RESPECT OF HUMAN RIGHTS ON SITES OF MAJOR PROJECTS IN CAMEROON: CASE STUDY OF LOM PANGAR, MBALLAM, NKAMUNA AND MOBILONG

OBSERVATION REPORT

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REPUBLIC OF CAMEROON

EUROPEAN UNION

COOPERATION CAMEROUN – UNION EUROPEENNE

Programme d'Appui à la Société Civile

Civil Society Strengthening Programme

National headquarters: 2nd floor “TONTON BAR” building, opposite Total Ecole de Police sise à TSINGA Yaoundé - Cameroon
Phone: (237) 96 43 34 96 – (237) 75 67 23 38
website: http://www.recodh.org - Email: recodh@recodh.org
TABLE DES MATIERES

LIST OF ACRONYMS AND ABBREVIATIONS .......................................................................................... 5

AKNOWLEDGEMENTS .......................................................................................................................... 7

ABOUT THE CAMEROON NETWORK OF HUMAN RIGHTS ORGANIZATIONS (CNHRO) ......................... 8

CONTEXT .................................................................................................................................................. 9

I – CAMEROON AT A GLANCE .............................................................................................................. 11

A.I. BRIEF HISTORY OF CAMEROON ................................................................................................. 11

I.A-1. The protectorate Territory under UN Trusteeship .................................................................... 11

I.A.2. The independence ....................................................................................................................... 11

I.B. INSTITUTIONAL FRAMEWORK ..................................................................................................... 12

I.B-1. The executive ............................................................................................................................... 12

I.B-2. The legislature ............................................................................................................................ 12

I.B-3. The judiciary ............................................................................................................................... 12

I.C-MECHANISM FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS .................................. 12

I.C-1. International and regional instruments ratified by Cameroon .................................................. 12

I.C-1.a. International instruments to which Cameroon is a party ....................................................... 12

I.C-1.b. Regional instruments to which Cameroon is a Party ............................................................. 13

I.C-2. The Constitution and the national legal framework .................................................................. 13

I.C-2.a. The Constitution ..................................................................................................................... 13

I.C-2.b. The National Legal Framework .............................................................................................. 15

I.C-2.c. Reform of criminal procedure ............................................................................................... 17

I.C-3.d The National Anti-Corruption Commission (NACC) .............................................................. 20

II - ABOUT MAJOR PROJECTS: FOCUS ON THE HYDRO-ELECTRIC DEVELOPMENT OF LOM PANGAR .... 21

II.A. A MULTI-PARTNERS PROJECT .................................................................................................... 21

II.B. CHARACTERISTICS OF THE COMPANY .................................................................................... 22

II.C. OBJECTIVES OF THE PROJECT LOM PANGAR ........................................................................ 22

II.C.1. Description of the reservoir dam ............................................................................................... 22
II.C.1. The Former And Current Population ................................................................. 23

III - THE LEGAL FRAMEWORK GOVERNING THE INVESTMENT PROJECT ........................................ 32

III.A REGULATORY AND ADMINISTRATIVE ASPECTS .................................................................. 32

III.A. 1. Texts Governing Socio - Economic Studies ................................................................. 32

III.A. 2. The Laws Governing Land Acquisition And Involuntary ............................................... 32


III.A- 2.b. Ordinance No. 74-1 Of 6 July 1974 on the Land and Manorial System ....................... 33


III.A. 3. Laws and Decrees Governing the monitoring and compensation ..................................... 35

III.A. 4. Commitments Made by the State to Companies in the investment Charter ................... 35

III.A.5. The international regulatory environment ....................................................................... 38

IV – IMPACTS AND FORECASTS ON HUMAN RIGHTS .................................................................. 39

IV.A- SUMMARY OF IMPACTS OF THE PROJECT .................................................................... 39

IV.C- MEASURES PROVIDED FOR THE RIGHT TO WORK, FOOD, HEALTH, AND EDUCATION IN THE DRAFT LOM PANGAR ................................................................................................. 42

IV.C.1. Measures provided for the right to work ........................................................................... 42

IV.C.2. Measures provided for the right to food ........................................................................... 43

IV.C.3. Measures provided for the right to health ........................................................................ 45

IV.C.4. Measures provided for the right to education: overview of the setting before the project ....... 47

IV.C.5. Measures provided for the right to the environment ....................................................... 47

IV.C.6. Measures provided for the right to adequate standards of living ...................................... 47

V.A. THE RIGHT TO FAIR AND FAVORABLE WORKING CONDITIONS ........................................ 49

- The right of children not to work ............................................................................................. 49

- The right to adequate housing in the workplace ....................................................................... 49

- The existence of a contract of employment .............................................................................. 49

- Equal pay for equal work ........................................................................................................ 49
Enhancement of the civil society’s contribution to the furthering of the rule of law in Cameroon - RECODH, avec l’appui de l’Union Européenne (PASC)

- Social Security .................................................................49
- Freedom of association and negociation ................................49
- The right to strike ...............................................................49
- Non-discrimination .............................................................49
  • Freedom of association and Negotiation ..............................53
  • The right to strike ..............................................................54
  • Non-discrimination ............................................................55

IV.C.2. THE RIGHT TO ADEQUATE FOOD ................................56

V.C.3. THE RIGHT TO HEALTH ..............................................64

V.D. THE RIGHT TO EDUCATION .............................................70

V.E. THE RIGHT TO THE ENVIRONMENT ................................72

V.F. THE RIGHT TO ADEQUATE STANDARDS OF LIVING ..........73

Table: List of agricultural holdings and the new plant material Lom Pangar .........................................................78

VI- IMPLEMENTATION OF ESMP ...........................................79

CONCLUSION AND RECOMMENDATIONS ................................87

ANNEXES ..............................................................................89

  1. QUESTIONNAIRE ..........................................................89
  2. REFERENCES .................................................................96
LIST OF ACRONYMS AND ABBREVIATIONS

ACHPR: African Commission on Human and Peoples’ Rights
AOIP : African Organization for Intellectual Property
BWS : Basic Worker’s Site
C2D: Development and Out-of-Debt Contract
CAMU: Central Africa Monetary Union
CAR: Central Africa Republic
CNHRO: Cameroon Network of Human Rights Organizations
CODEPRO: Community Development program
COTCO : Cameroon Oil Transportation Company
CRP : Compensation and Resettlement Plan
CSEC: Trade Union Confederation of Workers of Cameroon
CWE : China International Water and Electricity Corporation
DBCAS : Development Bank of Central African States
DPU : Declaration of Public Utility
EDC : Electricity Development Corporation
EDF: European Development Fund
EIB : European Investment Bank
EMCCA : Economic and Monetary Community of Central Africa
ESMP: Environmental and Social Management plan
FDA : French Development Agency
FSP: Food Security program
IAM : Inter Conference on Insurance Markets
IARD: Institute of Agronomic Research and Development
ICSW : Inter-African Conference for Social Welfare
IHC: Integrated Health Centre
IIHCD : International Convention for the Regulation
MFDC : Mission for Fisheries Development in Cameroon
MINARDE: Ministry of Agriculture and Rural Development
MINEPTM: Ministry Economy, Planning, and Territory Management
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MINEW : Ministry of Energy and Water
MINFOWL : Ministry of Forestry and Wildlife
MINLCLA : Ministry of Lands, Cadastre and Land Affairs
MINLFAI : Ministry of Livestock, Fisheries and Animal Industries
MINSMSIEH: Ministry of Small and Medium Size Enterprises, Economy, and Handicrafts
MINTAD : Ministry of Territorial Administration and Decentralization
MPH : Ministry of Public Health
NACCO : National Anti-Corruption Commission
NCC: National Communication Council
NEF : National Employment Fund
NGO : Non Governmental Organization
NHDP : National Health Development Plan
NPPAR: National Program for Popularization and Agricultural Research
NSIF : National Social Insurance Fund
OAU : Organization of African Unity
OHBLA : Organization for the Harmonization of Business Law in Africa
PEZ: Priority education zone
PPDRC: Pilot project of Decentralized Rural Credit
PPSC : Provincial Pharmaceutical Supply Center
PTTA : Parents’ and Teachers’ Trust Association
REA: Rural Electrification Agency
RIB : Rapid Intervention Battalion
SMC: Sub-Divisional Medical Center
SPCS: Support Programme for Civil Society
UNDP: United Nations Development Program
UNESCO: United Nations for Education Science and Culture Organization
VAT: Value-added tax
WB : World Bank
WHO: World Health Organization
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HYOMENI Paul Guy

National Coordinator of the CNHRO (RECODH)
ABOUT THE CAMEROON NETWORK OF HUMAN RIGHTS ORGANIZATIONS (CNHRO)

The Cameroon Network of Human Rights Organizations (CNHRO) held its Annual General Meeting on January 6, 2010. The CNHRO is the manifestation of the joint will of organizations working for the promotion and protection of human rights in Cameroon and the Government, through the National Programme on Governance and Human Rights Project of UNDP / NCHRF.

The National Governance Programme of the Republic of Cameroon for the period 2006-2010 includes, among other components, the “improvement of the participation of citizens and civil society in the management of public affairs. This component includes 04 (four) axes including "strengthening of the human rights sector." This sector comprises 04 projects among which one entitled "Capacity Building of human rights NGOs." Among the activities of this project is the creation of a coordination network of human rights NGOs.

Under this program, the Human Rights Project implemented by the National Human Rights and Liberties Commission (NCHRF) with the support of the United Nations Development Programme (UNDP), organized a workshop in February 2009, to train organizations of human rights on the theme: “Sensitization on Human Rights”. One of the expected outcomes of this workshop was the creation a platform for the organizations of human rights in Cameroon. This workshop laid the groundwork for the creation of said platform, and a Committee of Reflection of 17 organizations had been established with the aim of preparing a draft of the statutes of the future network.

The Extraordinary General Assembly of the Network was held in Yaoundé on January 6, 2010. 60 (sixty) organizations working in the field of human rights took part. After this meeting, the statutes of the Network were adopted, and member of the National Coordination were elected.

The CNHRO consists of more than 400 organizations of the Cameroonian civil society spread over all the 58 divisions of the country.

Vision:
"By 2015, a critical mass of CSOs are true bastions, actors in a significant reduction of violations and abuses of human rights."

Objectives:

1. To strengthen the capacity of the civil society organizations working in the field of human rights;
2. To conduct joint advocacy and lobbying for the ratification and implementation of legal instruments for human rights and fundamental liberties stated in the national, regional, and international instruments.
3. To sensitize and educate citizens about their rights;
4. To ensure the protection and defense of human rights and fundamental liberties stated in the national, regional and international instruments.
5. To prepare an annual report on the situation of human rights in Cameroon;
6. To collaborate with governments and national, regional and international organizations for the protections of human rights in Cameroon.

Contacts:
Headquarters: Yaoundé, Tsinga, opposite Total Police Academy, second floor “Tonton Bar” building.
Tel: (237) 96 43 34 96/77 43 63 39
Website: www.recodh.org Email: recodh@recodh.org/recodhcameroun@gmail.com
CONTEXT

This report is an outcome of the project of reinforcement of the contribution of the civil society in the consolidation of the rule of law in Cameroon, implemented by the Cameroonian Network of Organisations for Human Rights (CNHRO); with the financial support from the Support Program to the Civil Society (SPCS).

It is part of the continuity of CNHRO’s previous reports on the situation of human rights in Cameroon.

His writing has introduced two major innovations:

The choice of a specific theme;

The parallel collection of information in the public, private, and civil society, of the local communities and international organizations.

Thematically, it focuses on the respect of human rights on the sites of major projects. Four sites were selected:

- The Hydroelectric Dam Project Lom Pangar;
- The project of extraction of cobalt of Nkamuna, near Lomié;
- The Project of extraction of iron at Mballam, near Ngoyla
- The Project of extraction of diamond of Mobilong.

The aim is to contribute to the consolidation of the rule of law, good governance and respect for human rights in Cameroon. This report therefore includes an assessment tool of governance and respect of the commitments which are incumbent to the State of Cameroon, in the promotion and protection of human rights.

Six rights were identified as important to observe: the right to decent and favorable work including housing, the right to adequate food, the right to health, the right to education, the right to the environment, and right to an adequate standard of living.

The situation of exploration at Mobilong, the stopping of work on the site of GEOVIC at Kongo, and the situation of stand-by of the iron project of Mballam which both require a railroad to transport products, led us to a greater focus on the site of Lom Pangar.

It is intended for public authorities so that they can carry out correctives measures wherever need arises; for the promotion of human rights in Cameroon.

It is aimed at development partners, so as to raise their awareness on current achievements, as well as the challenges to be met for the improvement of the rule of law in Cameroon.

Finally, it is intended for Cameroonians and the Diaspora, researchers from all sides, the civil society and the private sector, so they can know its conclusions and appropriate recommendations to improve the daily life of who, by a twist of fate, found themselves living near major mining and infrastructure projects in Cameroon.
METHODOLOGY

The methodology for the production of this report has a conceptual dimension and an operational level. Conceptually, the methodology is based on two approaches and four principles. The team uses the consultative and participatory approaches.

The CNHRO consulted and operated several available documents including reports of work done by the CSOs, and the results of studies conducted by public authorities; including information on violations, abuses, promotion or protection of human rights.

The CNHRO has established a permanent dialogue with the stakeholders in view to facilitate the collaboration. A variety of actors have been approached for the collection of information: civil servants and public agents, administrative and traditional authorities, NGOs/CSOs, farmers, ranchers, various service operators, transporters, cooperatives, health structures, promoters of institutions of leisure, craftsmen, local populations, and other informal actors.

