Speakers, four Questors and twelve Secretaries; and

- The Secretariat General which is in charge of the administration of the institution.

On the other hand, five political parties are represented in the pioneer Senate. Like the National Assembly, the Senate has two steering organs: the Bureau comprising 17 members, namely the President, the Senior Vice-President, four Vice-Presidents, three Questors, eight Secretaries and the Secretariat General which is also in charge of administrative affairs.

Cameroon's parliamentary institution has, over the last 68 years, succeeded to assert itself and in the process contributed significantly to our country's development and democratic outlook.



UNITING TOGETHER TO BRING MORE WOMEN INTO POLITICS

In spite of more women entering politics in Cameroon since the days of the one-party system, and also having attained its objective of having 30 per cent female representation in Parliament, the Deputy Speaker of the National Assembly writes that more still needs to be done. The need for a quota system along with women needing to learn to endure and persist in a male-dominated arena, are only a few of the requirements to help increase the numbers.

Hon. Monjowa Emilia Lifaka, MP

Ms Lifaka is the Deputy Speaker of the National Assembly of Cameroon. She is also a Member of Parliament for Buea Rural.



Hon. Monjowa Emilia Lifaka, MP

Not too long ago, the role assigned to women in Cameroon was that of a homemaker, of caring for the children and of feeding her family from the proceeds of subsistence farming. Subsequently, early attempts to be involved in politics or in any other male dominated activities were met with bitter disapproval, not only from men but also from women uninterested in politics.

Politics requires time and money and with the limited resources women have, most prefer to channel

it towards meeting basic needs such as feeding, healthcare and education. Women make these basic needs more of a priority than men do, and ultimately prefer to stay out of politics and concentrate on looking after their families.

In this area of democracy where several political parties exist, the overwhelming majority of them are created by men, who subsequently occupy the highest positions and relegate the women to lower roles. In choosing candidates, for example, parties align more male substantive candidates than female ones, most of whom gladly or grudgingly accept to be alternates.

As mentioned earlier, political activity requires time and sacrifice. Some husbands, because of ego or other reasons, do not easily allow their spouses to travel long distances to attend political functions, some of which demand long absences from home.

In addition, it has been observed that women vote more for male

candidates than for female counterparts. All of the above reasons, among others, account for low female participation in politics and, consequently, low representation in political institutions like the National Assembly.

This is unfortunate, particularly as it is generally accepted that women humanize the political world. They are less adversarial and more conciliatory. They are believed to be more practical, flexible and sometimes more committed in their respective positions than their male colleagues. Women, when given the opportunity, try to change the male bias in policy priorities. They do not believe in the commonly known saying that "politics is dirty".

For women to make a noticeable difference in this respect, their numbers in Parliament must increase. That notwithstanding, the few that we are today try to make our voices heard and our presence felt. Women Parliamentarians contribute enormously to the day to



Table One: The evolution of women in the Cameroonian Parliament from 1960 to the present

Year	Members	Female	Male
1960 - 1965	100	1	99
1965 - 1970	100	3	97
1970 - 1973	100	2	98
1973 - 1978	100	7	93
1978 - 1983	120	13	117
1983 - 1988	120	15	105
1988 - 1992	180	25	155
1992 - 1997	180	23	157
1997 - 2002	180	10	170
2002 - 2007	180	18	162
2007 - 2013	180	25	155
2013 - 2018	180	53	127

day running of the National Assembly as they participate very actively in the respective committees, question and answer sessions with Members of Government, and also play a very important role in parliamentary democracy.

Quota system required

The quota system does not yet apply in Cameroon. However, the existing electoral code, in section 153, provides the need for political

parties to respect gender balance in selecting candidates for election. With this today we can count 53 women in Parliament a percentage of 31 per cent. We thank the Head of State for this innovation of our Electoral law. Women are faced with the challenge of having to cope with their natural roles of childbearing and combining their responsibilities as mothers, wives, caregivers and being a successful politician. It is not an easy feat despite the level of support

obtained from your family and friends. Women with children below the age of 21 must work extremely hard to succeed particularly when they are still dependent on them.

Women find it difficult to get loans and are also afraid to take the risk of investing in politics as the results might not be favourable. Society frowns at a woman if she enters into certain social arenas where their male counterparts go to meet with the electorates. Women

tend to have their own personal inhibitions, which is also a setback to their involvement in politics. Despite all of the above, statistics show that women have been moving forward, as the number of women in Parliament has increased in the democratic era far more than during the days of the one-party system. Women need to be assisted by non-governmental organizations. They may, for example, organize more seminars long before elections and fund raising activities



Three women Speakers: Deputy Speaker Hon. Monjowa Emilia Lifaka (left); Hon. Anne Makinda, MP, Speaker of the National Assembly of Tanzania (centre); and Rt Hon. Rebecca Kadaga, MP, Speaker of the Parliament of Uganda (right)



A reception by the Chiefs and Elites of the Fako Division of origin, after being elected as Deputy Speaker in 2010



to support women candidates. All these and more will assist women to surmount all of these challenges. Table One conveys an indication of the evolution of women in the Cameroonian Parliament from 1960 to the present day.

From the statistics in the table, it is clear that there has been a steady progress in women's involvement in the political life of our country. Although we have now attained our objective of 30 per cent female representation in Parliament, more still needs to be done.

How to make a breakthrough

We as women should always try as much as possible to meet our commitments and always observe our deadlines to achieve results motivated by professionalism rather than personal concerns. We should endure and persist when faced with

problems and challenges because there is no rose without a thorn. We must always be calm and focused in stressful and difficult situations. We must resist pressure when making a decision, and must endeavour to support and stand by decisions that are of common interest and in the supreme interest of the country.

We must respect and treat people with dignity be it men, women or children – to quote Martin Luther Kings JR, "let us conduct our struggles on the high place of dignity and respect of one another and not drink from the cup of hatred and segregation".

We should avoid discriminatory practice against individuals and groups, irrespective of race, colour and religious beliefs.

Women that engage in politics should perform a self-assessment and self-evaluation as this will help

them understand their strength and weaknesses. Women in politics

gladly played our role as organizers and praise singers.

“Women need to be more selfless. If women could come together and decide that they should contest elections and be a leader, many more could do the same.”

should be able to use effective communication. This listening and understanding the perspectives and views of those you are called upon to work with.

When I entered into politics in the early 90s, my fellow female Members and I were the real animators of the party as we always worked hard to mobilize and secure the female vote for the men. As women who were brought up in a traditional setting, we

Challenges and lessons learned

The principal challenge of engaging in representative leadership as a woman, is that of working to be accepted by your peers for who you are and what you are capable of.

Overcoming this challenge requires commitment, consistency, reliability, confidence and continuous hard work. This part has been and continues to be the most difficult especially considering that the men



H.E Paul Biya, and the First Lady of Cameroon, Chantal Biya, arriving for the start of the Summit of Heads of State and Government on Maritime Safety and Security in the Gulf of Guinea, that took place in Yaoundé in 2013

we compete against are wealthy. The challenge can however be overcome if you earn the trust of your constituency by simplicity, honesty and respect of the commitments made.

The lessons learnt from these challenges are however many and diverse and I have learnt a few.

I have learnt that in life, nothing is too difficult. What is indeed difficult is starting anything and when it is good, others are inspired by it. For example, the pioneer women MPs of the 1960s and 1970s by their mere presence in Parliament have empowered aspiring women into believing that representative leadership is not a male dominated field.

This partially explains the increase in the number of female Parliamentarians conveyed in the table.

I have learnt to endure and be persistent in the face of adversity. It is only by persevering and knowing how to handle obstacles that arise, that you can access and smell the fragrance of the rose (political success). I have come to learn how useful it is to be calm and remain focused in stressful and difficult situations. Indeed these are virtues that weaken your adversaries.

Lastly, I have come to understand that moderates – and not radicals – make good leaders and moderates rule today's world.

This is because moderates know and appreciate the value of compromise in leadership especially as to quote former US President Bill Clinton, "the world is awash with the skulls of dead people because we are yet to appreciate that value of compromise".

From my case therefore:

- Participating in politics is a good thing for humankind and we are wrong as women to feel inferior when it comes to playing this leadership role;
 - Women need to be more selfless. If women could come together and decide that they should contest elections and be a leader, many more could do the same;
 - Women should never close a door when we talk through it, irrespective of how difficult or how long it took for us to open the door. It is only when it is left wide open that we can easily encourage other women to walk through and contribute in development for our good, that of our children and our country. Should we do this, we shall in future not be talking of 30 per cent female representation but 50 per cent or more at decision-making levels in our respective countries.
 - We do not need to love or even like each other to work together. The accomplishment of our dreams and the achievement of the goals we set for ourselves require that we put aside our differences, join hands, unite and work together.
- I therefore urge women to join the train of unity and prosperity because time and history have proven that with unity, everything is possible.
- Let us therefore not relent and walk behind the men, because they might not lead us to our desired destination; Let us not walk in front of men, because as women, we are meant to play a complimentary role; Let us walk beside our men, because our people will judge us not by what our divide destroys, but by what we create together for our country and for ourselves.



BUILDING AN OPPOSITION CULTURE IN CAMEROON: THE SOCIAL DEMOCRATIC FRONT (SDF) PERSPECTIVE

The creation of an opposition culture has been a long and ardent struggle for many Cameroonian political parties. Among threats by the government of arrest on the crime of subversion, the challenge of creating a viable opposition that would be a catalyst to the elimination of the one-party system was 34 years in the making, all in the name of making Cameroon a truly democratic republic, writes the Deputy Speaker of the National Assembly of Cameroon.

Hon. Joseph Mbah-Ndam, MP

Mr Mbah-Ndam is the Deputy Speaker of the National Assembly of Cameroon. As well as being a Barrister-at-Law, he is also National Legal Adviser to the Social Democratic Front, and a Member of the Pan African Parliament.



Hon. Joseph Mbah-Ndam, MP

Introduction

The Social Democratic Front (SDF) from inception would not have faced the challenge of building an opposition culture in Cameroon if what happened in 1966 had not taken place. Before 1966 a multi-party democracy with a functional opposition was well established both in the French speaking and in the English Speaking Cameroons.¹

French-speaking Cameroon

Prior to 1966 and before reunification, multi-parties and the formation of civil society organizations flourished in French-speaking

Cameroon. Between 1945 to 1957, the following political parties and pressure groups existed: "Resemblance Camerounais" (RACAM), a Branch of the French Socialist Party (RPF), "Block Démocratique Camerounais" (BDC) founded by Louis Paul Ajoulat who had been member of the French Party called "Movement Républicain Français" (MRP), The "Union des Populations du Cameroun" (UPC); "Evolution Sociale Camerounaise" (ESOCAM), "Union Bamilike" and "Renaissance Camerounaise", formed to counter the UPC, "Cercle Culturel Camerounaise of Dr Beybey-Eyidi, "Union Sociale Camerounaise" (USC) of Charles Okala, "Movement Démocratique Camerounais"(MDC) of Andre Mbida, "Resemblance du Peuple Camerounais"(RDP). After 1957, with the growing popularity of the UPC platform, most of the political parties and pressure groups called for the independence of French Cameroon and reunification with British Cameroon.

The most serious threat to President Ahmadou Ahidjo's regime came from the "Union des

Populations du Cameroun" (UPC), particularly its exiled faction. Ahidjo's political base was still very narrow in 1960 and his Union Camerounaise (UC) Party had only 31 of the 70 seats in the East Cameroon House of Assembly following the elections held in December 1956.² Before the legislative elections of 1960 were held, a new political group, the "Forces Vives de l'opposition" was formed. It embodied the leaders of most of the southern political parties except the exiled wing of the UPC.

President Ahidjo exploited the rift between the exiled faction of the UPC, which called for a boycott of the elections and legalized the other faction that preached participation. During the UC congress held in Maroua in September 1960, Ahidjo called for the creation of what he termed a "great national Party". His aim was to plant the UC in the southern part of Cameroon by calling on the other political parties as allies. The first Party to accept Ahidjo's call was the "Movement d'Action National Camerounaise" (MANC) of Charles Assalé and Soppo Priso that declared its allegiance to the UC in



The National Chairperson of the Social Democratic Front (SDF), Ni John Fru Ndi (left) speaking with the President of Cameroon, H.E Paul Biya (right)

January 1961. Later, a majority of the members of the "Action Nationale" and the "Front Populaire pour l'Unité et la Paix" accepted Ahidjo's appeal. However his scheme changed in November 1961 when he called for a Unified Party described as: "... a great national "Parti Unifié" in which Cameroonians would enter freely after becoming convinced about its desirability; and a party in which will prevail democracy, freedom of expression, and where several leanings would co-exist, it being understood, of course that the minority would uphold the options reached by the majority."

However, after the election and by mid-1962, most of the opposition leaders had come to regard the call made by Ahidjo as nothing more than "a trojan horse for Parti Unique". To them, Ahidjo was using the words "unified party" when he actually meant a "single party", which the opposition parties were not prepared to accept. On 6 June 1962, Mayi Matip, Andre Marie-Mbida, Charles Okala and Bebey-Eyidi joined forces and

founded the "Front national unifié".

They issued a manifesto against the fusion of all the political parties into a single party as professed by Ahidjo. They were arrested within two weeks, charged for the crime of subversion and were summarily tried and sentenced on 12 March 1962 to a two-and-a-half years' prison term.³ On appeal, the sentence was increased to three years. It was the beginning of the end of the embryonic opposition culture that had existed in French-speaking Cameroon.

On the other side of Cameroon

Political maturity and the role of the opposition was much more articulated in this part of Cameroon. In fact before this time important political parties and pressure groups existed such as: The "Cameroons Youth League" (CYL), founded on March 27 1940, The "Cameroons National Federation" (CNF) formed in 1949, and The "Kamerun United National Congress" (KUNC). The "Kamerun National Congress" (KNC) formed in 1953 as an amalgamation of KUNC and

CNF becoming the first indigenous political party. A parliamentary system of government was in practice in the English-speaking part of Cameroon before the reunification of French-speaking Cameroon. In October 1961 there were only two main political parties: the "Kamerun National Democratic Party" (KNDP) led by John Ngu Foncha and the Opposition Party, the "Cameroon Peoples National Congress" led by Dr Emmanuel Endeley. Unlike the political situation in French-speaking Cameroon where Ahidjo's party was a northern party and all the opposition parties were southern parties, the KNDP and the CPNC were not regional parties. Although the dominant leadership of the KNDP came from the grassfields while the leadership of the CPNC came from the forest zone, the supporters of both parties came from all the sections of the territory.

The intense political anxiety that reigned in this part of Cameroon gradually made way to a "general desire for co-operation and national

unity" as both Foncha and Endeley agreed to "forget the past and work together toward the achievement of a happy and prosperous Kamerun country".⁴ Then came Ahidjo's appeal for a "Parti Unifié". Indeed, Ahidjo had started creating structures of his UC Party in this part of Cameroon on the pretext that they were only for the French-speaking people living therein.⁵ Dr Endeley, being well informed of the resolutions of the Ebolowa Convention of the UC Party of Ahidjo held on 4 July 1962, proposed to Foncha the fusion of the CPNC into Foncha's KNDP thus constituting a force that could stand the weight of Ahidjo's UC. Foncha however did not heed to this proposal.

In June 1963, Ahidjo started a strategic negotiation with Foncha for the fusion of the KNDP and the UC to form a single Party operating throughout the territory of the two federated states. The legislative elections of 26 April 1964 confirmed the supremacy of their respective parties in the respective federated states because they had been



Former President Ahmadou Ahidjo arriving in Washington DC, July, 1982.

conducted on a one-round single list system, which gave no possibility of winning to the opposition parties. The Presidential Election of 20 March 1965 conducted in the same manner, saw Ahidjo and Foncha running on a single ticket as President and Vice President and without any list presented by the opposition.

Foncha, whether or not pushed by the manoeuvres of Ahidjo, dismissed 10 members of his KNDP Party that included S.T. Muna and ET Egbe. These members, under the leadership of S.T. Muna formed a new Party called the "Cameroon United Party (CUC) that gained instant popularity.

The death of multi-parties and the opposition culture

In June 1966, Ahidjo called a meeting of the leaders of the major political parties in the two sectors of Cameroon, to agree to dissolve their respective political parties. This process was cemented on 1 September 1966 by the birth of the Cameroon National Union (CNU) with Ahidjo as National Chairman as well as the President of the Federal Republic of Cameroon. Cameroon formerly became a one-party state. The exiled wing of the UPC abandoned the embryonic opposition

culture and resorted to armed struggle.

For 34 years, Cameroonians lived under the yoke of one party. During the reign of terror instituted by the 1962 ordinance, major political leaders perished and the opposition culture that had flourished had been completely wiped out. The only thing that reigned was fear.

The re-birth of the opposition

Politician Ni John Fru Ndi brought an end to the reign by launching a political party named the Social Democratic Front (SDF) and later became its National Chairperson. The immediate challenge was the creation of a viable opposition that would be a catalyst to the elimination of the one-party system. The founding fathers had made a fundamental option. Their goal as implicit in the manifesto was the creation of an opposition culture by which the dictatorship would be overthrown through the ballot box and not through armed struggle. It was a major challenge to take on board. The SDF undertook an extra-parliamentary strategy in order to realize its objectives.

Extra-parliamentary strategy

The idea of launching a political

party was a strategy in itself. While this idea was in gestation, a group in 1989 led by Barrister Yondo Black in French-speaking Cameroon had held nocturnal meetings with the view to form a political party but they were arrested, tried and sentenced to prison terms by the Military Tribunal for having committed the crime of subversion. Thus, even though the constitution of Cameroon had provided that political parties would take part in the exercise of national sovereignty and a law of 1967 had actually provided for the formation of political associations, the government had demonstrated through the Yondo Black trials that it would not tolerate the formation of any other political Party in Cameroon. Force, tact and courage was thus an imperative if another political party had to see the light of day in Cameroon. On 26 May 1990, when Ni John Fru Ndi decided to mount the rostrum in Ntarikon-Bamenda in the north-west region and launch the SDF as a political party, there was no doubt that trouble would follow. There had been a prefectural order banning the planned launch and Bamenda was under military occupation. However, Ni John Fru Ndi persevered and six people died as a result of the confrontation.

The government instantly declared the party illegal and from that moment classical opposition strategies were adopted.

Street action, alliances and Coalitions

In the beginning, Bamenda became the focal point in Cameroon as weekly unauthorized meetings, manifestations and marches were carried out. The military fought back, and many were maimed, arrested and subjected to inhuman forms of torture. The Chairperson persisted and soon moved out of the north-west into the west province where he was shot in the leg by the military. The increased excitement of a second political party spread to Douala and Yaoundé.

The government finally surrendered and by the parliamentary session of November of the same year, laws that came to be known as "the liberty laws" were adopted and promulgated on December 1990 by the President of the Republic. The government authorized the formation of political parties but refused to recognize the existence of the SDF. Consequently, other political parties were formed.⁶ As the proliferation of political parties gained ground, the SDF moved on to the formation of coalitions.⁷

Coalitions formed

In 1991 under the subtle instigation of the SDF a coalition between political parties and civil society associations was formed. The Chairperson occupied the post of Vice-President in its executive organ that came to be known as the "Directoire" but was actually its motive force as demonstrated by the famous match to the Presidency in 1991 and the enforcement of the ghost towns and ghost countries. Ghost town or Ghost Country intensified whenever and wherever it was announced that Ni John Fru Ndi was in town or in some part of the country even though he had not actually moved from Bamenda. The coalition was betrayed at the Tripartite.⁸

The parties that refused to sign the Tripartite Agreement soon regrouped



and formed the Association for the Reconstruction of Cameroon through the Sovereign National Conference (ARC-CNS) and it was within this structure that the candidate of the Union for Change was prepared for the 1992 Presidential Election. After the elections the political climate underwent a metamorphosis.

Many political parties and personalities that had clamoured for change began to see the possibility that change might come only in the far distant future. It appeared more than ever that the SDF could bring about a change much sooner. Genuine opposition parties dissolved to join the SDF and the other parties either gave up or joined the presidential majority. It is the reason that we only have seven parties in the National Assembly and three in the Senate.

Articulated political programmes

Parallel with field activity, basic Party platforms were being fashioned out. The first document produced was the devolution of powers, a translation of the party's slogan of "Power to the People". This document outlined the basic tenets of local government in a decentralized State, and was distributed and read throughout the country.

By the end of 1991, elections were looming. The SDF published its own version of an electoral code in both French and English, which was also distributed. At its Bafoussam convention of 1993, the SDF adopted the Federal system of Government for Cameroon. The National Executive Committee was charged with working out the details and not long it resolved on a four state structure and a federal capital territory. The constitutional details were worked out and the federal constitutional proposal was made public.

At its Maroua convention of 1995, the first report of the committee on the economy was presented and adopted and at the Buea convention of November 1996, the Party's economic programme commonly referred to as NESPROG was adopted and made public. By 1997,

fraudulent activity at elections had reached its peak. The government invited the SDF for dialogue with the view of coaxing it to join the government. The SDF preferred to discuss the creation of a neutral organ for the conduct of elections and produced a model law on national elections.

These are the ways and means by which the SDF has endeavoured to establish an opposition culture outside Parliament, all without resorting to armed struggle. Throughout its endeavours it maintained a close relationship with the private press, and worked hard to free it from the oppression of the government in power.

Parliamentary strategy and social democratic legality.

The SDF gained 43 out of the 180 seats in the National Assembly in President Paul Biya's regime after the May parliamentary elections in 1997. Suffice it to say that when we took up those seats, the Party adopted a twin strategy: the introduction of Social Democratic legality within the institutional framework of Parliament and the training of its relatively few Parliamentarians to improve on their efficiency. This simply means that while playing the role of a parliamentary opposition, its Parliamentarians strive to inject into every piece of legislation, amendments that implement social democratic values. These two functions are exercised at two different stages of the legislative process.

In plenary sittings: During plenary sittings, debates from the SDF Parliamentarians are centred on the articulation of the Party's ideological positions in respect of every sphere of the nation's activity. This consists in presenting what the SDF would do if it came to power. During debate, they have always seized the opportunity to bring to light issues that are of national concern.

It is a fundamental attribute of a multi-party Parliament that the position of the opposition is made clear on every issue of national concern. This constitutes an essential

component of the opposition culture. The SDF believes that it has successfully enshrined this aspect in the Parliament of Cameroon.

In Committees: In committees, within certain narrow but clearly defined limits, SDF Parliamentarians have introduced new legislation through a very gradual step-by-step progression. Amendment of Bills and the tabling of Private Members' Bills are normally an opposition culture in a multi-party Parliament, but experience by SDF Parliamentarians has shown that these were not or sparingly tabled by their predecessors in the Parliament of Cameroon.

Parliamentary cooperation:

Another strategy adopted by the SDF in Parliament has consisted in attempting to lead the other parties of the opposition to a common course of action.

The SDF has maintained some considerable measure of cooperation with the other opposition parties, and even though they do not often actively participate in their various methods of forcing the hand of the majority in plenary sittings to permit free debate, they have invariably shown sympathy. Today, a course of opposition culture is traceable in Parliament.

Education and training

The SDF discovered the importance of training early on and set out to seek sources. Informal education through seminars thus began as soon as the Party got on its feet. The Party adopted a policy to send members to every international conference, seminar and Human Rights Fora to which it was invited.

The conduct of training seminars within Cameroon gained ground immediately after the 1996 local elections when the Party became involved in the management of councils. In this regard, the Friedrich Ebert foundation of Germany, the Jean Jaures Foundation of France and the Westminster foundation of the United Kingdom have been very instrumental.

Educating members of the SDF has been carried out through regular field activity often under the auspices

of the education and propaganda department of the Party.

The Chairperson of the Party has made a point to tour the country from time to time not to campaign, but to educate the masses on social democratic values. During these tours basic tenets of social democracy are disseminated.

Conclusion

It has been a long struggle in striving to build an opposition culture in Cameroon. Despite the resultant political culture, the spectre of monolithism still persists and the challenge to create an opposition culture is one that continues to be ongoing.