Four principles have accompanied these two approaches: subsidiarity, the quality of the speakers, the segmentation of stakeholders, and triangulation.

A guided interview and analysis matrices were designed by the team from CSO, member of the CNHRO, involved in both the collection of information and the analysis group.

The CNHRO mobilized a team which, in addition to his experience in the practice of producing the report on the situation of human rights, has experience in working with the government on issues of promotion and protection of rights. The technical coordination was handled by: HYOMENI Paul Guy, Joseph Désiré ZEBAZE, ALI; all members of the CNHRO’s National Coordination.

Although the project is aimed at the whole population, it should be noted that violations and abuses of human rights target specific actors in their social and professional reality. These actors and groups have been addressed differently during data collection.

Data were collected from several sources (documents, interviews, observations, etc.), to ensure the consistency and objectivity of the conclusions from the analysis. Triangulation has emphasized the importance of team diversity and diversification of tools and information sources, all of which ensure the reliability and validity of the information collected.

At the operational level, the work consisted of four steps:

- The operation of the literature review;
- Data collection in the field through structured and semi-structured interviews, and opinion polls from all resource persons at the local level;
- A comparative analysis of the facts, information and observations from the field to the legal provisions in force, in order to formulate proposals and recommendations;
- The steps to consolidate the report through further consultations for the purpose of verification.

The situation of human rights around the sites of major projects was analyzed first under the provisions of the African Charter on Human and Peoples’ Rights, adopted on June 27, 1981 in Nairobi, Kenya, at the 18th Conference of the Organization of African Unity (OAU). It entered into force on October 21, 1986, after ratification of the Charter by 25 states: in particular Articles 15, 16 and 17 respectively on the right to work, to adequate food, health and education. This analysis is supplemented by the appropriate national and international legal framework, and a reminder of the various government actors who have the task of ensuring compliance with these rights.
I – CAMEROON AT A GLANCE

A.I. BRIEF HISTORY OF CAMEROON

In 1845, the British Baptist missionaries settled in Cameroon, which actually became part of the area of influence of Britain. But this influence was short-lived, and in 1868 a German counter was opened on the coast near Douala by Woerman, a Hamburg merchant.

I.A-1. The protectorate Territory under UN Trusteeship

German colonization began in 1884 with the signing in July of a treaty between the king of Bell and Gustav Nachtigal. Protectorate extended from Lake Chad in the north, to the shores of the Sangha in the southeast. Buea at the foot of Mount Cameroon became the capital before being deposed in favor of Douala, in 1908. In 1911, a Franco-German agreement extended the German possessions in certain territories of the French Equatorial Africa. After the First World War, during which Cameroon had been conquered by the Franco-British forces, the German Colony was divided into two territories entrusted to France (four-fifths), and the remainder to the United Kingdom by the mandates of the League of Nations (MLN), in 1922.

The French Cameroon rallied to free France in August 1940. The majority of educated Cameroonian rallied to free France, but some German speaking Cameroonians were arrested and convicted of convivence with the Germans. In 1945, Cameroon became a country under UN trusteeship; which replaced the League. Despite this, in 1946 it became an "associated territory" of the French Union.

In 1948, Ruben Um Nyobe founded the Union of the Peoples of Cameroon (UPC), a nationalist movement. The UPC was banned after the riots of Douala, in May 1955. Wanted by the police, the activists of the UPC took refuge in the forests, where they formed maquis, or fled to the British neighboring Cameroon. The French authorities suppressed these events, including carrying out arbitrary arrests.

The uprising began in Bassa on the night of December 18 to 19, 1956: dozens of hostile personalities to UPC were murdered or abducted; bridges, telephone lines, and other infrastructure were sabotaged. The units of the Cameroon guard violently suppressed these events, which led to the rallying of peasants to the maquis. The troops withdrew in March 1957.

At the same time, the idea of the independence of Cameroon progressed in France. The Territorial Assembly was elected by universal suffrage and a unique college for the first time in December 1956, and M'Bida formed the first Autonomous Government in May 1957, and was replaced by Ahmadou Ahidjo in February 1958.

I.A.2. The independence

The French Cameroon gained independence on 1 January 1960 and became the Republic of Cameroon, immediately recognized by the United States and the Soviet Union. Elections in the territory under French rule were marked by ethnic riots namely, in the Bamileke land; different ethnic groups claiming their independence.

On 1 October 1961, the British colony was split in two after a referendum on self-determination. The north, mainly Muslim, chose to integrate Nigeria. As for the South, mainly Christian, he chose to join the Republic of Cameroon to form the Federal Republic of Cameroon.
Eleven years after the reunification, in the referendum of 20 May 1972, which gives 3,217,056 votes in favor and 158 against, the two Federated states unite to form the United Republic of Cameroon. The resulting territory has an area of 475,442 km² and is located in the western part of central Africa bordering the Atlantic Ocean, at the bottom of the Gulf of Guinea. It is limited in the north by Chad, in the east by the Central Africa Republic, in the south by the Congo, Gabon, and Equatorial Guinea, and in the west by Nigeria. The climate is humid tropical in the south and dry in the north. The average temperature varies between 25 °C in the south, and 32 °C in the North. The vegetation is dominated by savannah in the north and northwest, on a large volcanic chain that extends from Mount Cameroon to the Monts Rhumer through the Monts Alanguis, and the pastures in the highlands of centre and west, the tropical rainforest and swampy lands in the south and east. Cameroon has 10 regions and 58 departments.

I.B. INSTITUTIONAL FRAMEWORK

I.B-1. The executive

The executive power in Cameroon is two-headed; with a President of the Republic, Head of State, and Prime Minister, Head of Government.

President: The President of the Republic is elected by the entire nation. He embodies national unity. He is elected for a term of 07 years renewable. After the presidential election of October 9, 2011, President Paul Biya who has been in power since 1982 was declared the winner before 22 other candidates.

I.B-2. The legislature

The legislature in Cameroon is provided by the Parliament which comprises two chambers: the National Assembly and the Senate. The parliament legislates and oversees the Governmental action. The National Assembly consists of 180 members elected by universal franchise, while the Senate is composed of 100 senators. Of the 100 senators, 70 are elected by an electoral college composed of regional councilors and aldermen. 30 of them are appointed by the President of the Republic. Thus, for each region, 7 senators are elected and 03 appointed by the President of the Republic. The first senatorial elections of Cameroon took place on April 14, 2013.

I.B-3. The judiciary

The judicial power is exercised by the Supreme Court, the courts of appeal, and law courts. Justice is rendered in the territory of the Republic on behalf of the people of Cameroon. The judges shall, in their judicial functions, refer only to the law and their conscience. The President of the Republic is the guarantor of the independence of the judiciary. He appoints the judges.

IC-MECHANISM FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS

The national machinery for the advancement and protection of human rights is made by regional, national, and international instruments to which Cameroon is a party, the Constitution and the national legal framework, and institutions in charge of promoting and protecting human rights at the national level.

I.C-1. International and regional instruments ratified by Cameroon

I.C-1.a. International instruments to which Cameroon is a party
Cameroon is party to a large number of international and regional instruments on human rights. At level of the UN, Cameroon has ratified or acceded to, as appropriate, to 29 instruments involving the State of Cameroon universally in the protection of human rights including the rights of specific groups on thematic given priority in this report. It is party to the International Covenant on Civil and Political Rights of 27 June 1984, the International Covenant on Economic, Social and Cultural Rights of 27 June 1984, the Convention on the Elimination of All Forms of Discrimination against Women of August 23, 1994, the Convention on the Elimination of All Forms of Racial Discrimination 24 June 1971, the Convention on the Rights of the Child of 11 January 1993, the Convention against Torture and Other Cruel, Inhuman and Degrading Treatment of December 19, 1986.

However, Cameroon has not yet ratified the Additional Protocol to the ICESCR adopted in 2008, allowing individuals, authorized associations, and communities to provide communications for violations of ESCR. It has signed but has not ratified the Convention on the Rights of Persons with Disabilities of 13 December 2006, the Convention of 18 December 1990 on Migrant Workers, and the International Convention for the Protection of All Persons against Enforced Disappearance.

I.C-1.b. Regional instruments to which Cameroon is a Party


In sum, Cameroon is a party to a variety of international instruments relating to the promotion and protection of Human Rights. That international law is often incorporated in the constitution and other laws of positive law, and its applicability facilitated in civil and political rights.

I.C-2. The Constitution and the national legal framework

At national level, the revised Constitution of 18 January 1996 is the foundation for the protection of human rights in Cameroon. Ordinary organic laws, as well as the regulations, complement the national legal instruments for the protection and promotion of human rights.

I.C-2.a. The Constitution

As the supreme standard, the basic law of the State, the constitution is the forum in which the commitments of human rights are proclaimed, listed, and guaranteed.

The Constitution of 18 January 1996, in its preamble, states that “the human being possesses inalienable and sacred rights, without any discrimination.” She says her “commitment to the fundamental liberties stated in all international instruments on human rights to which Cameroon is a party, including the Universal Declaration of Human Rights, the UN Charter, the African Charter on Human rigths and peoples”

As traditional rights and liberties, the constitutional text establishes the following principles:
- All are equal in rights and duties;
- The guarantee of the freedom and security of each individual;
- The right to settle anywhere in the country and the freedom to come and go;
- Inviolability of the home and correspondence, the principle of legality of offenses, and penalties as well as the non-retroactivity of the law;
- Free access to justice;
- Freedom of thought, belief, conscience, and religion;
- Freedom of speech, press, assembly and association, freedom of association;
- The protection of the family;
- The right to property, the right to education, and the right to work.

But the 1996 constitution shows originality when its dedicates new rights that are found for the first time in the constitutional universe:

- Recognition of the right to life and its various implications. This is a mark of attention to physical and moral integrity of the person.

- The presumption of innocence: "Every defendant is presumed innocent until proven guilty in a hearing conducted in strict compliance with the rights of the defense case." The proclamation of this law is undoubtedly the entrenchment of the requirements for the right to a fair trial.

Contemporary concerns are also integrated and lead to the diversification of guarantees, based on people or identity groups. These are rights with social connotation set forth in terms of protection; not only of the family but also of women, youth, the elderly, and people with disabilities. The protection afforded to them is actually an awareness of the vulnerability of different social groups.

One of the innovations of the 1996 constitution also lies in the phrase "the State guarantees the protection of minorities and preserves the rights of indigenous populations in accordance with the law." Furthermore, paragraph 2 of Article 1 provides that the State "recognizes and protects traditional values that conform to democratic principles, human rights, and the law." This provision is analyzed as the right of citizens attached to traditional values, not to be deprived from these values; as long as the latter (the traditional values) are not prohibited by the law.

Added to social rights, is the right to strike; alongside the freedom of association, the freedom of communication which is an extension of the freedom of expression, and the right to education: with primary education which is now compulsory.

Finally, it is important to note the entering in the block of constitutional rights and the right to a healthy environment, whose immediate implication is the duty of all to protect the environment.

As it appears, both in its content and in its constitutionally legal value, the preamble of the constitutional text currently in force in Cameroon makes a significant step towards the construction of a rule of law. To some lawyers, it is "the consecration of a rupture: a shift from a "liberty-killing" judicial order to a legal order.
determined to protect people’s liberties" Moreover, the incorporation of the preamble to the constitution assigns constitutional value and binding force to the rights and obligations contained therein.

The Constitution entrusts to the legislature the task of regulating the rights and freedom, even if the executive may intervene in the matter, under other constitutional provisions. This prerogative of the legislator is the very expression of the separation of powers, the only guarantee of the fundamental guarantee of human rights. With this constitutional grant, the Cameroonian Parliament undertook an extensive work of supervision of human rights regarding freedom laws, legislation on the rights of specific categories, and the reform of the Code of Criminal Procedure.

I.C-2.b. The National Legal Framework

The 1990s is a period of strong emergence of human rights in Cameroon. Following the demands and pressures for greater democracy and freedom, the concept of human rights became the top concern of the legislature, and this under the leadership of political power.

As a matter of fact, the year 1990 is a historic date in the affirmation of those rights in the sense that, on December 19, the National Assembly adopted a series of laws that will provide the country with liberal laws and make a genuine rule of law. The legislation is now enriched with texts that affirm and strengthen both individuals, and collective rights, as well as civil, economic, social and cultural rights.

While regretting the lack of a legal framework for economic and social rights such as the right to housing, the right to water, the right to health and the right to food, the advances made in the field of human rights can be illustrated without completeness: the law on freedom of association, the law on social communication, the law establishing the Labour Code, and some other laws.

- **Law No. 90/53 of 19 December 1990 on freedom of association**

Until then, the freedom of association is governed by Law No. 67/LF/19 of 12 June 1967, which was more to lock this freedom judged dangerous at the time.

The 1990 Act which repeals the one of 1967 provides a regime more appropriate to the freedom of association; that it defines in its general provisions as "the freedom of a person or entity to create an association or not to join it." It specifies the legal framework to exercise this right, and defines mechanisms for control, which leads us to say that the freedom of association is now a reality in Cameroon, although it remains under administrative and judicial control, in order to preserve public order and morals.

- **Law No. 90/52 on freedom of social communication**

The law on freedom of social communication sets the framework for exercising the freedom of speech and the freedom press, set out in the constitution.

This law replaces the Law No. 66/LF/18 of 21 December 1966 on the liberal press which was increasingly challenged given the socio-political environment in which it was elaborated. The 1966 Act was made within the context of terrorism and subversion that followed the "independence"; and the fear of secession or destabilization of the ruling regime did not encourage the legislator at the time to liberalize instruments which spread "ideas that upset."
With the "Cameroonian Spring of Liberties", the law of 1990 as amended and supplemented by the No. 96/04 of 4 January 1996 governs not only the press, but all forms and all modes of social communication, including: the printing, the library, the press, the publishing companies, distribution and audiovisual communication, display, as well as the profession of journalism.

This is a revolution whose characteristic features are:

- The establishment of a system of prior declaration to the press at the expense of prior authorization (Article 2);
- The freedom of the press and library (Article 3);
- The freedom of publication and distribution of newspapers (Article 8);
- The freedom of audiovisual communication (Article 36);
- The removal of the prior administrative censorship (new Article 14, Law 1996);
- The prohibition of any search in the place of preparation of manufacture, printing and conservation of documentary organs of social communication... (New Article 51, Law 1996);
- The development of a judicial procedure against specific measures of seizure or blackout media outlets (new Article 17, Law 1996).

The new legal framework and implemented largely contributed to the emergence of many media in Cameroon, Business Development Audiovisual Communication and Advertising.

One of the direct consequences of strengthening freedom of expression, the liberalization of the press and the media landscape is the decriminalization of subversion by the Act No. 90/46 of 19 December 1990 repealing Ordinance No. ° 62/OF/18 of 12 March 1962 on the suppression of subversion.

- **Law n° 92/007 of 14 August 1992 on the Labour Code**

The adoption of this law falls within the framework of the realization of the right to work under the terms of Article 2 is "known to every citizen as a fundamental right. The state must do everything possible to help citizens find a job and keep it when they have got it."

The Act excludes from its scope the employees of the State and acts to regulate labor relations between workers and employers (private sector essentially), and between them and apprentices under their authority.

The 1992 Act which repeals that of 27 November 1974 has many innovations that are in line with the rights of workers, including:

- The right to form trade unions and join. Article 3 provides in effect that "the law recognizes workers and employers, without restriction of any kind, without prior authorization, the right to freely establish trade unions whose object is the study, defense, development and promotion of their interests (...) as well as the social, economic, cultural and moral development of their members."

- The right to strike (Article 157), when exercised under the conditions laid down by law that is to say, after the exhaustion and failure of conciliation and arbitration. In paragraph 4, Article 157 defines a strike as "the collective and concerted refusal by some or all workers of an establishment to comply with the normal rules of work to get the employer to meet their demands or claims."
The constant concern of the legislature to innovate and improve the enjoyment of rights and freedom has led him to vote over the years, many laws in various fields related thereto.

- **Other legislation**

The work of his session called “Session of Liberties” spread to several other areas concerning human rights. This is particularly the case of the following laws:

- Law No. 90/43 on the conditions of entry into, stay in, and exit from the Cameroonian territory, which holds the right to move freely.
- Law No. 90/54 relating to policing, Law No. 90/55 concerning the organization of meetings and public events, the Law No. 90/56 on political parties.
- Law n° 97/009 of 10 January 1997 which incorporates in the Criminal Code the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment of 10 December 1984. Indeed, Article 132 (bis) who was inserted reproduces the conventional definition of torture and also provides for penalties for perpetrators.
- Law n° 99/014 of 22 December 1999 governing non-governmental organizations, which is actually an outgrowth of the law on freedom of association did not offer to them legal recognition.
- In view of the place and the important role that the judge takes in guaranteeing fundamental rights and freedom, the Cameroon Criminal Procedure has undergone considerable reforms.

I.C-2.c. Reform of criminal procedure

With the adoption of the Law No. 2005/007 of 27 July 2005 on the Code of Criminal Procedure, Cameroon undertook an important phase of the modernization and upgrading of its legislation to comply with international standards for the protection of rights and human dignity.

This new code is a revolution in the legal framework, especially in the administration of justice in Cameroon, and harmonizes the rules of procedure on the whole territory.

Numerous innovations for a greater respect for human rights concern:

- The rights of persons deprived of liberty, including the right of visitation and correspondence (Article 238), the right to form a board of medical care (Article 37), the right to food (Article 122 paragraph 4), the right to seek release on bail for persons detained on a provisional basis (Article 224), the right of habeas corpus (Article 584);
- The introduction of the concept of stress in the body, which may be exercised against persons aged under 18 or over 60, or against pregnant women (Article 565);
- The ability to award compensation as a result of abusive detention or custody for any person who is the subject of such measures. This provision represents a real breakthrough and is timely; as it to redresses inestimable injustices and prejudice suffered hitherto by the defendants against whom no charge was finally adopted at the end of the trial;
- It should also be noted the strict regulation of time in custody, which may not exceed 48 hours, renewable once or twice upon written and motivated authorization of the prosecutor (Article 119), and
remand that may exceed six months but may be extended by reasoned order of the investigating judge (Article 221). The accuracy in time thus put an end to indefinitely extended police custody and arbitrary detentions, and raises hopefully, greater speed in the processing of cases.

A few months before its entry into force, the government launched on May 3, 2006, an outreach campaign conducted by the Ministry of Justice within ten provincial capitals. It is about "ensure ownership by all professionals and practitioners of the new Code of Criminal Procedure." But also to brief the people who are the primary beneficiaries, to facilitate its understanding and application. The law must guarantee, more than in the past, the safety of persons, the security of life and physical integrity, through the protection of honest citizens who are victims of violations of their rights.

This entrenchment of rights and freedom and their inclusion in the legislative field is accompanied by the willingness to work for their promotion among all social actors, hence the creation of frameworks to promote, protect and control of rights and Freedom.

**I.C-3. National institutions for the promotion and protection of human rights**

**I.C-3.a. The Constitutional Council**

The Constitutional Council is the competent body on constitutional matters. It decides on the constitutionality of laws. It is the regulatory body of the functioning of institutions.

The Constitutional Council rules on:

- The constitutionality of laws, treaties and international agreements.
- The rules of procedure of the National Assembly and the Senate, before their implementation, for compliance with the constitution.
- The conflict of powers between the institutions of the State, between the State and the regions, and between regions.

Before promulgation, laws and treaties, and international agreements may be referred to the Constitutional Council by the President of the Republic, the Speaker of the National Assembly, the President of the Senate, a third of members or one third of senators, Presidents of Regional Executives in accordance with the law.

The Constitutional Council shall ensure the regularity of presidential elections, parliamentary elections and referendum. It proclaims the results. The decisions of the Constitutional Council are not subject to appeal. They are binding on public authorities and on all administrative, military and judicial, and any natural or legal person. A decision declared unconstitutional may not be promulgated or implemented.

While waiting for the establishment of the Constitutional Council, its duties are handled by the Supreme Court in accordance with the Constitution.


NCHRF was created by Law No. 2004/016 of 22 July 2004 on the establishment, organization and operation, replacing the National Committee on Human Rights and Fundamental Freedom which had emerged by decree of the Head of States, in 1990.
NCHRF is an independent institution for consultation, observation, evaluation, dialogue, consultation, promotion and protection of human rights. The Commission has a legal personality and financial autonomy.

The Commission is responsible for the promotion and protection of human rights and freedom. As such, it:

- Receives all denunciations on cases of breaches of human rights and freedom;
- Enhances all inquiries and make all necessary investigations on cases of breaches of human rights and freedom, and shall report to the President of the Republic;
- Captures all authorities of breaches of human rights and freedom;
- Performs as necessary, visits prisons, police stations and gendarmerie in the presence of the competent prosecutor or his representative republic. These visits can result in a report sent to the competent authorities;
- Study all matters relating to the promotion and protection of human rights and freedom;
- Make suggestions to the government for actions in the field of human rights and freedom;
- Popularized by all means, instruments relating to human rights and freedom, and ensure the development of a culture of human rights within the public; through education, information and organization of conferences and seminars;
- Liaise, where appropriate, with non-governmental organizations working for the protection and promotion of human rights;
- Collects and disseminates international literature on human rights and freedom;
- Maintain, where appropriate, all relations with the United Nations, international organizations, committees or foreign associations pursuing similar goals and shall inform the Minister of Foreign Affairs.

I.C-3.c. The National Communication Council (NCC)

According to the Decree No. 2012/038 of 23 January 2012 on the reorganization of the National Communication Council, the NCC is a regulatory body and consultation. It operates under the authority of the Prime Minister, Head of Government, and has legal personality and financial autonomy.

The NCC is composed of nine (09) members including a Chairman and a Vice-President. The Council is responsible for assisting the government in the development, implementation, and monitoring of the national policy of social communication. It ensures compliance with the freedom of social communication, in accordance with the Constitution, laws, and regulations. The Council shall review its decisions and compliance with:

- Laws and regulations of social communication;
- Ethos and professional ethics;
- Social peace, unity and national integration in all media;
- The promotion of national languages and cultures in all media;
- The promotion of ideals of peace, democracy and human rights;
- Protection of the dignity of persons, in particular children and youth, in the media;
- The independence of public and private communication services;
- Transparency, pluralism, and balance in the curriculum of business communication.

I.C-3.d The National Anti-Corruption Commission (NACC)

Created by Presidential Decree No. 2006/088 of 11 March 2006, the NACCO is an independent public body responsible for contributing to the fight against corruption. Its missions are:

Monitor and evaluate the effective implementation of the plan Governmental fight against corruption;

Collect, centralize and operate denunciations and information before it, for practical facts or acts of corruption and related offenses;

Conduct any studies or investigations and propose measures to prevent or curb corruption;

Proceed, if necessary, the physical execution of projects and the evaluation of the conditions of procurement of public markets;

Disseminate and popularize the texts on the fight against corruption;

Identify the causes of corruption and provide the competent authorities with measures to eliminate or eradicate it;

Complete any mission entrusted to it by the President of the Republic;

The Commission may address practices, facts or acts of corruption and related offenses which it is aware of;

The Commission may also be met by any moral entity or individual, for complaints or reports of facts or acts of corruption;

The committee is required to protect its sources. However, if the demonstrated willingness to harm the whistleblower is established, the Commission closed the protection of the source concerned at the request of the court.

The NACCO has a Coordinating Committee and a Permanent Secretariat. The Coordinating Committee is under the authority of the President and is composed of 11 members, including a Vhairman and a Vice-president.

According to the law creating the NACC, the Committee members are chosen by individuals who demonstrate integrity in the performance of their duties, are of good morality; and from the administration and civil society.
II - ABOUT MAJOR PROJECTS: FOCUS ON THE HYDRO-ELECTRIC DEVELOPMENT OF LOM PANGAR

II.A. A MULTI-PARTNERS PROJECT

The construction project of the hydroelectric dam at Lom Pangar is a project whose total budget amounts to 178 billion CFA francs. It is funded by several partners:

- The World Bank (WB): 66 billion CFA
- The French Development Agency (FDA): 39.3 billion CFA francs
- The European Investment Bank (EIB): 19.7 billion CFA francs

Lom Pangar project is located in the East Region of Cameroon, specifically in the canton Deng-Deng, on the Lom River; at about 4 km downstream from its confluence with Pangar and about 120 km north from the city of Bertoua.

Administratively, the area depends on the sub-divisions of Belabo and Bétaré Oya. The area is inhabited by Bantu populations (Bobilis, Képéré Pol) in the Deng Deng part, and Gbaya populations (over 98%) in other areas. Representatives of other ethnic groups (especially Mbororo and Fulani) are settled in large villages of the interior, and the villages along the paved road and railway.

It was developed in a partnership approach to reduce the price of electricity in Cameroon. To rally the technical and financial partners, the project has been designed in accordance with the technical standings, environmental and social hour. That is why it was welcomed by the Board of Directors of the World Bank as a flagship project in solving the energy crisis in Africa.

Eventually, the dam at Lom Pangar will enable Cameroon to increase its power generation capacity. Concretely, the project will significantly increase the regulated flows of the hydroelectric plants of Edea and Song Loulou. Electrical energy will also be produced by a plant foot. This will foster the supplying of electricity in nearly 150 villages and therefore 10,000 households in the country. The project also offers a solution to the unemployment crisis facing the Cameroon. The Minister of Economy, Planning and Territory Management (MINEPTM), Emmanuel Nganou Djoumessi, has stressed that "the project opens prospects for direct and indirect jobs."

The project includes:

- The establishment of a dam with a flow control structure, a water intake plant, an ejector, and a fuse;
- The development, construction, and operation of a reservoir of 6,000,000,000 m3 and 540 km2;
- The installation of a hydroelectric plant foot of a power of 30 megawatts, mainly to supply the Eastern Region;
- The installation of a transmission line of 90 KV with a length of about 120 km between the dam site and Bertoua.

The hydroelectric project of Lom Pangar requires ancillary facilities, prior to the start of construction of the dam, namely:

1. The construction of a road between Deng Deng and the dam site;
2. The construction of a city of the client on the left bank of the Lom, and provisional construction facilities on the right bank;

3. The installation of a provisional bridge over the left bank to right bank, near the dam. All these preparatory developments are to be realized before the start of construction of the structure itself.

II.B. CHARACTERISTICS OF THE COMPANY

The construction project of the hydroelectric dam at Lom Pangar is made following a tripartite arrangement comprising a client, a contractor, and a contractor for carrying out the work.

The client is Electricité du Cameroun (EDC), a company under Cameroonian law to manage the heritage of the State’s electricity. Its national headquarters is in Yaoundé, with a regional office in Bertoua. The State is the sole owner of EDC capital. It is placed under the Ministry of Energy and Water.

The contractor is Coyne and Bellier, a French firm of consulting engineers.

China International Water & Electricity Corporation (CWE) is a Chinese company responsible for carrying out work on the dam.

She has to her credit the achievement of several works of this scale; with the hydroelectric dam Song Loulou on the Sanaga in Edea.