Endnotes

1. I used the appellations "French-speaking" and "English-speaking" in an attempt to avoid the emotional attributes conveyed respectively by the expressions "La République du Cameroun" and "Southern Cameroons", which are the proper appellations for the two entities that make up present-day Cameroon.
2. These seats were won from the North and Bamoun regions: the "Movement Démocratique Camerounais"(MDC) of Andre Mbida had 20 seats won within the centre and east and , those who won nine seats from the West Region transformed themselves into a political party known as "Union Bamilke", the group of Soppo Priso and Charles Assalé which won nine seats converted into a political party known as "Mouvement d'Action Nationale Camerounaise".
3. The Ordinance instituted the reign of Terror in Cameroon. Ahidjo was tried and sentenced to death under the Ordinance and he died abroad as a fugitive. It was repealed only in 1990 following the launching of the SDF.
4. Johnson, The Cameroon Federation, p260
5. An accord had been signed between Ahidjo and Foncha to the effect that neither party could recruit members from the citizens of each federated state living in the other.
6. It is only about March 1991 that the SDF was accorded legal recognition.
7. In fact the government had decided to ridicule the whole concept of formation of political parties and actually promoted and formed many in order to dilute the opposition.
8. This was a meeting convened by government to resolve the political issues but with the hidden agenda to stop the ghost towns.

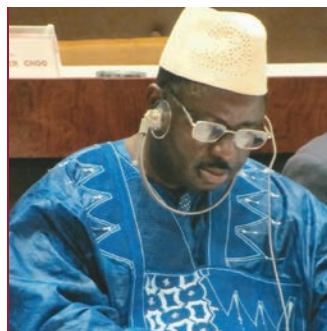


CLIMATE CHANGE AND DESERTIFICATION: THE ROLE OF THE PAN-AFRICAN PARLIAMENTARIANS' NETWORK ON CLIMATE CHANGE (PAPNCC)

In a country known for its vast arid regions, the topic of desertification has been placed high on the agenda by those working for the Pan-African Parliamentarians Network on Climate Change (PAPNCC). The President in charge of the network details the actions that have been taken to help in the fight against further desertification.

Hon. Awudu Mbaya Cyprian, MP

Mr Cyprian is a Member of Parliament for Donga Mantung Centre Constituency, north-west of Cameroon. He was elected into the National Assembly in 1997, and is currently making his fourth mandate in Parliament. He is the Executive President of Pan-African Parliamentarians Network on Climate Change (PAPNCC).



Hon. Awudu Mbaya Cyprian, MP

What is desertification?

The United Nations Framework Convention on the fight against desertification defines desertification as "the degradation of lands in arid, semi-arid and sub-humid regions dried up as a result of various factors among which are climatic variations and human activities".

Desertification therefore originates from natural phenomena that occur periodically such as

drought, abusive exploitation of sensitive and vulnerable ecosystems of uplands. The ecosystem is negatively affected mainly by human activities.

This causes degradation, which in turn leads to overgrazing, intensive deforestation, the disruption of the traditional system of cultivation partly leading to a shortage in rainfall, and the break-up of the traditional equilibrium between agricultural and pastoral activities.

Desertification affects nearly 40 per cent of the global land surface. It directly affects about a billion people in the world and threatens millions of others. A poor management of agricultural and pastoral zones coupled with frequent droughts has increased the vulnerability of arid regions thereby aggravating the process of desertification.

This is evident by the accelerated erosion of soils due to wind and water run-off, an increased salinization of

soils, a progressive disappearance of biodiversity and a decrease in soil productivity.

This leads to the impoverishment of the populations who largely depend on these ecosystems. It is worth noting that desertification and drought are not only an African phenomenon.

Defining climate change

The United Nations Framework Convention on Climate Change on its part defines Climate Change as "changes in climate directly or indirectly attributed to a human activity altering the composition of the global atmosphere and which comes to add to the natural changes in climate observed during comparative periods".

Adopting this Convention was a way of fighting against climate change and its negative effects, i.e. the modification of the physical environment or biotopes that have significant harmful impact on the



- The use of combustible fossils;
- The destruction of forests that absorb Carbon dioxide; and
- Changes in land exploitation and agricultural activities.

Global warming would be the main consequence of this concentration of SEG (Synthetic echo generator) with an increase in the global surface average temperature from 1.5 to 3 °C. According to the second IPCC (Intergovernmental Panel on Climate Change) Report, it is mainly human activities, especially the combustion of combustible fossils, modification in soil exploitation and agriculture, which causes an increase in the atmospheric concentration of greenhouse gases that tends to warm the atmosphere.

These experts predict that the variation of the concentration of SEG and aerosols will lead to an evolution of climatic parameters or climate links like temperature, precipitations, humidity of the soil and sea level both at the regional and global

levels. Moreover, the vulnerability of some human communities in the face of hazards like storm, floods and droughts has increased due to population growth and the occupation of some drainage areas of water course and sloping plains.³

Climate change has a considerable impact on vegetation, water resources, land use, soil productivity and natural resources as a whole.

This impact can in turn have consequences on the lifestyle of the concerned populations and cause extreme problems. In arid regions, climate change is likely going to aggravate the degradation process of the soil and desertification.

Linking the two

According to a study carried out by the IPCC, by 2100, global average temperatures of air on the surface will increase by 2 °C compared to in 1990. According to scientific scripts, arid regions shall become warmer and no more humid,

Opposite page: the effects of desertification;
Above: The PAPNCC and the PDNP signing the Convention to help in the fight against climate change.
Left: desertification in action

composition, resistance or productivity of natural and developed ecosystems, on the functioning of socio-economic systems or on the health and welfare of man.² Climate change draws its main sources from:



The reforestation campaign in action “One Woman, One Tree, One Family, one Tree for a Green Cameroon”.



while deserts will become more extreme. Desertification would likely become irreversible given that the environment will become drier and soils will be degraded by erosion and settlement. Adaptation to drought and desertification could thus depend on the creation of different systems of production.

Concrete actions

Conscious of this phenomenon, the Pan-African Parliamentarians’ Network on Climate Change (PAPNCC) is taking action and implementing concrete actions in the fight against climate change, and the desertification of Africa and Cameroon in particular.

The PAPNCC is an international network set up by a group of Parliamentarians from about 38 African countries to effectively fight against climate change. Its head

office is located in the National Assembly of Cameroon under the distinguished patronage of the Speaker, Rt. Hon. Cavaye Yeguie Djibril, MP, and I am its Executive President.

The PAPNCC/REPPACC has the following missions among others:

Short-term missions :

- Influence decisions, laws, political and public opinions in the fight against climate change;
- Build the capacity of social actors and victims of climate change through awareness raising, training, national and international workshops; and
- Denounce environmental damages from the global perspective and encourage the consideration of the opinion of the socially disadvantaged during national and international forums.

B. Long-term missions

- Establish a synergistic action plan in all member countries ; and
- Make Africa a green continent through the strategy “One Africa, one voice, one position”.

The Memorandum of Understanding signed between PAPNCC and the Ministry of Women’s Empowerment and the Family (MINPROFF) triggered a strong reforestation campaign over the entire territory of Cameroon with the slogan “One Woman, One Tree, One Family, one Tree for a Green Cameroon”.

The campaign, which was divided into five phases, kicked off in the far north region (Waza) with nearly 6,000 selected trees planted, with a Plant Maintenance Committee made up of associations of women of the Waza region to act as guards.

The second phase took place in the central region in a zone called “Echangeur Nvan” and the third in the north-west in the localities of

“...the pursuit of their main objective, the PAPNCC and PNDP intend to translate the signed Convention into concrete actions on the field.”

“Nkambe, Kumbo and Batibo”. The fourth and fifth phases are due to take place in the regions of Adamawa, East, North and Littoral.



The Speaker, of the National Assembly of Cameroon, Rt. Hon. Cavaye Yeguie Djibril, MP, (speaking at podium) is the Patron of the PAPANCC

The Partnerships

PAPANCC-MINPROF Partnership of 23 August 2011

Beyond the commitments of each Party, this partnership is aimed at finding a common approach to the fight against the climate change phenomenon. The parties undertake to:

- Develop an annual information, education and awareness raising programme of the target population;
- Carry out all studies and surveys that can ease the understanding of the magnitude of this phenomenon and apart from reforestation, develop other strategies that can help reduce the effects of climate change;
- Make their achievements visible through joint or independent communication strategies; and
- Be represented at all events concerning climate change organized by either Party.

PAPANCC – National Council of Traditional Rulers of Cameroon (NCTRC) Partnership of 15 March 2011

The PAPANCC-NCTRC partnership seeks to find a common proximity strategy to fight against climate change in rural areas. The Parties have the following obligations among others:

- To work to educate people on the fight against the phenomenon of climate change;
- To encourage the populations to develop ecological habits through reforestation; and
- To make reforested areas a common heritage.

PAPANCC – PNNDP PARTNERSHIP of 24 June 2011

The PAPANCC-PNNDP (Le Programme National de Développement Participatif)

Convention was signed between the Executive President of PAPANCC, Hon. Questor Awudu Mbaya Cyprian, and Madame Madeleine Ngah, National Coordinator of PNNDP, under the chairpersonship of the Senior Vice Speaker of the National Assembly, Hon. Etong Hilarion, with the technical supervision of Mr Hele Pierre of the Ministry of Environment and Sustainable Development. Several panels of partner ministries were equally represented including the MINPROFF, the Ministry of Economy, Planning and Regional Development (MINEPAT), not to mention the Representatives of the National Council of Traditional Rulers of Cameroon and several members of the civil society.

Through this partnership, the PAPANCC and PNNDP intend to make their achievements in the domain of climate change visible through joint

and independent communication strategies. This includes:

- Identifying potential synergies in the actions implemented with the councils in the fight against climate change.

It is worth noting that in the pursuit of their main objective, the PAPANCC and PNNDP intend to translate the signed Convention into concrete actions on the field. It is through these various activities that the PAPANCC will continue to play an active role in the ongoing fight against climate change and desertification.

Endnotes

1. Source <http://www.mediaterre.org>, Climate change and desertification.
2. *ibid*
3. *idem*



THE CONCEPT OF SEPARATION OF POWERS: CHALLENGES AND PROSPECTS OF THE CAMEROONIAN EXAMPLE

In a country where more than 45 per cent of Cameroonians still look to traditional methods of governance from its Kings, Fons, Emirs, Ardos, Ukpams, Nfors, and Ntunfam, the Ukpam of Bagundu, explains how the State is determined to make the concept of the separation of powers work despite the many challenges experienced since gaining independence and moving towards a democratic country.

HRH Chief Hon. Igelle Elias Terhemen, MP
Chief Terhemen is the Ukpam, traditional healer, of Bagundu.

Introduction

The majestic Fako today known as Mount Cameroon, released into the atmosphere a mixture of volcanic ash and lava as the Portuguese explorers watched with dismay from their boat. They concluded that it was the “chariot of the gods”. At the foot of the “chariot of the gods”, the Wouri River drains into the Atlantic Ocean pregnant with a rare species of prawns, from which this quiet equatorial and savanna landscape was to gain the baptismal title of the “Roi Dos Cameroes” meaning river of prawns. The Germans called it Kamerun, the French, Cameroun, and the British, Cameroon.

Around the Wouri, the Kings of present day Douala watched over their citizens as they went about their



HRH Chief Hon. Igelle Elias Terhemen, MP

daily fishing and hunting expeditions, while the chiefs of the Bakweriland, on the foot of Fako danced to the rhythm of Malay. As the explorers moved north of the new found territory, the beautiful grassland manned by the Fons tribe of the West

and north-west regions presided over religious rites to appease the gods in solemn services as their citizens fell on their knees to receive benediction or chastisement.

The grassland gradually faded into the beautiful savannah of the Grand North, present north Cameroon. The territories had their quiet enjoyment perturbed in the 18th century by the arrival of the colonialists beginning with the Portuguese, followed by the Germans, the British and finally the French. The discussions were carried out through a series of treaties with the royal fathers, be they Kings, Chiefs, Fons, Emirs, Mekas, Ukpams or Tata to become part of the great western civilization with new systems of governance among which included the concept of separation of powers.



The spectacular Mount Cameroon

Conceptual definition

The concept of Separation of Powers is an original conception from the French lawyer and political philosopher – Montesquieu from *The Spirit of the Laws*. He holds that within a State, a workable constitution must allocate power in such a way that no branch or institution of government has a monopoly of power over the other branches or institutions. In other words, the constitution should provide for checks and balances. He added that, to ensure that there are checks and balances, power must not always and only be distributed among the various branches of government but also distributed to the various levels of government. In other words, the constitution should avoid the concentration of power either with a

single branch or at a single level.

Fineface Ogoloma, of the Institute of Foundation Studies, Rivers State, Nigeria, considers separation of powers to mean “the administration of the three departments of states by different groups of persons who are independent of one another”. He argues that not one of these groups of persons should have a controlling power over the others. This definition highlights the idea of limiting and curtailing political powers in any political dispensation be it a State or any other political organization.

It is worth noting that this understanding of the concept of separation of powers is close to the original conception by Montesquieu as it illuminates the following aspects of governance:

- A right of old with regards to Parliament and the budget;
- Competition of arguments between Parliament and the parties;
- The interaction between Parliament and the government; and
- The relationship between the constitutional court and Parliament.

Within the concept of separation of powers, checks and balances are crucial in determining the relationship and the nature of interactions between and among the three arms of government which is commonly known to be the Executive, the Judiciary and the Legislative. The importance of the idea of separation of powers to the smooth functioning of any state need not be over-emphasized in that it remains a

key principle in the organizations of governments across the globe with the most advanced democracies such as the United Kingdom and the United States holding the concept in high regard.

This is however not the case with much younger democracies like third-world countries, which have struggled to make the concept of the separation of powers a working document in the administration of governmental power. In most of these countries, political authority is either limited or non-existent for reasons due to political instability and/or the absence or lack of political consensus. Even though most third-world countries pride themselves with the practice of the doctrine of the separation of powers, this is only contained in the



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King Akwa of the Duala of Cameroon: many Cameroonians do not understand the concept of the separation of powers, given their firm belief in their traditional Kings, Fons, Emirs, Ardos, Ukpams, Nfors, and Ntunfam.

constitutions, as in the day-to-day life of these states, the political power is centralized in the hands of the Executive regardless of how the constitution has allocated it in order to check governmental authority.

In such cases, the Executive is not only very powerful, but it also carries out little checks, thus in the absence of legislative or judicial checks, the only organized group capable of exercising any real checks on Chief Executives tends to be the military, that is, if it's itself not in power given the high tendency by the military to stage coups d'états in third world countries. Being a third-world country that has experienced the same crisis of governance like most other developing states,

Cameroon presents a good example for any discussion on the challenges and prospects of the concept of separation of powers.

The Cameroon experience

The development of the doctrine of the separation of powers is alien to the original Cameroonian understanding of how political power was to be managed in order to have effective governance. Cameroon subscribed to the traditional methods of governance by which political power in communities was centered on an all-powerful personality who was also the chief priest of the people. They served as a link between God and man. With colonialism, Cameroon was exposed to the policies of indirect

rule by which the local chiefs wielded political power but by the end of colonialism, Cameroon was left to figure out what best way to govern itself. Cameroon adopted its earliest constitution upon independence from France in 1960. It was a hurried draft based closely on French precedents. In 1961, British Southern Cameroon gained its independence and voted to join its French counterpart. Delegates framed a new constitution, making Cameroon a federation of two states under a single powerful president.

In 1972, President Ahmadou Ahidjo pushed through a new document that abolished the federal system, renamed the country the United Republic of Cameroon, and granted the president greater powers.

After assuming the presidency, H.E Paul Biya pushed through a revised constitution in 1984. The document changed the country's name to the Republic of Cameroon, redrew the lines of the provinces, and redefined the line of succession to the presidency. The current constitution was adopted in 1996 with emphasis on the three arms of government being separate and independent of one another. This constitution also established a Senate as the upper house to the National Assembly.

Although the constitution of Cameroon adheres to the doctrine of the separation of powers, it should be recalled that a strict separation of powers does not operate anywhere in the world not even in advanced



democracies like the United States or the U.K. The concept in Cameroon is faced with a number of challenges, which could best be elaborated by tracing the constitutional development of this concept within the Cameroonian context.

Constitutional development

As mentioned above, the federal system operated until 1972 when the first constitution of the United Republic of Cameroon was adopted. By this constitution the country was to be run by a president in Yaoundé, assisted by a National Assembly. In Buea, there was to be a Prime Minister, a House of Chiefs and a House of Representatives.

President Ahidjo found it costly to keep the two systems and decided to merge them. This led to the first National House of Assembly with only an advisory role. The new Assembly was to advise government on Legislature; their opinion however was subject to the final decision of the Head of State and government. The need to have the powers better defined saw the birth of another constitution on 18 January 1996 with greater emphasis on the doctrine of the separation of powers given the introduction of the Upper House of Parliament, the Senate.

A constitutional provision

Any study of the 1996 constitution of Cameroon will point to a number of shortcomings when contrasted with the original principles proposed by the forefathers of the doctrine. The concept of the separation of powers within the 1996 constitution is captured in Articles II, III, IV and V of that constitution, which clearly distributes political power among the Executive, Judiciary and Legislative arms of government. By the provision of the constitution, a bicameral executive power is identified with a President of the Republic and a Prime Minister who is the head of government as contained in part II of constitution.

In part III, a bicameral Parliament is also highlighted: a National Assembly in charge of legislating and adopting

laws, and a Senate in charge of representing de-centralized and local councils with the power of having a second reading over laws studied and adopted by Parliament. In the same manner part IV provides for a judiciary with the role to assure the respect of laws voted by the Parliament and promulgated into law by the President of the Republic.

The constitution allows for all the three arms of government some political power to control a mechanism in order to control the activities of the other arms of the government and the constitutional power to either legislate, execute or interpret the laws of the nation.

By this articulation, the government explains its actions before the Parliament, and the

“...it could be concluded that the concept of the separation of powers has a bright prospect in Cameroon and with the support of more advanced democracies....”

Parliament can control government actions by written or oral questions. It can also carry out this operation through commissions of enquiry. Where such actions are found unsatisfactory, they can be sanctioned by censure measures or vote of no confidence or both in extreme cases.

The 1996 constitution unfortunately still gives the executive a large sphere of powers that considerably interferes in the actions of both the legislative and judiciary. Article 5(2) of the constitution states that only the President of the Republic plays the role of a referee in the functioning state power. This places him at the epicentre of the smooth functioning and harmonious co-existence of state institutions. To illustrate this point further, article

30 of the constitution of 1996 states that “the texts adopted by the National Assembly are transmitted to the Senate, which may adopt it, make amendments or simply reject part or the totality of the text. However, in such circumstances the President of the republic has the locus standi to convene a meeting of a joint commission comprising equal representation of both houses to propose a common formulation of the provisions rejected by the Senate, the text prepared by the joint commission shall be submitted to both houses by the President of the Republic for approval”. Note that the emphasis here is on “for approval” and not for study and subsequent adoption.

In the same manner the enforcement of a law may require a second reading of the law by the two houses.

Article 25 of the same constitution authorizes the President to intervene in activities reserved strictly for the legislative and judiciary. Similarly, the powers of the judiciary may be put to question if its actual functioning relationship with the executive is considered a threat to national sovereignty. The President of the Republic chairs the higher judicial council and the minister of justice and keeper of the seals is secretary. The President of the Supreme Court stands as a Vice-President and member.

It therefore implies that the concept of separation of powers in Cameroon does not tie to its classic format. We find ourselves faced with the reality of political dynamism and intellectual potentials or provision. The evolution of contemporary concepts of the separation of power therefore articulates within the complex regime of politics that revolves around a presidential and/or parliamentary system.

From a layman's position, the bicameral nature of the Executive, Legislative and Judiciary arms of the Cameroon government seems both cumbersome and financially strenuous. This notwithstanding, the bicameral nature of these structures could have the positive impact of

increasing the number of those participating in decision making and implementation thus ensuring a greater level of efficiency.

Considering that we are treating an alien concept to the traditional Cameroonian society, it is important to count on the goodwill of the governing class to provide the concept as a clear road map, a functional format, from a coherent approach. Being a typical African Community, that more than 45 per cent of Cameroonians do not understand the concept of the separation of powers, given their firm belief in their Kings, Fons, Emirs, Ardos, Ukpams, Nfors, and Ntunfam.

The approach adopted by the 1996 constitution is however a landmark step towards the right direction. Despite the challenges Cameroon faces with the application of the doctrine of the separation of powers, its historical experience with this concept points to the fact that the state is determined to make it workable and has continually indulged in efforts to overcome its challenges in this endeavour. Against this backdrop, it could be concluded that the concept of the separation of powers has a bright prospect in Cameroon and with the support of more advanced democracies and organizations such as the Commonwealth, the government of Cameroon will someday work within *The Spirit of the Laws* as first stipulated by Montesquieu.

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THE ROLE OF THE MEDIA IN CAMEROON

From the colonial era to the multi-party rule, the extent of media freedom in Cameroon has come a long way – with arguably still a further journey ahead. Though legal constraints impose many restrictions on the media in Cameroon, they are invariably necessary in protecting the privacy of not only Members, but also citizens alike. Ultimately, Commonwealth Parliaments should be advocates of the protection of the media as a necessary adjunct to democracy and good governance, argues the Deputy Speaker of the National Assembly of Cameroon.

Hon. Joseph Mbah-Ndam, MP

Mr Mbah-Ndam is the Deputy Speaker of the National Assembly of Cameroon. As well as being a Barrister-at-Law, he is also National Legal Adviser to the Social Democratic Front, and a Member of the Pan African Parliament.

Introduction

The reasons behind my decision to write on this topic are many and varied. Firstly, in my early days as a young Barrister-at-Law operating within a monolithic party-state, freedom of expression was virtually absent. Any attempt to publish what was contrary to the ideology of the one party at the helm of the state was considered subversion and attracted not only the seizure of the publications but summary trial of the publishers with heavy prison sentences. Yet, the preamble of the Cameroon constitution stated clearly that “the freedom of communication, of expression, of the press... are guaranteed under the conditions fixed by law”. So, as a young lawyer I was a human rights activist and championed the defence of many a journalist that were arrested. When in 1990 the wind of freedom and democracy started blowing from the east and there was the rebirth of multi-party politics in Cameroon, the press became the object of attack from the state as it propagated democratic tenets and misdeeds of the governmental apparatus. As a human rights activist I championed their defence in the courts. I later



Hon. Joseph Mbah-Ndam, MP

became a Member of Parliament and press freedom has continued to be one of my preoccupations.

The role of the media in the Republic of Cameroon¹ is therefore best elucidated through a historico conceptual presentation. This will constitute the first part of this discourse. The second part will examine the legal constraints on the freedom of the media. Suffice it to state here the territory that makes up the Republic of Cameroon appertained to the Germans before the First World War. When the French and the British defeated the Germans, they shared it between themselves. The major part which lay to the east was attributed to France and the part

to the west to Great Britain. They administered them respectively as mandated territories of the League of Nations.²

The role of the media during the colonial era

The extent of press freedom enjoyed by the inhabitants of the two colonial territories depended quite as much on what was obtained in the respective countries of the administering authorities. Indigenous people who had studied in France and Great Britain tended to read every journalistic publication that filtered in from these respective Colonial masters. Radio sets were a rare commodity and so RFI and BBC were listened to only by the infinitely few elite and the administering authorities.

Then came the heydays of revolutionary clamour for independence. There was impetus to the effort of informing the populace of the ills of colonialism and the virtues of independence. The written press became the motive force behind the embryonic political parties and student associations that had suddenly sprung up. The lack of infrastructure for the print media and the absence of a good road network made the



Multi-party rule brought about the birth of many newspapers in 1990.



task very difficult. Thus, publication took the form of hand written tracts, typed and circle styled pages, which were secretly disseminated by way of distribution through long distances on foot. The administering authorities fought hard to stamp out this new phenomenon but the population became increasingly aware of the necessity to know what was going on.