II.C. OBJECTIVES OF THE PROJECT LOM PANGAR

The reservoir dam at Lom Pangar will complete the regularization of the Sanaga to optimize production from existing plants, and create conditions for the development of new and important sites downstream, for interesting economic conditions. The reservoir of Lom Pangar will increase the regulated flow of the Sanaga over 1,000 m³ upstream Song Loulou, to saturate its design flow and increase production in Edea, during periods of low water that is about 160 MW produced by the two structures.

As such, the proposed reservoir dam is the centerpiece of the Government’s strategy to ensure in a medium and short-term, electricity supply in the country, and at low cost. In achieving this development with the support of international institutions, the Government wants to ensure the safety of facilities and optimize the impacts of the project at the environmental and socio-economic levels.

II.C.1. Description of the reservoir dam

The dam is of mixed type. It has a concrete section of the river which includes hydraulic functions of the dam and two wings that provide ground closing banks. It is complemented by a saddle dam that closes a topographic depression on the right bank of the dam. The influence of the reservoir has a maximum area of 590 km² with a useful storage capacity of 6 billion m³.
Public authorities have taken the option to make a plant and a dam. It will be equipped with 4 generators with a nominal power of 7.4 MW, for a total power of 30 MW. The energy will be discharged on Bertoua by a high voltage line. The development of Lom Pangar is part of the continuing development of the hydroelectric potential of the Sanaga: after the construction of power plants of Edea, in the 1950s and Song-Loulou, between 1981 and 1988; as well as the dam reservoirs of Mbakaou, in 1969, Bamendjin in 1974 and Mape in 1988. The possibility offered by the watershed of the Sanaga to develop reservoirs upstream shall permit the regulation of the river flow during low water. It also helps to give a response to the downward trend of the contributions of the Sanaga in recent years. All planning studies carried out in recent years on the interconnected network south Lom Pangar conclude that is the most important work in, terms of storage capacity, that can be achieved in the basin of the Sanaga.

The commitment of France through FDA lies on the fact that the Lom Pangar will help stimulate the production of aluminum, develop mining, and improve the daily lives of Cameroonians so that there is less electricity shortages and blackouts.

**II.C.1. The Former And Current Population**

Three ethnic groups inhabit the study area of the project: Képéré, Gbaya and Pol. The Képéré are installed on the left bank of Lom and on the right and left banks of the Sanaga River through Sés. By their origins, this group is related to the Mboum of Adamaoa. They settled in the area in the mid-nineteenth century, under the pressure of the Gbaya and Fulani and were divided into two groups.

**Képéré**

The subgroup Képéré Deng (who call themselves Gbete14) live in the canton of Deng Deng, in the area of construction of the dam, and down the road that connects to Goyoum to Belabo. The subgroup Deng Deng is
installed along the railway Goyoum-Lom, and along the road of Deng Deng, at SONEL camp near of Djerem, and at Hona; on the road of Bertoua.

The construction of the railway and the creation of its access by the company COGEFAR - from 1969 – caused the installation of the villages of Mbaki at Tametchek, which were located on a pedestrian trail between 5 and 15 miles away in the forest. The villages Haman and Ouami settled on the track opened by Sonel, at the edge of Lom where a pioneer village was established, near the camp Sonel.

Pol
The Pol are installed along the road Bertoua - Mambay - Deng Deng, through Hona village. They are of semi-Bantu origin such as the Képééré. They have not experienced migration from their current occupation sites.

Gbaya
Gbaya are of Sudanese origin. They are also found in Central African Republic. This is the main ethnic group in the study area. They are found in north of Lom, along the road Bertoua - Meiganga. They left the region of Carnot in the Central Africa Republic, and settled in Adamawa in the late eighteenth century. They undertook a migration in the savannah region through Bertoua, in the late eighteenth century, pushing southward Bantu groups and resisting the Fulbe conquests of the nineteenth century. Between 1929 and 1930, they rebelled against the colonial power. Later, they were forced to settle along the National Highway No. 1 to the years 1934-1936. Since then, most of the villages have undergone movements of small amplitude, the ancient sites - currently consisting grove of fruit trees - were abandoned for various reasons: the death of a chief, witchcraft, "choking" of habitat or cultures. This instability has led to the disappearance of some hamlets trying to recover along the National Highway No. 1.

The construction of the railway was responsible for the disappearance of almost all the villages along the Bikoko-Mbitom track, and their resettlement along the railway from 1970.

From this presentation of data, it appears that the study area is occupied by three ethnic groups whose interests and concerns must be taken into account in the implementation of the project. This area is open to other groups to exchange; we see that other stands settled more in the area.

Migration trends
Traditionally, indigenous people have always welcomed immigrants. In the area Bétaré Oya, this concerns the migration the Mbororo with their flocks. In the southern area, it concerns ethnic groups from the Central and East provinces, in search of fertile agricultural land and forest resources such as timber and hunting. The study area is a transition zone between North and South. This position attracts new people for various reasons. New ethnic groups have joined these ancient settlements:

Bétaré Oya subdivision. - The Hausa and Fulani are among the first alien groups to settle in the area, in order to conduct business (traders, hawkers, artisans), livestock, and agriculture. Out of the 703 households sampled in the survey conducted in 1997, they represent 4.5% of heads of households.

Mbororo are essentially breeders who come to the area, in search of pasture and opportunities to sell their animals across the railway Mbitom and in the important livestock market of Bouli. Usually they go down in October, at the end of the rainy season, and back in March-April, before the upwelling of Lom north. Some
groups are in the process of settling into permanent settlements on the edge of villages, along the National Highway No. 1 or northern Bikoko. They include cattle Gbay in their herds and some convert to agriculture.

**Belabo subdivision.** - Populations from central (. Beti, Eton, Baboute, Bassa, etc.) of the Kadey (Kaka), Upper NyNGO (Maka) and neighboring cantons (Bobilis, Yanguéré, etc.). They perform various activities: agricultural migrants, seasonal workers in the forestry sector, clandestine sawyers, buyam-sellam (buyers - resellers) of food crops. Hunters, poachers, and traders are attracted by the virgin lands and prospects of traffic and various exchanges offered through the railway.

Other groups have began to take an interest in the area, especially from the north -west and west, for commercial and small business. Certain ethnic groups from the Far North (Massa, Kotoko) have settled in the area for fishing activities.

These migration flows have an impact on changes in the structure of the population in the region. With the implementation of the project, these population movements will intensify.

### Table 1. - Population of cantons in the impact of the dam area by Era Development Report, 1997.

<table>
<thead>
<tr>
<th>Cantons</th>
<th>Population en 1997</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gbay Laï</td>
<td>4.804</td>
</tr>
<tr>
<td>Gbaya Yayoué</td>
<td>5.172</td>
</tr>
<tr>
<td>Mbitom</td>
<td>3.412</td>
</tr>
<tr>
<td>Bodomo</td>
<td>2.122</td>
</tr>
<tr>
<td>Képéré Deng</td>
<td>2.472</td>
</tr>
<tr>
<td>Pol</td>
<td>797</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>18.779</td>
</tr>
</tbody>
</table>

**Demographic change since 1997**

In 1997, the study area had 69 villages of which 51 in the subdivision of Bétaré Oya and 18 in Belabo. These villages are located along different axes of communication that serve the area: along the railway line and National Highway No. 1. There is a densely populated north-east of the study area, on the roads Bétaré Oya - Monay and Bétaré Oya - Dole Tamtana. This densely populated covers an area of 1200 km.

It consists of 24 villages which represent a third of the area. The average distance between the villages is 5 km; while on the National Highway No. 1 the distance between the villages is 10 km and 20 km on the track.

In 1997, the rural area (excluding Bétaré Oya) had, according to the ED report, a population of 18,779 inhabitants distributed as shown in Table 3, in the different cantons:

Population Bétaré Oya in 1997 is estimated at 7,675 inhabitants by Era Development Report. Theme Urban Studies in 2004 indicate that the population Bétaré Oya is still around 7,800 inhabitants, 95% are Gbaya.
Updated demographic data in 2004
The demographic data concern the villages surveyed in 2004, and compare these data with those published in the Era Development Report (ED), in 1997, (ED observations), and 1987 (GSPH, General Census of Population and Housing).

The populations in each entity (see table) would be:

- 5,200 in Doyo-Touraké-Bangbel area behind the reservoir;
- 7800 in the city of Betar Oya;
- 11,600 in the area of the paved road between Bétaré Oya and Petit Bello;
- Mbitom and Tête d’Elephant along the railway (≥200 – probably at Liguim, a village of 90 inhabitants in 1997);
- 410 in unofficial villages around the reservoir;
- A variable number of breeders throughout the year.

| Population in the direct impact of the Lom-Pangar project area (NB: not Doyo identified in 1997 includes only farmers who live in villages and hamlets permanent). |
|---|---|---|---|---|---|
| Zone Deng-Deng (avec Goyoum) | 1.087 | 1.179 | 1.975 | +62% | +15% |
| Zone Bétaré Oya rurale : Doyo-Touraké-Bangbel | 3.560 | 3.542 | 5.336 | +50% | +42% |
| Bétaré Oya ville (selon équipe urbanisme) | 4.271 | 7.675 | 7.800 | +63% | +2% |
| Zone Route goudronnée Bétaré Oya – Petit Bello | 5.906 | 8.625 | 11.644 | +95% | +35% |
| Mbétom avec camp Camrail et Tête d’éléphant | 1.509 | 2.112 | 2.954 | +96% | +40% |
| Hameaux et campements en dehors des axes principaux | ? | ? | 407 | ? | ? |
| Total de la zone | 16.413 | 23.673 | 29.709 | 81% | 25% |

Table 2.

Political and Administrative Organization, and Division the Area
The impact area of the project is located in the department of Lom and Djérem, and it includes two subdivisions: Bétaré Oya and Belabo. On the upper level, the State is represented by the Senior Divisional Officer and the two Divisional Officers of Belabo Bétaré Oya. Only the latter are assisted by a District Chief (in Goura). Divisional Officers communicate directly with traditional leaders. Traditional authority is provided by the canton chiefs and heads of villages. These are administrative assistants in their constituencies. They contribute to the maintenance of order, socio-economic, and cultural development of their communities.

They are indispensable partners in the public consultation. There are also local authorities headed by mayors. They are mandated to manage local affairs. Local authorities are often faced with the lack of resources. The local community is represented and managed by a municipality consisting of an elected mayor and councilors.
from major villages. The mayor is often (this is the case Belabo, Bétaré Oya and Goura) an elite, busy elsewhere, but represented by an assistant. Councillors weigh heavily on the construction of opinions in the villages. Some villages have members or former members who keep their power, as lon as they can remain active in their political party. Since the last election, the former single party, the CPDM, came back strongly in the country: the voters would have realized that it is more advantageous for them to vote for and not against the “power”. At Bétaré Oya, three political parties are active: the CPDM, UNDP and the SDF.

Social actors

Traditionally, the political structure is low, both in the North and Gbay in Képére (Gbete) South. The clan structure transformed into policy during the colonial period structure is still present. In this structure it is above the heads of Canton (2nd Degree Chief) that keep some power over their people. In the villages, youth access to social status through marriage, their children, and their age.

Traditional authorities

Heads of third degree are generally elected or selected from the ruling family; they have assistants who replace them for minor cases. The heads are intermediates for administrative affairs between the population and the authorities (Senior Divisional Officer and Divisional Officer). Their influence in their villages depends more on their personality than their function of chiefs. They share their moral authority with village elders, but also their prerogatives in managing local villagers. In case of dispute, the chiefs and elders settle. When their decision is challenged, they refer the case to the customary court, which takes place in the head township. These leaders of 3rd Degree administer their villages and some small neighboring hamlets.
Elites

In addition to the elders, we must also acknowledge the influence of elites. These are folks from the various villages who often live in the city, where they occupy a position of civil servants or any socially valued function; or retired civil servants. These elites act as interface between the village and the outside world: the local ruling authorities (chiefs and elders) to consult them regularly, and take account of their views.

![Map 3. - The project area and outlines the major impacts](image)

Religious guidance

Churches represented in the area are the Catholic Church (a mission with two priests and several nuns all of Polish origin - especially active on the road of Bertoua and about half of the growing Gbaya villages) and the Evangelical Lutheran Church in Cameroon, which covers most of the other villages. It is only at Bétaré Oya that other religious groups such as Jehovah’s Witnesses and the followers of the Bahai Faith are found. Churches could be of great support in the transmission of messages; but as for now, they have not shown great interest in the project of construction of the dam.

The setting: socio-economic environment

The socio-economic environment refers first of all to the existing facilities in the region and in the villages, and provides a summary table, and finally, treats of the living conditions and economic activities of the people, in order to elaborate a typology of savings in place.
Community facilities

Community facilities include schools, health centers, agricultural extension services, veterinary markets, and water supplies. In 1997, the study area of the had very little infrastructures.

The railway runs along the study area to the west. It follows the valley of the Sanaga to the confluence with the Lom. Areas of the South and East are served by roads: for example the paved road Bertoua - Bétaré Oya; while the valley of Lom Pangar remains relatively enclosed.

In 1997, thirty primary schools enrolled about 4,000 children in very precarious conditions. There are two secondary schools at Bétaré Oya.

In 1997, there were health infrastructure at Bétaré Oya, Deng Deng, and Mbitom; and they were all under-equipped and without medication. Only the missionnaries' structures at Bétaré Oya and Mbitom seemed to work in a more satisfactory way. In 2004, there are health facilities in the villages of Deng Deng and Bétaré Oya.

CAMRAIL built a health center (reserved to the staff) and another center existed at Mbitom in 1997, and their current operation has been confirmed. In 1997, some health centers were created at Bouli (functional with a nurse) and Dang Patou, 20 km north of Doyo, as well as on the national road No. 1, at Tongo, Gandima, Ndokayo, and Garga Sarali.

The airport of Belabo was developed by COTCO. This infrastructure receives flights daily. It is interesting to note that the airport Doyo which used to transport the staff of the Pipeline was destroyed. The monitoring of the populations is incumbent to administrative authorities (Senior Divisional Officer, Divisional Officer, Mayor, District Chief and village chief), and technical administrative services: education and agriculture (NPPAR) present in some large villages, livestock and health program: National Programme for Fight against AIDS. At least a Committee and a signboard are present in almost all villages, but the actions are very limited: many committees declaring not even having condoms that they can distribute or sell. Monitoring is more important on the paved road. The Catholic NGO CODASC has launched several programs sensitization and popularization in the villages, and several companies are involved in the sensitization for the growing of tobacco.

The drinking water

The main sources of drinking water are unprotected “traditional” sources and small rivers. The first often consist of a hole dug at the downward of upward stream of a river, and more rarely, the dripping water from a hillside or rock. In the 1980s, agricultural engineering built some water plants: the places are cemented and the water comes out of a pipe without being defiled. Among those which are still present, only those of Bangbel and Ndokayo still work today. There, in 2004, 8 functional boreholes and 2 protected wells are under construction. 7 of the 8 functional boreholes were constructed as part of a recent rural water supply program in the area Bétaré Oya and they all work. On the paved road, there is only one village with 1 functional bore hole. In five large villages all the bore holes broke down many years ago. Around the railway, the bore holes of Camrail are rarely used by the local populations. Only the bore hole of Tête d’Elephant is available for a few hours a day.

In villages, bore holes are not sufficiently used by people, this for various reasons:

- The cost of access to water. In most cases, the applied tariffs are a big handicap: they are determined by a local management committee, according to a schedule adopted at a general meeting, and it is often around 500 CFA F per month. This roughly corresponds to a cost varying, depending on location, between 10 and 25 CFA F per 1 liter bucket.
- The presence of alternative water sources. In the area, it is not the water itself that is missing: many traditional sources and small rivers are available. Also, many people prefer to supply in the backwaters rather than spending money to have access to safe drinking water.
- Ignorance of the benefits associated with the consumption of drinking water. People do not necessarily see the link between water quality and the propensity to catch a variety of diseases.
- The taste qualities of water. At Deng Deng, for example, the water of the bore hole is not consumed by residents because they find it a bitter taste. This strong taste is probably due to the iron content of the water, but has no influence on its bacteriological quality.

It therefore appears that awareness campaigns which have been organized have had limited effect. The dam project will face this kind of problems. It therefore seems imperative to focus on multidisciplinary outreach, so that the local populations will value this object of a public utility. It is necessary to make help them understand that the water of the bore hole is a really safe drinking water, whose consumption reduces the expenses made on health care.

**Electricity**

Connection to electricity is a priority of many villages visited. A rural electrification program is going on, and has already set up the power lines of Bouli, Mararaba, and Ndokayo. A generator was even installed Ndokayo, and it worked for a few months. However, no connection has been made, nor at Bouli nor at Mararaba. People refuse to pay the costs of access to electricity, which they consider prohibitive. The connection costs at least 80,000 CFA F per household. While waiting for a solution, the equipments are deteriorating.

The access to electricity, which was part of the preparation studies of the Lom Pangar project, can only be done under conditions that take into account the low purchasing power of the local populations. This concerns the connection to the powerline as well as the recurring subscription and consumption fees.

Many villages in Cameroon show that connecting a village network is far from indicating that all households are connected. There any households where the meter has been disconnected for lack of payment. One can certainly reduce subscription costs, and argue that these village generators are a problem; not a solution. Even so, access to electricity reflects and reinforces inequalities in the villages.

A counter system that works only by prior payment of consumption in small amounts, could perhaps allow people to benefit from electricity. One of the main conclusions of the meetings and workshops was that the dam project was well accepted, but people do not understand that they would not enjoy the electrical connection.

**Transportation**

There is no formal system of transportation in the area. The inhabitants use intermediate means of transportation including bush taxis (most often in a state of extensive degradation) and moto-taxis (motorcycles). Only the paved road between Bertoua and Bétaré Oya is in good state, and vehicles are kept in good condition. The general decline in the prices of Asian motorcycles; from 2 million to 400 thousand CFA F, led to an increase in transportation options. The motorcycle taxi is the main means of transportation for rural populations. Although it is much more expensive than the car, it is easily found. Some villages located along the national road No. 1 Bertoua-Garoua Bouli are have a more sophisticated transportation system, with excellent road conditions:

- Illegal transportation with private vehicles (in good state, however).
- The public transportation consists of buses and mini-buses that assure movements between Bertoua and Garoua Bouli, and through the “Far North”.

Rural transport is mainly carried out by cars, and motorbike, and taxis that operate outside of the regulations. River transport is limited to the crossing the Lom River. A tray is fitted to Touraké and the price of the crossing is 1,000 CFA F. A negotiated price is applied for a few bush taxis that operate in the region.

**Agriculture**

Agriculture involves the same cultures throughout the area, but there are regional differences. Cassava, the main staple, is grown everywhere and by everyone (males and females), and in all areas. Corn and peanuts are
also highly cultivated: corn is an important crop, especially among the Gbayas, who sell the most part of it to the Mbororo nomadic herders. Across the region, the growing of banana is the responsibility of men.

Coffee is still grown in the regions of Deng Deng and Bétaré Oya as a cash crop, but it is suffering fluctuations in the price paid to farmers. Since price liberalization introduced in the 1990’s, intermediaries are free to set prices, which led to a sharp decline in the purchase price, particularly sensitive in these remote areas where the production is low. During the survey, farmers reported having sold their coffee at 30 CFA F and 120 CFA F per kg, depending on the area. Knowing that it was 470 F per kg in 1985-87 and 650 CFA F in 1998, we understand that farmers are questioning the future of coffee as monetary resource. In practice, they do not maintain their coffee plantations, but merely pick coffee if they think they can sell; and when they have no urgent business.

The average size of coffee plantations which is shown in the following table corresponds to the estimate made by farmers surveyed, and not on objective measurements made on the spot. So, they should be considered with caution.

Tobacco, once an important crop in the region of Bétaré Oya, is cultivated by only a minority of farmers around Mararaba-Bouli, and at Garga Sarali, near Petit Bello. Problems related to irregular payments by the purchasing companies have caused the population to reduce their production.

At the instigation of agents of development, we are currently witnessing a renewed interest in oil palm plantations. During the inquiry, the investigators made a census of volunteers for the establishment of plots (which may subsidized with highly productive clones).

Breeders
Farmers are organized into camps: they are under the direct authority of the Nardo (Camp Leader), some of which have a regional influence. Farmers are also represented by a NGO active at the national level, the MBOSCUDA. However, the representativeness of this NGO is disputed by some Mbororo pastoralists, as well as other political representatives of the area Bétaré Oya. A third way of contact with breeders is through the Mallam (religious leaders) who are also iconic Mbororo characters, capable of communicating with them.
III - THE LEGAL FRAMEWORK GOVERNING THE INVESTMENT PROJECT

In addition to all applicable national firms law, the implementation of this project is governed by administrative and regulatory aspects applicable to particular socio-economic studies prescribed by the Cameroonian legislation, and a specific international legal framework which comply with the standards of international institutions such as the World Commission on Dams and the World Bank.

III.A REGULATORY AND ADMINISTRATIVE ASPECTS

III.A. 1. Texts Governing Socio - Economic Studies

In Cameroon, the socio-economic studies are governed by two major instruments: the law No. 94/01 of 20 January 1994, and the law No. 96/12 of 5 August 1996, and the law No. 96 /12 of 5 August 1996 on the outline law on the management of the environment.

Law No. 94/01 of 20 January 1994 to on the regime of forests, wildlife, and fisheries indicates in article 16, paragraph 2, that any project likely to cause disturbances on forests and aquatic environments is subject to a prior study of it environmental impact. Section 150 of the Act specifies sanctions for offenders;

Socio-economic studies are required by law No. 96/12 of 5 August 1996, outline law on environmental management. This law states in Article 17 that "the sponsor or owner of any development project, work, equipment or installation which may, because of its size, nature, or the activities which are carried out, cause harm to the environment, is requested; according to specifications of the job description, do a survey on the site so as to assess the direct and indirect impacts of the project on the ecological balance of the site or any other area, the environment and quality of life of people and the impact on the environment in general."

III.A. 2. The Laws Governing Land Acquisition And Involuntary

In Cameroon, several laws and bylaws govern land acquisition and involuntary displacement. We can cite for this purpose:

- The Constitution of 18 January 1996;
- Ordinance No. 74-1 of 6 July 1974 on the land and manorial system;
- Law n° 85/009 of 4 July 1985 on the expropriation for public purposes and compensation arrangements;
- Order No. 0832/Y.15.1/MINUH/D000 of 20 November 1987 laying down the bases for calculating the market value of the constructions affected by expropriation for public utility;
- Law No. 94/01 of 20 July 1994 on forests, wildlife and fisheries;
- Decree No. 2003/418/PM of 25 February 2003 fixing the rates of allowances to be allocated to owners victims of destruction for reasons of public utility, cultures and cultivated trees.


It recognizes the right of citizens to choose their residence and property. They have the right to maintain and enjoy this property, the only restriction being imposed on in case of declaration of public utility, and under the condition of prior compensation according to the arrangements established by law.
III.A- 2.b. Ordinance No. 74-1 Of 6 July 1974 on the Land and Manorial System

This text states that the State is the only legal owner and custodian of the land. It gives him the prerogative to intervene in order to ensure the rational use of land, according to the priorities of development. According to this text, the lands of Cameroon are classified into three broad categories: private property, public property, and the national domain.

**Private ownership**: Is private property any property acquired by the State or by individuals. These are lands registered as "freehold lands", lands acquired under the transcription regime, and lands recorded in *Grundbuch*. Only lands with this status may, under Cameroonian law, receive compensation in case of involuntary displacement.

**Public property**: This is the status of any movable or immovable property except for the direct use of public or public services. This property may be natural public (such as coastlines, waterways, subsoil, airspace) or public artificial, made of any land allocated to various uses such as roads, tracks, railroads, telegraph and telephone lines, alluvium deposited upstream and downstream of sites built for public use, public monuments and buildings installed and maintained by the State, concessions to traditional chieftains of land. The public property is inalienable, imprescriptible, and indefeasible.

**The national domain**: It is composed of lands that are classified as neither in the private domain of the State nor of the public domain. They are administered by the State for development and rational use. They can be allocated concession by the State to others, leased or assigned. They can also be occupied by houses, plantations, or grazing areas. They may also be free from occupation.


The above texts define the procedures for expropriation for public utility land and determine the compensation to be paid to victims in relation to the Constitution and the Land Law. As a reminder, the expropriation only affects the private property as recognized by the laws and regulations.

Expropriation proceedings for public use at the request of public services are divided into 7 stages. In the case of Lom Pangar seven steps were carried out as follows:

1. **The initiation of the procedure by REA**

   The trigger consists of referral to the MINLCLA (Direction of domains, Sub-Direction of Expropriations and Compensations) by a file containing:
   - An application accompanied by an explanatory note indicating the purpose of the transaction;
   - A record identifying key characteristics of the equipment to perform and specifying in particular: the approximate area of land sought duly justified, a summary plan of investment approved by the MINLCLA, the approximate date of commencement of work, the availability of credits compensation with an indication of the budget item or any other means of compensation.

2. **Declaration of Public Utility (DPU) Work**

   When in light of these factors the Minister of Domains judges a dossier acceptable, and the project of public utility, he shall make an order declaring the proposed utility work and defines the level of competence of the Commission in charge of the investigation. This decree suspends all transactions on the said land and develops
and issuing building permits. These lands with this order are now part of the property of the State, and eventually are subject to a decree of assignment to the recipient department, namely MINWE.

3. Establishment of a Commission of Observation and Evaluation According to the Geographical Area Covered by the Project

If the area does not exceed a division, the Committee is chaired by the Senior Divisional Officer. If the project involves two departments, it is the Governor who chairs the Committee. Finally, if the project covers two regions, the MINTAD chairs the Committee, and the Director of Estates is rapporteur. After setting up the commission, the applicant is notified. The Commission, chaired by the Senior Divisional Officer, the Governor or MINLCLA is composed of sectoral and traditional authorities. Its roles is:

i) to select and limit the land at the expense of the beneficiary of the transaction,

ii) to declare the rights and assess the property in question,

iii) to identify their holders and owners.

The Committee shall select a site with less cost to the State. The operating expenses of the Commission shall be borne by the applicant.

Each committee shall set up within three (03) subcommittees: the Subcommittee property expertise, the Subcommittee agricultural/pastoral expertise, and the Subcommittee building/habitats expertise.

4. Examination of the Documents by the MINLCLA

This review is based on a set of questions: Is this this DPU valid or lapsed? If it is invalid it should be extended for one (1) year. Is the committee set up? Who are its members? The work took place in how many days? The MINLCLA may dismiss the case and ask the applicant to choose another site. In principle, the site chosen should be one that gives less burden to the State.

5. Preparation of acts by MINLCLA

If the case is not dismissed, MINLCLA prepares three acts: the expropriation decree of the land: act of incorporation in the private domain of the State. If it is a road or a dam, an act of classification in the public domain is issued: decree of compensation.

6. Signature of Acts by the President of the Republic

7. Payment of compensation

However, after the the signing of the act of expropriation, the beneficiary may enjoy his land before compensation.

Depending on the characteristics of the project, the importance of land requirements, and the land status of the targeted sites, the EAR trigger through his tutelage, MINWE, the expropriation process.