The role of the media under the monolithic system

Cameroon was given independence in 1961 and by this time the embryonic written press had gained flesh and the political parties too had matured to the extent that the first indigenous government under Ahmadou Ahidjo considered the press and political parties as dangerous to the unification process of the newly born Federal Republic of Cameroon. In 1962, the then Head of State issued a series of edicts commonly referred to as “the 1962 Ordinances” abolishing all the various press organs and creating a new offence in the law known as “subversion”. Anything that was said or written that tended to criticize

government, state apparatus or its members was tantamount to the crime of “subversion”. A secret police force was instituted and given unlimited powers to enter private premises to conduct searches for written documentation and books that propounded ideas contrary to those of government. It was subversion to pretend to be a reporter or journalist outside the state-owned media. The accused were brought to a military tribunal installed in Yaounde and were tried summarily. Those sentenced to death were immediately executed and those sentenced to life imprisonment were deposited into concentration camps that had been set up for that purpose.

In 1966, all the various political parties, unions and syndicates that flourished during the colonial era and the early years of the Federal Republic of Cameroon were fused into a single political party with the Head of State as its leader. Again, it was subversion for one to pretend to be a political leader outside the one party and many political leaders went the way of the journalists.

It is during this period that one

can ironically assert that the media constituted a vital fourth estate though it played a role that in a democracy would be described as wholly negative. The party-state created a single national radio station³ and a single newspaper.⁴ Parliament was a caricature because its membership was hand picked.⁵ The media was thus used to propagate government policy and when Parliament was meeting, all the speeches presented by the Members of Government were broadcast live with intermittent applause and hand clapping from the “Parliamentarians” and subsequently echoed by the single government newspaper. Hardly did a Parliamentarian take the rostrum except to rise to a motion of support to the Head of State and government. Nothing was known of the business that occurred in the House. Bills said to have been presented by government and adopted in committees were read out in plenary and adopted by applause and hand clapping. Thus, a type of media culture was built into the monolithic party-state system, a press culture of deceit, of false propaganda of government

activities and commentaries in their favour.

The private media was stifled. No one dared criticize or speak against government for that would constitute the crime of subversion. This monolithic Parliament was simply a rubber stamp for a dictatorship that enjoyed unlimited broadcast by the state-owned, party-owned audio-visual and written media. This state of affairs lasted 40 years.

The role of the media under the multi-party rule

On 26 May 1990, a group of citizens from the English speaking part of the country broke the spell by forcefully launching another political party⁶ in Bamenda of the North-West Region. This triggered a wave of protests and street manifestations. Newspapers were born overnight and reporting of daily events became the rule of the day. This also led to the formation of many other political parties and finally the surrender of the government. By November of that year, the one party Parliament voted laws authorising the formation of political parties⁷ and the creation of press organs.⁸



There was only one newspaper in circulation after Cameroon gained independence in 1961.

The extent to which the media plays its role as the fourth estate in Cameroon remains limited. The government is very sensitive to what is published in the private press; the latter is often denied access to information concerning many governmental activities.

The opposition too have become very vocal in Parliament. Much emphasis is laid on declarations made outside Parliament by members of the ruling party. The opposition is scarcely heard beyond the confines of Parliament house and the democratic process is consequently impoverished.

This implies that the media is not only informing the electorate erroneously of the work of its representatives but actually denying it the right to know what the representatives of both the party in power and the opposition are doing and saying, how they address the many issues that confront the nation and to what extent they articulate in Parliament the grievances of their respective constituencies. However, there is no gain in saying that democracy is slowly but steadily gaining ground in Cameroon.

The fact is that the institution of Parliament within a democratic environment requires much media attention. Parliament and media are institutions that should stand

alone but it is submitted that close collaboration between them is a necessary adjunct to the evolution of the democratic process.

But be it in Cameroon, Africa or all other Commonwealth Countries, media freedom suffers from legal restraints as conveyed by the following.

Legal constraints on media freedom

Today, the legal arsenal on press freedom is voluminous. A critical survey of statutes relating to the regulation of the media, its organs and personnel shows that the majority of constraints on the media do not emanate from legislation but from governmental edicts and regulations. The Parliaments of many democratic countries are very reluctant in enacting detailed laws concerning the media, its organs and personnel and when they do, detailed regulation is left to government and the administration. More critical is the interpretation that is accorded these laws, statutes and regulations by the courts.

The legal stance on freedom of the media is to the effect that, subject to the civil and criminal restraints upon publication, any person, association or corporate body may publish a newspaper or magazine without getting official approval in

advance. Blackstone had, as early as 1765, opined that: "The liberty of the press is indeed essential to the nature of a free state. Every free man has an undoubted right to lay what sentiments he pleases before the public; to forbid this is to destroy the freedom of the press; but if he publishes what is improper, mischievous or illegal, he must take the consequences of his own temerity."⁹

From an economic point of view, this liberty is unlikely to be exercised in all Commonwealth countries in the same manner and form. Thus, while in the technologically advanced Commonwealth countries the tendency is to restrict merger and prevent monopoly of the media, the opposite is true with regard to the less developed countries. In African countries, advertising in and the selling of print media and radio products are the main income generators for those in that industry. These have not brought much financial successes to the proprietors. The fact is that very few opposition and really independent newspapers and radios can procure advertisements from other businesses. The business community is not only reluctant to invest in the private media but is often afraid of government reprisals if they advertise their products through it. Newspapers are consequently in debt at all times. In the area of broadcasting, economic and technical reasons have so far limited access to this medium by the private sectors of African countries. Indeed, privately owned audio visual media is yet to flourish in many African Commonwealth countries. In the technologically advanced Commonwealth countries, it is only technical reasons that have prevented the medium being open to all as is the case with the print media.

The licensing system in Cameroon and other African Commonwealth countries

In Cameroon, all that is required of any person, natural or corporate, who desires to enter the print media business is that a declaration be made to the local administrative

authority before the publication of its first edition of the newspaper or magazine he/she intends to publish, containing the name, its periodicity, head office, the names of its proprietor or proprietors, the names of the manager or managers, the name of the printing press where it will be produced and the names of the members of its editorial board.¹⁰ Where the proprietor is a single natural person he is required to be automatically the manager and where they are two or more natural persons as proprietors, they are all required to be co-managers.¹¹ This requirement has far reaching consequences in respect of civil and criminal liability in the event of the commission of the various offences attaching to press freedom contained in that very law.

There are no statutory restrictions concerning foreign investors as obtains in many of the developed Commonwealth countries. All that is required is that the owner of a press organ be resident within the country. The rationale behind this loose prior control is that businesspeople do not regard the print media as a lucrative venture and thus no effort is made to attract investors even from abroad. The most stringent legal constraints are *a posteriori* to the establishment of the press organ. This analysis is true for most African Commonwealth countries.

As concerns the audio visual media, African Commonwealth countries still demonstrate a marked reluctance to open the medium to the private sector. There are not very many privately owned radio organs and the conditions for owning a private television broadcast enterprise are very prohibitive. Aside from its huge capital investment, the government requires certain sums to be made available in a bank account before the licence is granted. Thus, while the United Kingdom,¹² Australia,¹³ New Zealand,¹⁴ Cyprus¹⁵ and many other technologically advanced Commonwealth countries have adopted or contemplate legislation to curb monopoly and restrain foreign investment in the media, African



countries are still shopping around for those who can bring in capital to form viable companies that can operate sustainable media businesses.¹⁶ This however gives the false impression that there are no statutory constraints on the media in African countries and indeed, the laws usually provide that creation and management of a press organ is free. The fact is that these constraints become effective only after the investor has been lured into the media industry.

The licensing system in technologically advanced Commonwealth countries

In most technologically advanced Commonwealth countries, it is commonly asserted that: “The media industry is free and vigorous but, in order to guarantee certain outcomes for the community, the media industry is also subject to various measures of control by governments.”¹⁷

It is no longer the problem in these countries to bridge finance for the development of the media industry, and expertise in the management in this regard is also no longer an issue. The statutory constraints are directed rather towards the prevention of monopolies and foreign investments. Thus, in the United Kingdom, it is an offence for one newspaper to be transferred to the proprietor of another without the consent of the Secretary of State for Trade and Industry where the joint circulation of two newspapers is above 500,000¹⁸; a thing that would readily be encouraged in the less developed Commonwealth countries since a newspaper publication hardly ever exceeds 10,000 copies.

In Australia, the law restricts newspaper owners from controlling TV or radio interests in the same market.¹⁹ In the case of broadcasting, the statutory constraints relate to the allocation and re-allocation of channels and wavelengths. Television and local radio services financed by advertising are now regulated by the Broadcasting Act of 1990 and current developments in technology such as direct broadcasting by satellite and cable

systems will have profound effects on the established broadcasting and telecommunications authorities. Consequently, new forms of regulation have become necessary.

In Australia, there are no controls over the print media other than foreign investment provisions and in 1992 foreign ownership restrictions were applied which have frozen foreign ownership in the print media to pre-1987 levels. These examples can be multiplied from other technologically

“The fact is that the institution of Parliament within a democratic environment requires much media attention.”

advanced Commonwealth countries. It is rather the control *a posteriori*, which appears to be more stringent, and needs to be revisited.

The case of Cameroon

In Cameroon, once a license has been granted by the competent Minister, the commission in charge of control of the media industry is vested with powers to ascertain and approve the qualifications of journalists and auxiliaries sought to be employed by the media organs, constantly evaluate their performance²⁰ and recommend them for the grant of professional cards,²¹ regulate the conditions under which photographs may be made of individuals and public places for publication and/or broadcast,²² and bring up to date the code of ethics and deontology of the profession of press practitioners.

These commissions also review complaints from the public against press organs and their professional staff and undertake withdrawal of licenses as a result of professional misconduct.

But the most stringent regulation of the media in Cameroon seems

to stem from the interpretations accorded legal provisions in respect of the violation of individual freedoms and the dignity of the person. Thus, virtually all press and other media offences are matters for criminal law and the sentences often consist of long prison terms, damages being awarded only incidentally to the aggrieved civil claimants.

The damages awarded by the courts are equally very heavy and many a press media cannot afford funds for their payment. The consequence is that they simply close down as the proprietors go to prison.

In Cameroon, a suit in defamation or libel and slander has almost 95 per cent chances of success.

The law provides that any accused person who intends to prove the veracity of a publication or broadcast on which he/she has been sued must, within five days of being served with the charge sheet, file with the Director of Public Prosecutions, *inter alia*, documentary evidence and/or the names of witnesses he/she intends to adduce in respect of the facts characterized in the charge sheet as defamatory, libellous, slanderous and/or injurious to the person of the complainant, failure to which, at the trial, he/she will be deemed to have admitted their guilt.²³ It has proven difficult for the accused persons or the managers of media organs to put together the documentary and *viva voce* evidence necessary to prove the veracity of the publications or broadcasts and obtain the services of legal practitioners within the mandatory five-day period. Consequently, they are always presumed guilty, convicted and given long-term prison sentences and exorbitant damages.

Moreover, there is little or no redress available in the law in favour of a press organ, or journalist who has been dragged to court on frivolous and vexatious charges of defamation, libel or slander. The cases abound in the books from other African countries where attempts by accused persons and press organs to bring action in this regard have been thrown out of the courts.

On the other hand

In technologically advanced Commonwealth countries, legal constraints stem from the various and varied commissions that have become commonplace in the media industry. For example, in the UK, the Press Council was established as far back as 1953, reconstituted in 1963 and 1973. It sought to preserve the freedom of the British Press, to maintain the highest professional and commercial standards and to consider complaints about the conduct of the press. It however had no power to impose sanctions when it upheld a complaint. It was replaced in 1991 by the Press Complaints Commission when it was thought that its independence was in question and that the number of complaints it receives in each year bore little relation to the level of dissatisfaction with the press.

The Press Complaints Commission is modelled after the Broadcasting Complaints Commission, charged with providing effective means of redress for complaints against the press. The Independent Television Commission is a body corporate whose members are appointed by the Home Secretary to regulate the provision of television programmes, which are provided within the United Kingdom.

The Commission is under a duty to ensure both a wide range of services, including fair and effective competition in the provision of services and the actual programmes being provided by licence-holders granted by the said commission. In Australia, the Competition and Consumer Commission also has the power to audit the performance of the media industry and its central concern is the control of the influence exerted on the community by the media. These examples can be multiplied. It is worth noting here that Zambia and a few other African countries have adopted Media Tribunals in the like of these commissions and assigned to them similar roles.²⁴

The interpretations the courts of the technologically advanced Commonwealth countries accord to



some of these statutory constraints are liberal and commendable. The application of the media offences is also satisfactory.