The Order states that, for legal persons of public law seeking the expropriation for public utility prior to use, they must carry out prior negotiations with the owners or copyright holders concerned. In case outcome of their negotiations, they must comply with the procurement rules of common law.

As far as compensation is concerned, this text classifies structures in 6 categories or standings, depending on the nature of the materials used. Each category has a particular rate of compensation which takes account also of the dilapidated state of the investment. The existing compensation rates run between 1960 and 1990. They were revalued annually during this period on the basis of a rate of 7%, probably to take into account inflation.

**III.A. 3. Laws and Decrees Governing the monitoring and compensation**

The Order No. 025/CAB/PM of 08 February 2011 amending and supplementing certain provisions of Order No. 155/PM of 23 September 2010 on the establishment, organization, and functioning of the Coordination Committee and monitoring of the implementation of major projects, recalls the composition and functioning of the Technical Secretariat of the Committee. The Paragraph 2 of Article 8 of the Decree states that the Chief of the Division of Infrastructures and Technical Affairs of the General Secretariat of the Prime Minister, is the Coordinator the said Committee; which is composed of representatives of eleven ministries and four divisions of the General Secretariat of the Prime Minister.

Decree No. 2012/0034/PM of 24 January 2012 on the compensation of victims of destruction of property in the framework of the construction of the hydroelectric dam at Lom Pangar, in the East Region.

The Order No. 00237/MINLCLA/SG/D1/D14/D142 of 10 February 2012 on the procedures for payment of compensations to victims of destruction of property during the construction of the hydroelectric dam at Lom Pangar, in the East Region.

Decree No. 2012/1631/PM of 11 June 2012 on compensation for victims of the destruction of their property during the works of construction of a mini hydroelectric plant on a public property located at a place called Mekin.

**III.A. 4. Commitments Made by the State to Companies in the investment Charter**

Facilities are offered to foreign investors in Cameroon. These facilities are provided in the Investment Charter in these terms:

In its efforts to build a competitive and prosperous economy through the development of investment and savings, and implementation of the objectives of its economic and social action, the Republic of Cameroon has set the following guidelines:

- Reaffirmation of the choice of the market economy as the preferred mode of economic organization;
- Reaffirmation of the essential role of the State in promoting economic and social development;
- Recognition of the role of the entrepreneur, investor and business as critical factors for creating wealth and jobs, to be the subject of special attention from not only all the State apparatus, but also the whole society;
- The commitment to preserve the freedom of enterprise and freedom of investment;
- The commitment to maintaining a sound macroeconomic framework.
- (...) As part of its core missions, the State administers the Cameroon Nation, guarantees the right to justice and the safety of persons and property (...) enacts the laws and regulations; ensures the supervision, facilitation, and regulation of economic and social activities, the development of basic infrastructures and information, training, security; and substitutes market failures.
To this end, in particular, the State organizes, controls and secures all markets through appropriate regulation and effective supervision, to ensure a better allocation of resources. It also ensures the proper functioning of the economic system and as such:

- It ensures the proper application, by all actors in the system, of the established rules;
- It ensures and facilitates the creation, maintenance, and development of economic infrastructures, social services, health, educations, vocational training, and their availability to the entire population;
- He develops a true partnership with the private sector and civil society, so as to improve the allocation of resources in the case of market failure;
- It corrects imbalances in global markets through sound and transparent economic policies;
- It ensures the economic security of the nation including the establishment of an effective system of business intelligence;
- It establishes an efficient incentive for the development system of the private sector;
- It contributes to the acquisition and mastery of appropriate technologies and facilitates extension;
- It develops sectoral strategies for the realization of which it is seeking funding.

(...) The State shall guarantee to any natural or legal person duly established or willing to settle in Cameroon, according to specific rules relating to economic activity:

- The freedom to undertake any activity of production, services, or trade she/he wills; irrespective of her/his nationality;
- Equal treatment in the exercise of an activity according to the principles and provisions of the Competition Act;
- Property rights attached to the land, operating equipment, and those attached to movable property, securities, patents and other factors relating to intellectual property;
- Freedom of repatriation of foreign capital invested and the profits from operations, as well as the repatriation of remittances made by expatriate personnel;
- The access to foreign exchange market in all its forms and the free transfer of capital within the framework of the rules of the Central Africa Monetary Union of (CAMU)
- Diligence of concession procedures and access to land;
- The fair and transparent application of business law under the Treaty on the Organization for the Harmonization of Business Law in Africa (OHBLA);
- The fair and transparent application of labor law and social security law developed under the Treaty of the Inter-African Conference of Social Welfare (ICSW);
- Fair and transparent enforcement of intellectual property developed in the framework of the World Intellectual Property Organization (WIPO) and the African Organization for Intellectual Property Organization (AOIP);
- The fair and transparent application of insurance law developed in the context of the Inter-African Conference on Insurance Markets (IAM);
- The independence and professional competence of the courts: both at the judiciary and administrative level;
- The application of any other international agreement or treaty ratified in accordance with Articles 43, 44 and 45 of the Constitution;

The State is party to multilateral and bilateral agreements on the guarantee of investment. These include the agreements signed:

- At the New York Convention on the Recognition and Enforcement of International Arbitral Awards, concluded under the auspices of the United Nations;
- At the Washington Convention establishing the International Centre for Settlement of Investment Disputes (IIHCD);
- At the Seoul Convention of 11 October 1985, establishing the Multilateral Investment Guarantee Agency (MIGA) to ensure non-commercial risks;
- In OHBLA Treaty under which simple and modern legal rules based on international practices have been developed in business law.

Through its membership in the OHBLA space Cameroon, has an institutional institutional and ad hoc arbitration mechanism, inspired by the most successful international instruments such as the law-type of the United Nations Commission for International Trade Law (UNCITRAL), on international arbitration of 1985, and the Rules of Arbitration of the International Chamber of Commerce of 1998.

The State is a party to the Economic Partnership Agreement ACP / EC of 23 June 2000, which provides an arbitration mechanism for the settlement of disputes between Africa - Caribbean - Pacific (ACP) States and contractors, suppliers or providers of services related to funding from the European Development Fund (EDF)...

Key sectors and policy, defined and organized by regulation areas are supervised by specific bodies for their guidance.

(…) In terms of tax and customs incentives, the State is engaged in a process of simplification and harmonization of the tax system in order to ensure transparency, fluidity, and readability homogeneous for all investors.

Tax and customs levies are therefore in compliance with the rules, practices and proportions close or equivalent to international standards, ensuring their adaptation, evolution and the specificity of industrial sectors.

The rights of the tax supplier are recognized, and must be respected by the Administration. The State guarantees the application of moderate tariffs and adheres to the principle of reduction, in the framework of the policy defined by the EMCCA; and in accordance with the provisions of the World Trade Organization. It reaffirms its readiness to implement economic and suspensive arrangements provided by the Custom Code of the EMCCA.

The following provisions hereafter are taken in respect of direct and indirect taxes:

- The widespread use of the value added tax (VAT) as neutral for investment and production of wealth levy;
- The application of a zero VAT on exports, and the repayment of the paid on the investment and operating costs for exporting firms, so as to to ensure their competitiveness in international markets;
- Consideration of tax incentives measures related to different specific investment codes;
- Encouragement through customs and tax measures, specific to the sectors research and development, vocational training and environmental protection.
Under the stamp and registration, moderate rights are applied to the incorporation of companies, changes in laws, capital increases, split-merging operations, remission and circulations of stocks and shares.

(…) The State adheres to a strong and effective coverage of industrial, commercial, and social risks, essential for the development of investment and competitiveness...

In addition to these specific legal provisions, the project has received valued moral support at the national level: the laying of the first stone of the hydroelectric dam at Lom Pangar on August 3, 2012 by the President of the Republic of Cameroon, His Excellency Paul Biya.

**III.A.5. The international regulatory environment**

Although held in Cameroon, and governed by the Cameroonian legislation, large projects must respond to the directives of international bodies to ensure that local residents are compensated in an internationally acceptable manner, and thus prepare in best conditions for obtaining international loans and avoid criticism at national and international level. The terms of reference of the Study of the Impact of the dam of Lom Pangar draws attention on the respect, in terms of compensation, the directives of the World Bank and the recommendations of the World Commission on Dams.

Additional requirements of the World Bank aims to ensure that the compensation policy meets the intentions of its operational guidelines:

- *Operational Directive 4.30 (Involuntary Resettlement)*;
- *Operational Directive 4.20 (Indigenous Peoples)*;
- *OP / BP 4.11 (Cultural Property)*

Although this study is not about a significant relocation of the populations of Lom Pangar project, but about abuses against the well-being of those people, the guidelines are applicable. Among the important elements of the guidelines on involuntary resettlement are:

- The interest in minorities and transhumant populations (Mbororos);
- The notion of compensation for damage not only in cash but also in kind;
- Compensation for "replacement cost" which implies that an old house that can not be replaced by another house in the same condition should be replaced by a new home without depreciation for obsolescence;
- The incomes after the project must be at least equivalent to incomes before the project;
- The lack of a land title or permission to live can not be a reason to deny compensation;
- 4.20 Directive concerns the "indigenous people" (lit. indigenous peoples).

The term "indigenous people" can be misleading because it implies that all indigenous populations (such as Gbaya, who make up more than 90% of the population of the North project area), are considered "natives". Only the translation of the term "vulnerable indigenous peoples" (compared to other vulnerable populations), enables us to exclude these people from those covered by the Directive 4.20.
IV – IMPACTS AND FORECASTS ON HUMAN RIGHTS

IV.A- SUMMARY OF IMPACTS OF THE PROJECT

The different impacts of PHLP as defined in the plan for environmental and social management of the project are:

• Impacts during the construction phase

Construction activities of various projects have similar impacts. However, the types of impact vary depending on the sites and their respective scope. It is therefore appropriate to group similar impacts for all projects, firstly because the mitigation measures will be similar; secondly, other indirect impacts are cumulative, for various projects focused on the same areas. Impacts of projects are organized as follows:

• The impacts of construction activities

The impacts of construction activities on the physical environment are, by definition, concentrated in these sites, and allowances are based on the performance of the contractors concerned. Their mitigation measures should be incorporated in the tender documents (Tender’s environmental and social clauses - TESC) and contracts of entrepreneurs.

• Direct impacts on populations

The land occupied by each site will have a direct impact on the populations concerned by imposing the displacement of a number of houses and community infrastructures, as well as causing the loss of farmland.

These direct impacts, as well as their mitigation/compensation measures, are addressed in the Compensation and Resettlement Plans (CRP), which are separate documents from SEA.

• Indirect and induced impacts on the surrounding population

Construction activities have indirect impacts on the surrounding populations on the sites and urban centers with which workers must interact. These effects are induced by the construction activities, and are cumulative because different sites affect the same residential areas, namely those existing in the Corridor Deng Deng - Ouami, in the corridors along the access roads, and the cities of Bertoua and Bélabo; and to a lesser extent, Bétaré Oya.

The impacts have to do with the housing of workers, the influx of people, land pressure (especially to clear new farmland), the constraints imposed on services; including health services, and public safety.

Direct Impacts on the Habitat

Sites will have a direct impact on natural habitats because they will destroy forever forested areas. Accumulated allowances are significant and represent approximately 4,000 hectares.

• Indirect and induced impacts on natural habitats

They are also major, and can be considered much more important in a long-term, than direct impacts: biodiversity loss, habitat fragmentation by new roads (mainly those created for the removal of wood from the
reservoir at the end of works, and the development of new agricultural areas) and increased population pressure.

- **Impacts during the operational phase**
  The main impact during the operation phase is the creation of a reservoir of 540 km².

- **Impacts of reservoir and downstream impacts**
  The reservoir will have major impacts: (i) possible stratification of water layers (the deepest will become anoxic); (ii) the possible emission of greenhouse effect gases, including methane, (iii) degradation of water quality immediately downstream of the dam; and (iv) a change in seasonal flows downstream of the reservoir; which will alter the ecological conditions to the estuary of the Sanaga.

In addition, the immersion of part of the pipeline Chad- Cameroon creates the risk of accidental oil spills.

- **Impacts on people**
  The creation of the reservoir of Lom Pangar will move economic activities that occupy the tank now, and which will have to redeploye in the area. In addition, it will create health risks for populations located on its periphery. Finally, the reservoir could lead to the development of fishing of a much larger span.

- **Direct impacts on natural habitats**
  The reservoir will transform the ecosystem (forests, savannas and rivers), and thereby change a natural ecosystem and habitat into a lake ecosystem; subject to strong variations. So, we will witness the loss of the biodiversity currently existing in the reservoir, and its replacement by a lake biodiversity.

- **Indirect impacts on natural habitats**
  The construction phase is likely to stimulate a process of agricultural penetration and fragmentation of the forest of Deng Deng. This will likely continue, long after the filling of the reservoir, and reduce the integrity and functions of the forest.

**IV.B- ROLES AND OBLIGATIONS OF TECHNICAL GOVERNMENT DEPARTMENTS**

Before approval of sub-plans ESMPE, it was anticipated that EDC would consult, for technical advice, ministries which have regulatory authority over aspects of projects that affect them, based on a non-objection within three weeks. Requests for technical advice are summarized in the following table:

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<tr>
<th>Ministry</th>
<th>Responsibility</th>
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<tr>
<td>Ministry of Culture</td>
<td>• Management Plan for Cultural Heritage and Archaeology</td>
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<td>• refueling Plan</td>
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<td>• Environmental and social formation</td>
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<td>• Manual Operational Procedures</td>
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<td>Ministry of Energy and Water</td>
<td>• Monitoring of water quality</td>
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<td>• Clearing Plan</td>
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<td>• Refueling Plan</td>
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<td>• Environmental and social formation</td>
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</tbody>
</table>
| Ministry of Employment and Vocational Training | • Dam safety Plan  
• Manual Operational Procedures  
• Environmental and social formation |
| Ministry of Environment, Nature Conservation and Sustainable Development | • Plan of mastery of erosion and sedimentation  
• Cuttings Management Plan  
• Career Management Plan  
• Monitoring of water quality  
• Emergency Management Plan Response for chemicals and other toxic products  
• Plan of Control of dust and other air emissions  
• Noise control Plan  
• Cultural Heritage and Archaeology Management Plan  
• Landscape and revegetation Plan  
• Clearing Plan  
• Waste Management Plan  
• Refueling Plan  
• Environmental and social formation  
• Management Plan for construction, traffic, and access on the site  
• Construction and management of cities  
• Health staff management Plan  
• Dam safety Plan  
• Plans for the development and sustainable management of construction sites  
• Operational Procedures Manual |
| Ministry of Forestry and Wildlife | • Plan of mastery of erosion and sedimentation  
• Landscape and revegetation Plan  
• Clearing Plan  
• Refueling Plan  
• Environmental and social formation  
• Manual Operational Procedures |
| Ministry of Defense | • Environmental and social formation  
• Construction and management of cities  
• Manual Operational Procedures |
| Ministry of Health | • Emergency Management Plan for chemicals and other toxic products  
• Control Plan of dust and other air emissions  
• noise control Plan  
• Environmental and social formation  
• Staff health management Plan  
• Dam safety Plan  
• Manual Operational Procedures |
During the construction phase the following departments will be involved:

- MINFOWL must control cutting and illegal logging, poaching, unauthorized movement of people in the park, and trade of bushmeat.

- MINFOWL, under a memorandum of agreement with EO, will also participate in monitoring the DPU and control of access points to the sites and the Park.

- The MinEP will be consulted by EDC to provide technical opinions on specific sub plans ESMPE.

- MINDEF will establish a military outpost on the construction site, which will be permanently occupied by a noncommissioned officer, and at least two gendarmes who will handle current police interventions on site, with authority to verbalize and arrest those the trespassers of public policies and Cameroon laws and regulations.

- MINTP must apply the ESMP construction for all projects of which it is the Client, or the contracting authority should be delegated to EDC.

- MINTP shall assign to the EDC responsible of installing speed bumps at the entrance of each village, along the road Bélabo - Carrefour Mansa - Deng Deng - Ouami - Lom Pangar; to slow the speed of cars and trucks coming to or leaving the yards.

- The Ministry of Culture is responsible for the monitoring / evaluation of the management of physical and cultural resources, on the one hand; and on the other hand, the implementation of the procedures developed in the Management Plan for Physical, and Cultural Resources in the framework of the project.

- The Ministry of Culture will provide a building for the storage of archaeological vestiges throughout the duration of the project.

- The MOH supervises the functioning of the health centers on the Basic Worker’s Camp, to ensure that the operation complies with the laws and regulations in force in Cameroon.

**IV.C- MEASURES PROVIDED FOR THE RIGHT TO WORK, FOOD, HEALTH, EDUCATION, ENVIRONMENT AND ADEQUATE STANDARDS OF LIVING IN THE LOM PANGAR PROJECT**

**IV.C.1. Measures provided for the right to work**
For the right to work, it is essential that the Government of Cameroon applies three preventive measures in the management of construction contracts, in order to avoid or limit the influx of people, especially in the axis Deng Deng - Ouami:

- **Avoid recruit on nearby sites.**

  Recruitment near the sites will generate a flow to these areas and increase the number of resident populations on the sites and its surrounding. Recruitment should be done either in Bertoua or at Bélabo; or at Bétaré Oya near the bridge of Touraké. On the contrast, the recruitment policy of the unskilled labor could promote population communities around the sites.

- **Avoid food supply close to the sites.**

  Food supply close to the sites will promote the expansion of agriculture into forest areas. The purchase of food should be done at Bertoua or Bélabo (Bétaré Oya for the Bridge Touraké), so as to limit the demand for bushmeat. Every entrepreneur must feed its employees and the presence of fast food counters will not be permitted on the construction sites.

- **Do not alight workers on the axis Deng Deng - Ouami.**

  Construction workers should be alighted in Bertoua or Bélabo, to prevent the development of illegal sex businesses and limit contact with local populations (HIV, prostitution).

**IV.C.2. Measures provided for the right to food**

People exploit lands differently, depending on the activities they undertake. The main habitat stretches along the road in the small villages, and is of concentric type; with several rows of houses along the road in large villages. Within the villages, there is still a shed outside the home where the head meetings are held, as well as one or two worship services. The water is drawn from springs and rivers flowing around the village.

It is useful to recall here that in the context of the assessment of the impacts, all homes in the area Goyoum - Deng Deng (Small Bello) -Bangbel - Mbitom - Goyoum were located and mapped individually. An accurate mapping of the city of Betar Oya is included in the urban theme. Over 15% of households participated in the social and socio-economic survey. The current population has been evaluated with accuracy.

In addition, we know from these data that in the area, a household has between 4.7 and 5.1 people (roughly 5 people): which allows rapid assessment of population densities from the number of households.

Agriculture is practiced in savannas and in the valleys on the outskirts of the village. A characteristic of Gbaya is that they can have fields located several miles away from the village, where they live with their families for much of the year. The location of the field of the Gbaya could be estimated from the names of rivers and their position from the village. At the northern part of Mararaba, most fields are on the side of the reservoir but will probably not be affected. According to farmers, this is the side of the reservoir where the land is more fertile. Finally, between Mararaba and Touraké, cultivated areas spread on both sides of the road, and some fields may be flooded. The theme 8-9 this addresses this point.
Traditionally, among the Gbaya, the land belongs to the village. It is the village head who is the guardian of the land, and who has the authority to allocate a share to individuals, form of plots. Each family in the village has hers/his. The lands are cultivated for 2 or 5 years, consecutively, then abandoned. Fallow periods last between 4 to 5 years along the rivers, and between 5 and 15 years in the savannah (where there is a lot more ground, but less fertile). Under this system of rotating agriculture, the soil used in the farming sector is vast.

The village chief knows what rivers separates the village from the next. Towards the interior of the country where there is no other village, the boundaries become blurred.

Large rivers eventually form these limits. A former location or recognized village remains valid. Migrant fishermen will traditionally solicit their settlement via the canton chief or village chief. Fields are cultivated on the site of the future reservoir, and on the opposite side. They are spread all over the villages. Cultivated fields and fallow land are, in most cases, on the same side.

In a sample of 61 Gbaya households (Bodomo between Issa and Bangbel), it was noted that:

- The fields are owned by couples. A big difference is noted in polygamous households where everyone has her/ his own field.
- 61 people have an average of 2 or 7 recent fallow fields.
- Cultivable lands are a hereditary acquisition.
- Fallows are a few meters away from the new field and are likely to be grown in the years to come.

There is a risk that the relocation power that the chiefs currently have, be weakened by by a strong immigration (especially the fishermen who are likely to settle permanently in less occupied or unoccupied areas) caused by the Project; and which can generate problems. It thus useful to create structures of understanding between Aboriginal and non-Aboriginal, and between the preceding group and professional monitors.

Fishing is practiced in large rivers with canoes and nets, utensils that have many households. Local fishing is obviously heavily influenced by the reservoir will fill the valleys of Lom and Pangar. The report on the topic "Fishing" estimates that there are about 380 commercial fishermen. But this number includes Goyoum area, at Bélabo which is not covered by the theme "socio-economy."

Hunting is practiced around villages, both in gallery forests and in savannas. Some hunters move away and for several consecutive days, on the other side of Lom and Pangar rivers. It appears that the land used for hunting covers a large part of the reservoir.

Collecting provides people with seeds, fruits, medicinal plants (but few are mentioned during the meetings), raffia (whose leaves are still used mainly in the manufacturing of roofs), and rattan. Craftsmen use rattan to manufacture furniture. Seeds and fruits are harvested in the savannas and forests, according to the few names mentioned at meetings; and they are mostly rare species.

Agricultural monitoring is effective, but in villages, people seem not to benefit much from it. According to the report "Planning", the Delegate of Agriculture and CODASC insure monitoring at Bétaré Oya. Since June 2004,
the NPPAR is no longer functional, but their staff should be redeployed. According to the report "Agriculture/Livestock ", many national agricultural projects exist in the area, but they are not active.

The fisheries and livestock sectors are managed by the MINEPIA: the former through MFDC (not yet active in the Department - although there is a representative there) and the latter by representatives of CZV at Belabo, Mbitom, Bétaré Oya, Ndokayo Garga, and Sarali (Era Development report) and, since 2005, by the Dutch development organization SNV, which is particularly interested.

Gold mining is normally monitored, since 2003, by the CAPAM; especially in at Bétaré Oya and Garoua Boulai.

IV.C.3. Measures provided for the right to health

A memorandum of understanding was signed between the MOH and EDC for the implementation of the health component of the proposed hydroelectric dam project at Lom Pangar.

EDC and the MOH are responsible for the implementation of the public health sub-component of the ESMP.

The MOH which already had programs in the area of influence of the project, was to allocate specialized human resources and facilities required for the proper functioning of health centers and hospitals rehabilitated or constructed. EDC had the responsibility to rehabilitate or construct water plants, health centers, and hospitals.

Coordination between the three health departments (regional delegation, health districts and health areas) is to take place in the framework of the Monitoring Committee, facilitation and support (MCFS); reinforced by the MOH.

The following measures were planned to be implemented for all villages affected by PHLP :

- **Health Map.** A map showing the health impact of major infectious diseases, within 12 months after the entry into force of the project.

- **Sociological surveys.** A sociological survey conducted to understand the behavior of populations having an effect on health, within 12 months after the entry into force of the financing.

- **Prevention, education, and health awareness campaigns**, including malaria and AIDS’ prevention campaigns, including the distribution of mosquito nets and anti-malaria tablets. Three campaigns are planned, a first for the construction, a second early in the impoundment, and the third in four years of operation. Awareness campaigns through the media and physical media will be regular.

- **Annual Epidemiological investigations** to identify the evolution of major infectious diseases, including malaria, onchocerciasis, AIDS (screening), and water and parasitic diseases. The first campaign which will begin before the end of September 2012 will establish the baseline for different diseases and develop early prevention campaigns.

Regarding the exploration phase, the MOH was responsible for ensuring the functioning of infrastructures developed during the construction, and the pursuit of the following measures:

- Monitoring of the health map;
- Sociological Investigations;
- Prevention, education, and health awareness campaigns; with a focus on malaria and onchocerciasis.
- Epidemiological investigations to identify the evolution of major infectious diseases; with a focus on malaria and onchocerciasis, including entomological and molluscan surveys.

EDC must ensure until year 8, a program of fight against vectors of water-related diseases in the periphery of the reservoir, adapted to their potential expansion in the area of influence of the dam and reservoir. Any pest control using chemicals will be conducted in accordance with the Pest Management Plan and will include a training program for all managers involved at both the MOH as EDC.

A mission composed of representatives of MOH and EDC on the site of the project took place from 29 to 31 August 2013. Under this mission, recommendations were made. The following table provides updates on these recommendations, and their implementation status at the time of passage of the CNHRO team.

<table>
<thead>
<tr>
<th>N°</th>
<th>Recommendations</th>
<th>Deadline</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Finalize the construction of the Health Center by plastering, painting walls and tiling the floor</td>
<td>End September 2013</td>
<td>In process</td>
</tr>
<tr>
<td>2</td>
<td>Provide the health center the basic worker’s camp with comfortable furnishings for consultation</td>
<td>Unrealized</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Provide free medicines whatever the stock for workers and staffs</td>
<td>Realized</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Put fitting windows in rooms of the basic worker’s camp</td>
<td>Poorly executed (blocks)</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Implement a health and safety system on the site of the basic worker’s camp (bi or weekly cleaning of gutters, rooms, showers, toilets and open spaces) disinfestations, and eradication of rats</td>
<td>Realized</td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Put a screed on the floor of uncemented latrines and ensure permanent treatment with cresyl</td>
<td>Unrealized</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Troubleshoot the system of water purification</td>
<td>Realized (contract with Aura)</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Fix the system of sewage and showers with the help of experts in sanitation of the MOH</td>
<td>Unrealized</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Set up the activities of vector control</td>
<td>A training workshop workers on vector control and wash held from 6 to 7 September 2013 in Lom pangar</td>
<td></td>
</tr>
<tr>
<td>10</td>
<td>Equipp ambulances with adequate emergency material</td>
<td>Unrealized</td>
<td></td>
</tr>
<tr>
<td>11</td>
<td>Set up a laboratory</td>
<td>Unrealized</td>
<td></td>
</tr>
<tr>
<td>12</td>
<td>Develop a system for managing a massive influx of patients</td>
<td>Unrealized</td>
<td></td>
</tr>
<tr>
<td>13</td>
<td>Arrange a tour on the construction site of the dam to allow the mission team to assess potential hazards on the site</td>
<td>Unrealized</td>
<td></td>
</tr>
<tr>
<td>14</td>
<td>Cover the playground of the basic worker’s camp with sand</td>
<td>Unrealized</td>
<td></td>
</tr>
</tbody>
</table>
or grass to avoid the spreading of dust

15 Build a concrete wall around the generator to reduce noise

2013 Unrealized

One notes that that the implementation of these recommendations is delaying to the detriment of people’s health on the site and in the surrounding areas.