Today, criminal proceedings are rarely instituted for libel. If they are, it is not necessary to prove that the libel was likely to cause the bridge of the peace. It must be a serious libel to justify invoking the criminal law. In these countries, the whole law of defamation, which is directly relevant to good governance and the working of democratic processes, seeks to resolve the conflict between the freedom of speech and publication and the right of the individual to maintain his reputation against improper attack. There is no doubt that the press and the broadcasting authorities constantly have to be aware of the law on defamation.

Conclusion

Even though it is commonly held that statutory constraints on the media constitute a travesty of the fundamental principle of press or media freedom, it is submitted that a case can be made in their favour. It is true that in democracies, the relationship between politicians and the media is often a love/hate one.

Politicians govern but the media critiques are what reach the people. It is therefore not surprising that governments would always want to control the media to get their "truths" across. They see the media as claiming "the prerogative of the harlot" and possessing power without responsibility.²⁵ To this extent and this regard, statutory constraints become a dangerous weapon in the hands of governments and must be rebuked.

However, there are areas that if constraints were not imposed, society would resemble something of a jungle-like state.

The protection of every person's right to the privacy of their family life, the secrecy of correspondence and other communication are areas that if the press were left unregulated, it would cause untold hardship and scandal in the citizenry. Present day technology provides many avenues for monitoring and intercepting

through wire taping of private conversations. If there are no statutory safeguards in this domain, the private life of every citizen will constantly be in the market place. Cyprus took the lead in this regard, when in 1996, its Parliament enacted a law, which affords sufficient protection to the fundamental right of the secrecy of communication.

It provides that the violation of the said right is a criminal offence punishable with imprisonment whether committed by an agent of the state or any other individual. It further provides for the prohibition of the importation, manufacture, advertisement or sale of any apparatus or device which may be used for the interception or monitoring of a private communication without the permission of the appropriate authority.²⁶

Legal safeguards that regulate the responsibilities of the media in respect of programmes that may affect minors in their bodily, mental or moral condition and restrictions designed for the protection of consumers can also be justified. Again, Cyprus took the lead in this regard in its new Broadcasting Law passed on 15 January 1998.²⁷

These few legal constraints aside, Commonwealth Parliaments should be exponents of the protection of the media as a necessary adjunct to democracy and good governance. Legislation that renders the operation of the media, based on the fundamental rights of freedom of speech, freedom of expression, the dissemination of opinions and information without any intervention from the state and without censorship, should be the avowed goal of Commonwealth Parliaments.

In Québec, the Act respecting access to documents held by public bodies and the protection of personal information came into force in 1982 and granted full access to public documents and the confidentiality of personal information held by the government. In 1994, this was extended to the private sector by another Act of that year. Any company or association, which holds

or uses personal information on individuals, must conform to this Act and any individual may have access to the personal file the company holds on him or her.²⁸ The key objective of this legislation is therefore to protect information of a personal nature that is collected, held and used by the government and to grant to citizens the right to have access to information concerning them in order to avail them of the opportunity to correct matters.

Finally and in the light of the forgoing, the holding of committee meetings behind closed doors, as is the case in Cameroon and in many African and other Commonwealth countries, can no longer be justified. In many Commonwealth countries, while debates in plenary sittings of Parliaments are open to the media, discussions in the standing committees are not.

The norms of democracy and good governance demand that committee meetings be open to the media because they constitute the forums where frank discussion takes place. It is in the committees that members of governments are questioned and it is in the committees that experts give opinion. In many ways therefore, it is unfair to the people who are entitled to know how their representatives reach particular decisions.

Endnotes

1. The Republic of Cameroon on gaining independence in 1961 constituted a Federal Republic made of the two mandated territories, "La Republic du Cameroun" under the French and the "Southern Cameroons" under the English as Federated states. In 1972, through a referendum masterminded by the predominantly French-speaking Government, it became the United Republic of Cameroon. In 1984 an act of government brought back the French anachronism "La Republic du Cameroun" in English, "The Republic of Cameroon" as the name for the whole country.
 2. See; Section 22 of the League of Nations Covenant.
 3. This was known as the "Cameroon National Radio".
 4. This too was known as *Cameroon Tribune*.
5. Parliamentarians were elected on a single list system presented by the central caucus of the one party and it won at all the elections with a 99.99 percent of the votes.
 6. This is the Social Democratic Front (SDF) led by Ni John Fru Ndi and is the main political party of the opposition represented today in Parliament.
 7. There are about 300 political parties in existence today though only six are represented in Parliament.
 8. There are over 60 newspaper publications, about 10 privately owned television organs and very many local radio stations in existence today though the vast majority of them are mushroomed press organs. There is one government owned national television and radio with sub-national regional stations that in the past dominated the Cameroon media space.
 9. Blackstone; Commentaries, 1765.
 10. Law N° 90/052 of 19 December 1990. Section 7.
 11. *ibid*; Section 8.
 12. Fears of a movement towards monopoly conditions in sectors of the press led to the enactment of provisions to ensure that newspaper mergers above a certain scale do not take place in a manner contrary to the public interest. See; The Fair Trading Act 1973, Sections 57-62.
 13. Mr Hardgrave (MP) "The Media in Australia, A Unique Mix for a Unique Nation" *The Parliamentarian* 2001, Issue three pp15 and 16.
 14. The New Zealand Bill of Rights Act 1990.
 15. The New 1998 Broadcasting Law, *The Parliamentarian*, April 1998 p191.
 16. The BBC and the RFI now operate from Cameroonian territory since 1999.
 17. *ibid*; Mr. Hardgrave (MP) "The Media in Australia, A Unique Mix for a Unique Nation" *The Parliamentarian*, 2001, Issue three at p15
 18. The Fair Trading Act 1973, Sections 58
 19. The Fair Trading Act 1973, Sections 58
 20. Decree N° 91/249 of 3 May 1991.
 21. Decree N° 90/060 of 12 January 1990.
 22. Decree N° 74/179 of 7 March 1974.
 23. Law N° 90/052 of 19 December 1990, Sections 80 & 81.
 24. "Defamation Cases" *The Parliamentarian*, July 1997 at pp260 to 261.
 25. Mr Austin Mitchell, MP, *The Parliamentarian* 2001, Issue Three at p263.
 26. *The Parliamentarian*, July 1997, at p. 254
 27. *The Parliamentarian*, April 1998 at p. 191.
 28. The Access to Information Act, 1982 and the Private Sector Act, 1994.



THE ROLE OF AN MP IN CAMEROON

The role of any Member of Parliament varies within every country, region and constituency, but one of the main priorities remain the same: creating laws and policies geared towards the wellbeing of a country's citizens. An MP from Cameroon explains his perspective of three different functions entailed with the roles and responsibilities of an MP.

Hon. Njume Peter Ambang, MP

Mr Ambang is a Member of the Parliament of Cameroon.



Hon. Njume Peter Ambang, MP

Introduction

Parliaments are powerful institutions in every democracy, and can vary in size, in its powers and functions depending on the intrinsic peculiarities of each country. The aspirations of Cameroonians, particularly those most affected by government policies are expressed and heard through the policy-making process. Parliamentarians are therefore seen as key players in fostering democracy and promoting public policies geared towards the wellbeing of the people.

The Role of an MP

The role of an MP in Cameroon may be described from three viewpoints namely:

1. Legislating and ensuring oversight

The role of Parliament in Cameroon is enshrined in the constitution. Under section 14(2), "Parliament shall legislate and control government action". The main role of an MP is first and foremost as a lawmaker and acting as a government watchdog or, a whistleblower to check any social vices.

With regards to policy issues,

an MP participates in activities designated to assist in the passing of legislation, by exercising their work in committees and in plenaries. Even though MPs are expected to "toe the party line", they nonetheless are involved in the scrutiny and amendment of legislative instruments. Members of Parliament are engaged in debates on their constituents as well as their own personal convictions. Considering that MPs are policymakers, they require adequate support from Parliament to enable them to carry out research so that they can perform their role in national governance and development. The work of an MP in Cameroon is not full-time, but an MP can create a role for him/herself. Circumstances within and without Parliament can make an MP's life and work become perpetually functional, as he/she tries to reconcile with party demands from the constituency, contacts and even from the diaspora. MPs are never off-duty. Considering that MPs have to guide the government in

the accomplishment of its task, they need to liaise and cooperate with Cabinet Ministers. The MP exercises oversight duties by ensuring that legislation and government policies are effectively implemented. The MP monitors the financial, administrative and management practices of public officers and holds them accountable to ensure transparency.

2. The Peoples' Representative

The MP is the link between the government and the electorate, and has the mission of bringing the needs, problems and concerns of the citizens to the government for action. It is also the duty of the MP to familiarize the public with ongoing government plans and policies aimed at addressing their problems and concerns. To enable the MP to accomplish this role, it is important for them to have established and maintained a range of contacts throughout the constituency. This will help him/her develop a complete knowledge of the issues affecting the constituency and its citizens. Each MP has a constitutional office where matters are brought in for discussion by the electorate. The MP listens to the people and tries to provide solutions.

3. Supporting the Party

Part of the job of an MP is to uphold the official policies of his/her party in Parliament. The MP has to showcase party policies in the constituency and work for the furtherance of party objectives.

The MP represents the party from

the grassroots level up to the national level.

Activities can vary from attending funerals to community driven activities to the commissioning of appointed state officials.

As the party's political icon in the constituency, an MP is expected to be a role model and a motivator. Hence, the leadership and the personal involvement provided by the MP is quite inspirational. The MP therefore stands to win public support and sympathy for the party through his/her character.

Conclusion

Parliamentarians in Cameroon have a daunting role of law-making, and they achieve this purpose throughout their mandate. Members of Parliament in Cameroon are therefore seen as those with the potential and capability to transform Cameroon through the promotion of democracy. Members of Parliament should therefore be conscious of the fact that they are elected to consider the needs, problems and concerns of the people so as to address these issues for the advancement of the communities they represent.

However, it is quite important for MPs in Cameroon to be given adequate support so that they can positively play their role in meeting national goals and aspirations.

After all, the MP is held responsible and accountable by the electorate for the delivery of these roles even if he/she does not have the resources.



FIGHTING CORRUPTION: A PERMANENT TASK FOR CAMEROONIAN LEADERS

The topic of corruption has become a major pre-occupation of the government of Cameroon and its people over the years. The establishment of specialized institutions by the government is anticipated will help lower levels of corruption, ultimately helping the country better the growth of its economic and social development programmes. However, it will take permanent and consistent efforts by government leaders to ensure that anti-corruption policies and strategies implemented will work effectively, argues a Cameroonian MP.

Hon. Lisinge Arthur Ekeke, MP

Mr Ekeke is a Member of Parliament for Buea, South West Region Cameroon

Universally, corruption is acknowledged as one of the greatest constraints to development. Where corruption prevails, resources are wasted, grassroots empowerment and development programmes are mismanaged and abandoned; investors are deterred and potential for development in communities and individuals remain untapped.

Consequently, economic and social development programmes lag behind and poverty increases. According to the World Bank Group and Transparency International, in developing nations and emerging economies, approximately USD \$20 to \$40 billion is lost annually because of corruption.

With Cameroon's adoption of the United Nations Convention against Corruption (UNCAC), and its establishment of specialized institutions, such as the National Financial Crimes Investigation Agency (ANIF), the Ministry of Higher State Control, the Finance and Budget Disciplinary Council (CDBF), the Audit Bench of the Supreme Court and the National Anti-Corruption Commission (CONAC), the government aims at

putting a comprehensive and holistic combat to contain and ultimately significantly lowering the levels of



Hon. Lisinge Arthur Ekeke, MP

corruption nationwide within private and public service institutions serving the Cameroonian people.

The phenomenon of corruption therefore is not new to the current government but problematic to understand and to identify for the average Cameroonian.

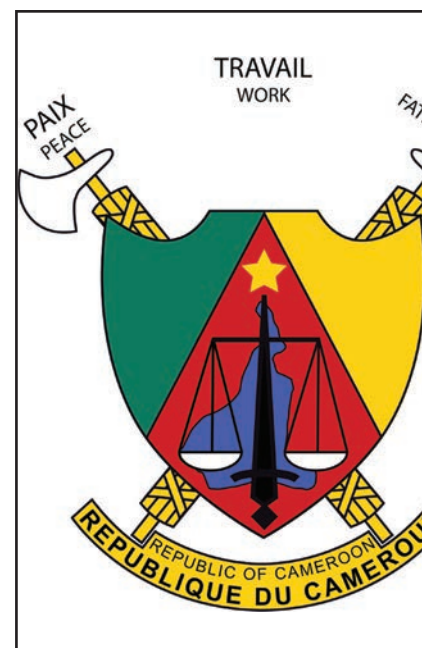
Many of the problems and dilemmas with which previous anti-corruption institutions and ordinary citizens of Cameroon in general have had to struggle with

from the 1990s onwards and even today, has principally been a broad understanding of the acts and manifestations of corruption.

An average Cameroonian if asked is capable of listing only a few sets of inordinate acts by public and private officials as manifestations of corruption – notably misappropriation of public funds and bribery. This alone makes it increasingly difficult for citizens to partner with government in tracking and reporting acts of corruption, thus making the inclusive and collective battle of curbing corruption a daunting task for our present anti-graft institutions and civil society.

Understanding the term

It is important as a first step for current leaders to commit themselves to providing Cameroonians with a concrete understanding of what the broad term of corruption means and how it manifests itself on a day-to-day basis in our present society. In any credible effort against corruption, the ability to perceive is central and needs to be strengthened in citizens and society by its leaders.



Initially the United Nations Development Programme (UNDP) in its 1998 corporate policy paper entitled “fighting corruption to improve governance” defined corruption as the “misuse of public power, office or authority for private benefit through bribery, extortion, influence peddling, nepotism, fraud, speed money or embezzlement”.

The definition, however, was limiting because it considered corruption as a sin of government and public servants, and did not take into account the fact that corruption equally prevails in the private sector. In fact, sexual extortion is a form of

corruption but is not often taken into account in compilations of corruption indices.

More recently, the UNDP began using the broader definition of corruption to accommodate the private sector as captured by the former Nigerian General and President – Olusegun Obasanjo, who defined corruption as “the misuse of public office for private profit or advantage, acts of commission and omission in your employment resulting in loss or disadvantage to your employer and private gain to you or any other person associated with you”. This pattern of behavior can be

found in almost every sphere of life. Such manifestations include:

- Unlawful land grabbing;
- Looting of public property;
- Offering or receiving gifts or bribes to alter the behavior of the recipient;
- Unlawful acquisition of property at the expense of the public;
- Money laundering;
- Theft or attempted theft;
- Conflict of interest;
- Tax evasion;
- Extortion;
- Fraud/forgery;
- Pay-offs;

Left: a poster of President Paul Biya outside the Parliament building;
Below: The Coat of Arms of Cameroon.



- Misrepresentation and impersonation;
- Staff harassment, threats and intimidation;
- Sexual exploitation, immoral behavior;
- Denial of access to public services; and
- Discriminatory practices and any other improper behavior or acts in breach of laws regulations and the rules in force.

The effects of the aforementioned practices and acts of corruption listed have long-lasting damages that could affect the economic, social and political spheres of state governance and even bring about endemic violations and evils. This may include:

Poor economic performance:

An economy can greatly suffer from a slow growth, leading to unemployment and an increase in cost of living or levels of poverty. Unplanned, misdirected expenditures on projects resulting in huge losses can also affect the State. Currency fluctuation, increased inflation and interest rates as well as increased taxation burdens on Cameroonians in addition to hikes in prices of essential goods and services.

Disregard for standards and the pillars of integrity: Such an action could result in leaders showing a lack of respect for the rule of law, a delivery of sub-standard work, services and products, a weak civil society and loss of professional integrity amongst professionals themselves. This comprises a lack of transparency and accountability in public investment decisions, financial management systems and reporting, in addition to opaque public procurement and public property disposal decisions.

If nothing is done to address corruption by our leaders, Cameroonians may soon experience an increase in:

- Loss or withdrawal of international aid: Corrupt practices will provoke international development partners and donors to become unwilling to maintain aid programmes and

consequently will stall key social transformation projects; and

- Looting of public resources: Theft, fraud, embezzlement and money laundering will result in huge losses as well as reduced utilities available for services, causing collapsed infrastructure, poor sanitation and housing.

On an individual level, corrupt practices will produce in our nation a loss of citizens' confidence in the ability of the public service and government to provide adequate and quality services; increasing insecurity in our communities and society. This in turn will lower citizens' purchasing power, escalating a general decade or decline of morals.

The cost of corruption to development at this time of our evolution cannot be ignored. However fighting corruption in a context like Cameroon requires the involvement of political players that act not just as drivers of the socio-economic and political orientation of the country, but also as leaders and legitimate representatives of the majority of citizens in our democracy. This rare position that our leaders occupy provides a platform to influence and control public decision-making processes that shape the lives of citizens and also determine the free flow of corrupt practice within its territory.

Corruption: a governance issue

Considering that corruption is itself a governance issue that can present significant challenges to a country's smooth democratic functioning, it is therefore in the best interest of our country's leaders to see to it that corruption does not trigger a State failure by contributing to instability, and increase pressure on democratically elected governments to contain belligerent groups and terrorists that are difficult to appease.

According to the article published in the Washington Quarterly in 2002 entitled The New Nature of Nation-State Failure, countries undergoing conflict or having emerged from it identify corruption as a dominant

factor in driving fragile countries to state failure. Corruption can lead to and sustain violent conflict in the context of patrimonial regimes that are degenerating under pressures for market reform.

In *Buying Peace or Fuelling War: The Role of Armed Conflicts*, the author Le Billon argues that in countries where corruption has become part of the social and political fabric, conflicts may be more engendered by changes in the pattern of corruption than the existence of corruption itself. For instance, appeasing belligerents in order to create peace leads to a form of competitive corruption between different factions which can result

right of Cameroonians to be allowed access to information of public interest, Cameroonian leaders will be able to create a citizen demand for transparency capable of holding state institutions and their representatives to account.

Fighting corruption in Cameroon will require commitment on the part of its leaders to foster the rule of law as well as an effective and clean judiciary capable of playing its role independently of the Executive arm of government. This is in dispensing justice and guaranteeing the integrity of our institutions and constitution. A failure to monitor and ensure the integrity of legal actors by our leaders or the lack thereof will foster legal

“On an individual level, corrupt practices will produce in our nation a loss of citizens' confidence in the ability of the public service and government to provide adequate and quality services....”

in prolonged violence undermining the ability of government leaders to ensure and sustain stability and peace.

This is an example of how corrupt practices that are not contained or eradicated in a country by its leaders can undermine both the rule of law and the practice of democracy.

In effect, Cameroonian leaders need to understand that fighting corruption will require not only a clear anti-corruption strategic framework but a consistent and objective political will to be responsive, accountable and ethical themselves, while assuming and taking leadership roles and administering responsibilities.

Fighting for the future

Today leaders must ensure that they continually play the role of generating awareness amongst their following on the collective benefits of preventing corruption, highlighting the need to allow and enact policies that supports citizens' access to information. By advocating for the

uncertainty and makes it more difficult to fight corruption.

The fight against corruption comprises a permanent task for all Cameroonian leaders. For a country that is on a road to development and to become a major hub for international partners longing to do business in the central African sub-region, it is imperative that our efforts to contain the scourge of corruption are spread across all sectors of the economy as well as governance. To secure the results of a consistent effort against corruption, we must mobilize our resources to address the following challenges.

- Corrupt practices that exacerbate poverty and negatively affect economic growth: This involves fighting against bribery charges associated with doing business. Extortion and fraud that continues to deepen poverty and inequality among ordinary Cameroonians force the prices and charges of public services to double, lowering quality and distorting the



The Chamber inside the Parliament building



must avoid practices such as the rigging of elections and conflict of interest that could trigger disrespect for constitutional institutions and authorities and ignore the will of the people.

Finally, and most importantly, we should remove corrupt practices that could share a nexus with organized crime. This includes practices like cover-ups in our national security services as well as anti-corruption and regulatory institutions.

Through bribery and denial of access to public services, organized crime groups can nominate key security and regulatory officials to

cover up for their activities and in turn receive benefits. This exposes our people, nation as well as resources to the risk of armed violence from terrorist groups and organizations seeking power via illegitimate and un-democratic means. This could lead to the increase of other crimes such as human and drug trafficking as well as money laundering and extortion.

Conclusion

The art of fighting corruption in Cameroon by its leaders cannot be sporadic or occasional, it has to be orchestrated by a determination to make anti-corruption programmes in Cameroon as well as policies and strategies work effectively.

To accomplish this, leaders have to work permanently and consistently; mobilizing and engaging both ordinary citizens and public institutions in monitoring delivery effectiveness of government programmes as well as respect for accountability and transparency requirements within private and public service institutions. In doing so, Cameroon will not lag behind on its part in the global fight against corruption.

effective and efficient allocation of public expenditure. These inordinate practices go a long way to undercut government capacity to collect and generate revenue as foreign and local investment decisions are hindered by uncertainty in our market and economy caused by the high cost and time wasted associated with our bureaucracy.

- Corrupt practices that could spur conflict and create an obstacle to consolidating peace in Cameroon: This includes addressing issues of money laundering, smuggling of goods and military supplies as well as appeasing belligerents in order to negotiate peace. This only leads to fostering other forms of competitive corruption between different factions that may want to adapt the same tactics, thereby contributing to a potential State failure as the ability of government leaders to ensure and sustain stability and peace is undermined.

To ensure that the fight against corruption is upheld by our leaders: Corrupt practices that hinder the ability of women to contribute their capacity to our development and

economic growth must be curbed: Practices such as sexual exploitation, harassment, denial of access to public services and promotion, in addition to other discriminatory practices and customs that undermine women's physical integrity and expose them to violence in schools, universities, hospitals, public and private offices and well as religious institutions should be tracked and sanctioned. Similarly our leaders should ensure that women are guaranteed adequate safety and protection from abuse and discrimination by legislation and to see that such legislations are enforced locally.

In order to make the fight against corruption a permanent task on the agenda of our leaders, it is necessary that:

Any corrupt practice that debilitates/ drains the effects and contribution of our natural resources to our economy and collective welfare must be addressed: Despite our enormous natural resources and diversity, many Cameroonians are still mired in poverty and suffer from want of basic necessities such as water and

electricity. As public revenue earned from selling such resources are being squandered through corruption and mismanagement, the economic gains of our efforts and resources cannot be perceived in either the quality of life for most Cameroonians or the nature of infrastructure that is required to modernize our economy.

Another permanent task for us as leaders is to eradicate the corruption that violates human rights. Practices such as bribery, tax evasion, complicity and cover-ups, pay-offs and conflict of interest prevents access to justice for most Cameroonians and undermines their right to liberty, justice and a fair trial.

As leaders we must permanently commit ourselves to weeding out such corrupt practices in our judiciary that subvert the principle of non-discrimination, political rights and freedom of expression.

To continue in the fight against corruption we must avoid practices that foster an anti-democratic environment. Corrupt practices hinder multilateral and bilateral cooperation and partnerships with countries interested in doing business. We



LOCAL DEVELOPMENT WITHIN THE CONTEXT OF COMMONWEALTH BEST PRACTICES

In order to identify policies that could help in the development challenges of local communities, a Member of the Senate of Cameroon calls for Parliamentarians to work closely with municipalities by adhering to best practices contained within Commonwealth values.

Senator Francis Isidore Wainchom Nkwain

Senator Nkwain was a Member of the Cameroon Parliament from 1978 to 1983. He was Minister Delegate at the Presidency of the Republic in charge of Cameroon Assemblies from 1987 to 1988; then Minister of Mines, Water and Energy from 1988 to 1992, and Minister Delegate to the Minister of Foreign Affairs, responsible for Commonwealth and Islamic Affairs from 1992 to 1997. Today, he is a nominated Member of the Cameroon Senate and President of the Senate Standing Committee for Foreign Affairs

Cameroon gets ready to host the 60th Commonwealth Parliamentary Conference bringing together people from 53 Commonwealth Member States. From 2 to 10 October 2014, Yaoundé shall play host to this large annual event. Under the patronage of Cameroon's Head of State and President of the Republic, H.E. Paul Biya, the theme of this year's conference is "Repositioning the Commonwealth for the post-2015 Development Agenda".

The ultimate purpose of the CPA is the promotion of knowledge and education about the constitutional, legislative, economic, social and cultural systems within a parliamentary democratic framework, with particular reference to Commonwealth countries, and to other countries that have a close historical and parliamentary association. Furthermore, the CPA connects, develops, promotes and supports Parliamentarians and their staff, to identify benchmarks of good governance and the implementation of the enduring values of the Commonwealth.

The choice of Cameroon to host

the 2014 conference is undoubtedly anchored on the symbol of the path of good governance Cameroon has embarked upon. The choice of venue of any CPA conference is usually a reflection of its value system, since peace, security, stability and good governance remain the index cards of the Commonwealth. How then can we fail to see the link between the cultural heritage of Cameroon, its value system, and the shared vision with the Commonwealth? When it comes to matters of local development, Parliamentarians play a crucial role in their respective constituencies. The question remains: "what is the role of the Cameroonian Parliamentarian in local development within the context of Commonwealth best practices?"

Parliamentarians and local development

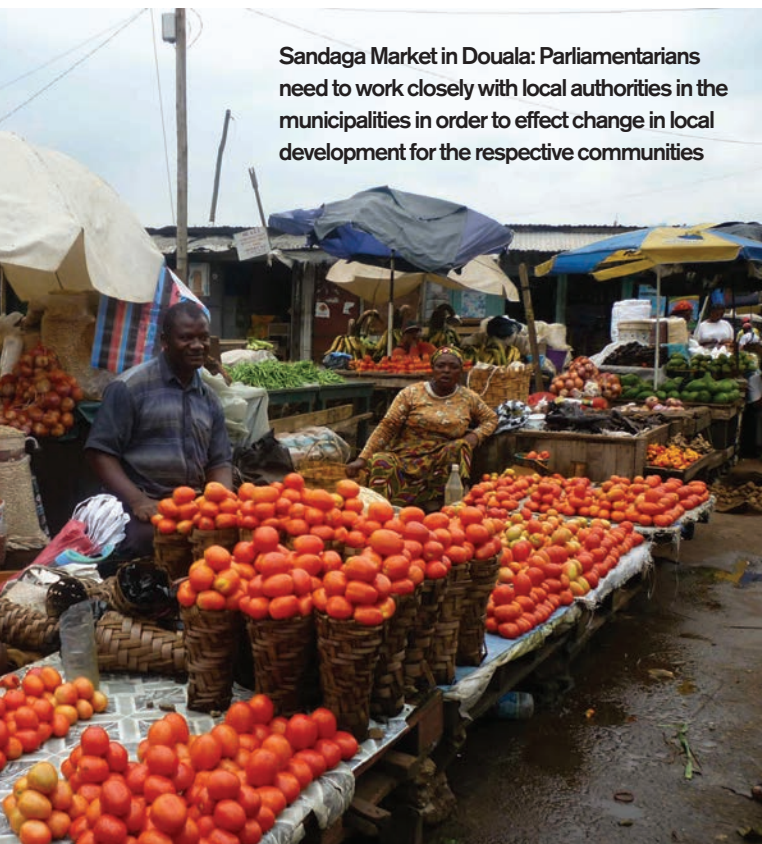
The development of our local communities can only be effective through a participatory approach, given the realities of the ongoing decentralisation process in Cameroon. The main focus, therefore, is our local Councils, and what

we set out to define here is what the Cameroonian Member of the National Assembly (Lower House), and the Cameroonian Senator (Upper House) should do through our municipalities to impact on the lives of fellow citizens.

In this context, the aim of local development, which is to alleviate poverty, is adapting the needs of our local democratic institutions to local realities for sustainability. After all, although the Westminster-style parliamentary system is dominant, all Commonwealth Assemblies contribute to the continuing evolution of democratic methods of governance based on their own cultures, social traditions and levels of development, so that no single institution or country is seen as preeminent, and no individual practice is universally applicable without local adaptation.

In practical terms, the local development realities of my native Njinikom Council are different from those of Santa, Buea or Bakassi, as well as the cultures and social traditions of these municipalities. Yet, the underlying motivating factor in the





Sandaga Market in Douala: Parliamentarians need to work closely with local authorities in the municipalities in order to effect change in local development for the respective communities

local development of these Council areas is hinged on democratic methods of governance based on these diversities. As such, it will be an aberration for any Parliamentarian to seek to effect change in their municipality without taking these realities into consideration, and the only way to do this is to work closely with the local municipal authorities, instead of dictating or single-handedly choosing for the community.

Another sacrosanct precept that guides CPA activities, is the fact that Commonwealth Parliamentarians, irrespective of gender, race, religion or culture, share a commonality of interest, based on respect for the positive ideals of parliamentary democracy, the rule of law and individual rights and freedoms. This, therefore, means that the role of the Cameroonian Parliamentarian in the local development of their community is to ensure common good, through equitable distribution of resources, taking care of minority rights and vulnerable groups, and bearing in mind that the future of Cameroon lies with women and the youth.

One CPA best practice, which

eludes many a Cameroonian Parliamentarian, is the fact that political, constitutional and procedural consultations are most effectively conducted by facilitating contacts between Members and officials of Parliaments and Legislatures, and through full and frank discussions, unfettered by inter-governmental decision-making.

That is why in the local development issues of most of our communities, conflicts are quick to arise between Parliamentarians and the Mayor, or between the Mayor and the local civil administrator. In most cases, these clashes are clashes of personal interest, or of ego. Whereas, through frank and open discussions and without too many administrative obstacles, development can be achieved, with administrators and politicians acting as facilitators and not stumbling blocks.

Parliamentarians and set objectives

For any meaningful development to impact the lives of local communities, objectives must be set and met. The CPA meets its objectives by

organizing conferences, seminars, meetings and special study groups for Members and officials of Commonwealth Parliaments and Legislatures.

In the case of the Cameroonian Parliamentarian, most mandates run through without the constituencies having any tangible contact with their legislative representatives. Yet, physical contact in evaluation meetings and seminars to explain certain parliamentary acts are a *sine qua non* condition for meeting set developmental objectives.

When communities do not interact with their Parliamentarians at a grassroots level, and do not feel their micro-project impact, the impression left behind is that politicians only communicate with the populace when they seek their vote, and once in Parliament, only wait for the next campaign to come with gifts and promises to secure their votes. Yet, all Cameroonian municipalities have development associations and unions, through which Parliamentarians may explain legislative policy, and touch the lives of various communities by executing micro community development projects. By so doing, Parliamentarians would still be meeting the global development objectives of their constituency.

In as much as the Commonwealth is a voluntary association of independent sovereign states, each responsible for its own policies, consulting and co-operating in the common interests of their peoples and in the promotion of international understanding and world peace, even more so, the Cameroonian Parliamentarian, taking their cue from the CPA, should opt for permanent consultation with the stakeholders of the ongoing decentralization process in Cameroon, to be able to meet set development targets.

Conclusion

For the Cameroonian Parliamentarian to play a landmark role in the development of their local communities within the context of Commonwealth best practices, and with the aim of reinforcing

democratic institutions for the alleviation of poverty, they must pay particular attention at the upcoming CPA conference with the following in mind: Parliaments are unusual institutions. They differ greatly both constitutionally and in their practical political operations. They vary in size and shape, in tenure, in powers and functions, in autonomy and in procedures and traditions. As such, and in line with most modern Parliaments, three functions must be highlighted for adaptation to the realities of various local democratic institutions:

- The legislative function: participation in the making of public policy through lawmaking and parliamentary enquiries. This has to be explained to local communities through republican institutions like Councils, explaining how legislation factors into the local development of each municipality.
- The oversight function of the opposition: The emphasis here is for Councils, whether run by the ruling party or the opposition, to be Councils for the development of the entire municipality, with the parties not in local power taking on the role of the ombudsman. By extension, parties in the minority in Parliament must come to terms with the fact that walkouts as a sign of protest against the ruling party will never advance any development cause.
- The representative function: This allows Members to address the problems of their constituents and promote their interests. The lobby power of the Parliamentarian comes into play here, with the younger ones gaining from the experience of the elderly Senators for the common good of local communities.

Thus, apart from being a forum for exchanges among equals, the CPA conference in Yaoundé shall also offer the opportunity for Parliamentarians to follow and share common developments and trends in parliamentary business, and to identify those policies that could better help in the development challenges of their local communities.



THE WORK OF REPAR-CAMEROON

REPAR-CAMEROON is working hard to transform Parliamentarians into a group of key actors in the formulation, implementation and the monitoring of national and international policies in the management of forest ecosystems in Central Africa. The theme coordinator in charge of Parliamentary Action accounts several of the projects initiated by the organization to help turn their objective into a reality.

Hon. Oyono Martin, MP

Mr Martin is the theme Coordinator in charge of Parliamentary Action, and contact person for REPAR-CAMEROON

REPAR-CAMEROON was created in 2008. It is the Cameroonian branch of the sub-regional Network of Parliamentarians for the Sustainable Management of Forest Ecosystems in Central Africa (REPAR), which is an affiliate of the Conference of Dense and Humid Forest Ecosystems of Central Africa (CEFDHAC), which in turn is an affiliate of the Forest Commission of Central Africa (COMIFAC).

The vision of REPAR is to transform Parliamentarians into a group of key actors in the formulation, implementation and the monitoring of national and international policies in the management of forest ecosystems in Central Africa. To this end, REPAR seeks to contribute to the promotion of good governance and sustainable and equitable management of natural resources and the environment. Its main objectives include:

- To ensure the active involvement of Parliamentarians in the formulation,

the implementation, monitoring and evaluation of policies for the management of natural and forest resources as well as the environment; and

- To enhance dialogue between Parliamentarians and their electorate and to enable them to be more accountable to their electorate as regards the management of natural and forest resources as well as the environment.

The activities of REPAR-CAMEROON are carried out with the help of a Coordination Bureau comprising 26 Parliamentarians – representing both the National Assembly and the Senate, focal points in each region and a technical secretariat. It receives an annual budgetary allocation from the National Assembly and regular support from partners.

The management of such funds is controlled by the administrative and finance service of the technical secretariat, an auditor and the General Assembly. To improve its financial management and accounting capacity, its accounts are audited by an external auditor at the end of every financial year.

Since its creation, REPAR-CAMEROON has participated in debates and in the process of

decision-making concerning good governance in the management of natural resources in general and forests resources in particular. Several important projects include:

- The activities of multiple stakeholders to implement the recommendations of the national forum on integrated management of forest and mining resources, which took place in July 2009 at the National Assembly;
- Taking a common stance in terms of reviewing the forestry policy and devising national strategies to mitigate and to adapt to climate change; and
- Initiating dialogue with the government on sensitive issues.

The inputs of REPAR-CAMEROON have also been remarkable in diverse international meetings on climate change, the management of forests and biodiversity, especially during the most recent Conferences of Parties to the UN Convention on climate change (Copenhagen, Durban, Doha, Warsaw), and the committee meetings of the Forest Carbon Partnership Facility (FCPF). At the regional level, REPAR-CAMEROON participated actively

in two international conferences for Parliamentarians on the sustainable management of ecosystems in Central Africa, held in Yaoundé and Bata respectively.

As far as ongoing projects are concerned, the process of incorporating the Senate into REPAR-CAMEROON that was initiated during the General Assembly of April 2014 is being completed.

At the same time, REPAR-CAMEROON is also taking initiatives to regularly participate in discussions at both international and regional levels to enable Parliamentarians to be conversant with sensitive and emerging issues like climate change, the problem of APA (additional benefits awarded to forest communities), and the implementation the Voluntary Partnership Agreement on international trade in wood and wood products (VPA/FLEGT).

This agreement was ratified by the Republic of Cameroon and the European Union in 2011 to concretize Cameroon's commitment to increasingly implementing its own laws in a bid to promote good governance in the management of forest and natural resources at the national and international levels.



Traditional mud houses in the Mandara mountains, Cameroon



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