**IV.C.4. Measures provided for the right to education: overview of the setting before the project**

There are schools in all villages with over 100 inhabitants, with the exception of Lom Tête d’Elephant (villages of about 250 and 575 inhabitants, respectively) where the school does not offer a complete cycle of preparation course (CM2) but only to CE2.

In most areas, the school is situated at less than 4 km (about an hour’s walk) from villages. However, 13 villages and hamlets are situated at 5 km or more from the nearest school; making it virtually impossible to schooling children to go to school. These include Deng Deng area, Lom Pangar and Ouami; near Mararaba, Tamtana and Tamtana Dole; near Bétaré Oya, the hamlets Mbal, Mbardé and Kantonné

(located between the city and the Lom) and the villages Taparé Salao, Mbandjock, Petit Meiganga, and Ndongo (located between Longa and Bangbel). On the paved road, we can cite the example of Todinga and Wassandé.

Building quality varies widely: some, like Deng Deng, enjoy cement structures with doors and windows, others (Touraké and, for many classes, Doyo) use raffia leaves, and children sit on tree trunks. Many schools lack benches for students to sit on. The school of Gandima Tongo is in such a state that it can only be used when it is not raining. The appendix shows pictures of different schools. Educational support is lacking, insofar as none of the schools have enough qualified teachers. In general, the educational staff is limited to a head teacher (the only qualified teacher), assisted by one or more part-time or volunteer teachers, with a limited school level. The latter are paid a pittance, by the Parents’ and Teachers’ Trust Association; when the head teacher convinces parents to pay the registration fees of their children.

**IV.C.5. Measures provided for the right to the environment**

Preserving the environment is nowadays a central issue of sustainable development. There is near unanimity at expert level for what is the degradation of the environment for future generations. Respect for the environment is no longer an alternative but has become a requirement that breaches are sanctioned by the legal texts as international, regional and national. The ESMP PHLP planned actions whose implementation should contribute to the protection of the environment. Monitoring of the implementation should be done by the relevant ministry.

**IV.C.6. Measures provided for the right to adequate standards of living**

Kerosene lamp is lighting mode - almost unique - used by people. One liter of kerosene costs 500 CFA F allows two lamps to operate for a week (or less, depending on the intensity of the light). Money is scarce in villages, and kerosene is sold on retail (often less than one liter), or micro-detail. Those who are less provided manage the little light that comes from the wood fire.
It is only at Mbitom, where Camrail provides some electricity to the villagers (see Chapter on Mbitom), which is illuminated by electricity. Some traders own generators. There is a power line at Ndokayo Bouli (with generator) and Mararaba (no generator), but the connection costs are too high to attract the population.

Agriculture is practiced in all households, with the exception of a few herdsman, farmers, traders, and civil servants. These people mostly live in villages, on the asphalt road. Apart from Mbitom, half of the households own a few animals (goats, sheep, pigs, and poultry). In most households (almost 50%), men aged between 20 and 60 years practice intensive fishing and hunting; especially at Bétaré Oya area, along the paved road and (to a lesser extent) near Deng Deng.

Gold panning is the main activity of half of the households in the area Bétaré Oya, despite the fact it is practiced mainly in the southern and eastern part, along the tributaries of Lom, thus very little in the northern part of Mararaba. There are gold mining areas along the paved road, but to a much greater distance. Hence the relatively low proportions (11%) of households are involved in gold panning. From these data, we can estimate to 755 the number of households in the villages around the dam practicing for gold.

These do not include the gold seekers of Betar and those operating elsewhere, who live in camps. Trade has developed in the villages along the paved road, where there are occasional customers. Similarly, small crafts (basket weaving, masonry, furniture) is the main activity of a minority of the population: 13% of households. Few people (2%) have a paid job in administrative services, education, or from Camrail. Compared with observations of the 1997’s survey (in which the ED distinguished between primary and secondary professions), the striking difference is the greater importance of fishing and gold panning. It is likely that for many households, these activities are high. But the current data (for example, for fishing, canoes and nets possession - see section on “Fishing”) suggest that they occupy a larger place in the life of the inhabitants; unlike what is stated in the previous reports.
V- INVENTORY OF THE RIGHT TO WORK, FOOD, HEALTH, EDUCATION, ENVIRONMENT AND ADEQUATE STANDARDS OF LIVING ON THE SITES OF MAJOR PROJECTS

V.A. THE RIGHT TO FAIR AND FAVORABLE WORKING CONDITIONS

Articles 22, 23 and 24 of the Universal Declaration of Human Rights recognize the right to work on all essential aspects. Cameroon has ratified the ICESCR, which reinforces the right to work through the articles 6, 7 and 9 setting obligations on States parties (see annex).

According to the African Charter on Human and Peoples’ Rights (ACHPR) in Article 15, any individual has the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.

The Cameroonian legislator has taken a number of texts and laws regulating the right to work in Cameroon, this for better coordination with the international commitments of the State (see annex).

Among the institutions involved in the implementation of the work are the following: the Ministry of Labour and Social Security, the Ministry of Employment and Vocational Training, the Ministry of Small and Medium Enterprises of the Economy, and Crafts (MINLFAI), and the Ministry of Public Service and Administrative Reform.

Other important institutions involved include the National Employment Fund, the National Social Insurance Fund (NSIF). The large number of institutions involved in the project is commendable. Even so, we note with regret the lack of coordination for effective right to work.

The right to fair working conditions and favorable in Cameroon is governed by the law No. 92/ 007 of 14 August 1992 establishing the Labour Code. The Charter in its Article 15 states that “Everyone has the right to work under equitable and satisfactory conditions, and shall receive equal pay for equal work.”

In view of these instruments, the collection and analysis of data focused on the following eight ways:

- The right of children not to work
- The right to adequate housing in the workplace
- The existence of a contract of employment
- Equal pay for equal work
- Social Security
- Freedom of association and negotiation
- The right to strike
- Non-discrimination.

V.A.1. The right of children not to work
It appears that his law seemed fully respected here. As a matter of fact, no minor was found in on the sites during investigations on the Lom Pangar project. Similarly, trade with workers, staffs of EDC, CEW, and other contractors, did not reveal the employment of any minor.

Even the restoration and stewardship of the project site have complied with this provision, and do not employ children. The same observation can be made about the sites of GEOVIC at Nkamouna (Lomié) and C & K Mining, at Mobilong (Yokadouma).

V.A.2. The right to adequate housing in the workplace

The situation of access to adequate housing for those who work in the Lom Pangar project is mixed. Indeed, the situation depends on whether you are Chinese or Cameroonian, a staff or a worker. There is also a disparity between the workers of CWE and those of SICIM; which is in charge of workson the deviation of the pipeline.

It should be noted that executives of EDC and CWE live in houses built with solid materials; with appropriate openings and compliance with health and safety rules.

The employees of the SICIM and other contractors working on the pipeline also experience similar conditions.

Conversely, about 600 workers living on the basic worker's camp (BWS) that is, Cameroonian workers and drivers, live in houses made of poorly assembled cardboards, such that mosquitoes and other insects pass through them right into the houses. Here, rooms are stuffy, cramped, dirty, and promiscuity is unsustainable.

Each room (3 m long and 3 m wide) shelters 3 workers; with an air volume of 22 m3: that is 2 m3 below the requirement minimum of 8 m3 per person.

The drainage ditches are not maintained and the sewage system of showers is broken. The floor is not cemented and latrines release an unsustainable odor.

Moreover, instead of a bed, each worker has a wooden board of 70 cm wide, placed on a concrete structure disposed in the chamber, with a piece of 5cm thick mattress.

Each block of 5 bedrooms has 1 toilet that is, fifteen people for a toilet.

Overall, hygiene and sanitation issues are acute in the basic worker's camp. Although, the Ministry of Health through its Regional Delegation in the East, the Ministry of the Environment, Protection of Nature, and Sustainable Development, and other ministries have identified in detail these realities and made recommendations, their recommendations do not seem to changed much to the housing situation in the BWS.

For example, the Minister of the Environment, following the fact-finding mission of 27 August 2013 to ascertain the exact position of the inclusion of environmental and social aspects in the construction of Lom Pangar, deplored "unsanitary conditions and promiscuity prevailing in the basic worker’s camp (toilet for 15 people)". He recommended that the Director General of EDC “ensure that CWE improves sanitation in the basic worker’s camp”.

In addition to this unenviable position, there are random checks in the rooms by mixed units of Heads of buildings (workers), security officers and, elements of the Rapid Intervention Battalion (RIB). These controls are
designed to search rooms so as to suppress any problem related to honesty, morality and decency, while grabbing any object prohibited.

The composition of these teams search is blameworthy in that they contain no gendarmes who are qualified police officers and, are by extension, the auxiliary prosecutors. The inappropriate composition of inspection teams, and the civil and private quality authority to which these "inspectors" will report after their intervention poses big suspicions of violations of human rights on the CWE. Seizures are therefore beyond the law, as are sanctions for violators of the internal rules of the BWS. CNHRO teams were unable to obtain a copy of these regulations.

This militarization of the basic worker's camp, just as the increase in acts likely to lead to violence unframed by law, is one of the major concerns of the Cameroonian Network of Human Rights Organisations. Thid concerns is more acute when one notes that the elements of the RIB, who are permanently deployed on the site, obey more the orders of the CWE; a Chinese company, escaping the authority of the State.

As to GEOVIC to Nkamouna (Lomié) and C & K Mining Mobilong (Yokadouma), the number of workers is limited because these companies are officially in the exploration phase. In the case of GEOVIC, the staff on site has dropped from 175 at onset to 13. Those at Mobilong are only 60 including a dozen. Only 10 employees live on site: the remaining are spread between Yokadouma (96 km) and Mboy 2 (46 km). The ten employees on site of Mobilong are housed in containers fitted with relative comfort, electricity, water, and a bore hole whose samples are regularly taken and analyzed. The remaining employees are located in family or rental.

V.A.3. The existence of a contract of employment

The issue of employment contracts has long been the downpoint of the Lom Pangar project. During the first months of the project, no Cameroonian worker of the CWE had a labor contract. This has been criticized by both the workers themselves, officials of the Ministry of Labour and Social Security, and those of the Ministry of Employment and Vocational Training.

Despite conflicts of jurisdiction between the two departments, the actions of Regional Representatives and their staff have had fostered some among which:

- The signing of 660 contracts of employment for workers in the CWE;
- The reduction of unfair or questionable dismissal;
- The attempt to control the number of expatriates on site, which would be around 300 persons, mostly Chinese;
- The attempt to control the quotas locals/expatriates and autochtones/aliens in recruiting for open positions;
- The rehabilitation and upgrading of the worker staff from 5 December 2012, in application of the Collective Agreement of 2004; although it remains partial.

As to this reclassification, workers observe that it came after 19 months of work for some employees.
According to the figures published, out of the 660 Cameroonian workers who signed their contract, 579 were actually on site at the time of the passage of investigators, against 300 Chinese; excluding the expatriate staff of Coyne and Bellier. It is thus apparent that we are far from the quota of “80% nationals against 20% expatriates”.

A special feature of the project is that the Cameroonian workers are recruited directly by the Regional Agency of the National Employment Fund (NEF) in Bertoua. It is regrettable that staffs do not follow the same procedure.

In addition, the contractual provision for 1.5 days off per month is not respected for any worker. Similarly, feast days and holidays are not respected. For example, workers in the CWE Lom Pangar worked on September 30, 2013: the parliamentary and municipal elections in Cameroon. In addition to depriving more than 600 Cameroonian from their right to vote, CWE has not (in the words of the workers) paid the work of that day which was legally a nonworking public holiday.

Workers also worked on 14 and 15 October, which represented the bridge and the feast of Tabaski for the Muslim community, respectively. The workers were not sure to receive their salaries for these two holidays.

For the staff of GEOVIC, contracts are effective; including for contracting companies as Africa Security.

At C & K Mining’s, Mobilong, many employees have no employment contract. There are persons who have worked for more than a year under these conditions. These workers and remain in a situation of legal ambiguity which can be likened to illegality, and points to some carelessness from the part of the employer.

**V.A.4. Equal pay for equal work**

Throughout the period of investigation, the issues of wages seemed taboo. The staff surveyed made only vague allusions to this point. According to the workers, CWE pays its workers poorly as compared to all other companies involved in the project. The numerous defections at the benefit of SICIM are highly suggestive.

The workers on the site are paid between 200 CFA F and 265 CFA F per hour.

This abnormally low salary is compensated by a monthly susidize of 24,000 CFA F per month for food: 12,000 CFA F is granted by EDC, and 12000 CFA F by CWE. While the employees GEOVIC seem satisfied with their salaries, those of C & K Mining Mobilong complain of non-compliance with wage scales provided by the hydrocarbon sector to which they are secured temporarily. The Directorate; for its part, says that the adjustment will be gradual.

Eventually, the dam at LomPangar should provide more than 3,500 jobs in Cameroon. But last Friday, the Director of NEFE, Camille Mouté A Bidias has insisted during the ceremony of the signing of the agreement between the structure that he supervises and China International Water and Electric Corporation, that to be “to be recruited into the project, you must register with the National employment Fund”. He added that only “those who have the profile of these tasks will be retained”.

For the construction of tents and containers which is the first step when starting construction works (from next February), Ding Wang LONG, the Project Manager at the CWE, argued that his company “has recruited some twenty engineers in Hydro-Electricity and Civil Engineering, technicians, warders, scrap merchants, builders,
truck drivers, and heavy plant drivers”. It should be noted that in the subsequent recruitment will be done in waves, with regard to number of people needed in each project.

It should be remembered that the construction of the dam at Lom Pangar was launched last November, with works on the construction of a bridge over the Lom in the East Region; three months after the signature of the contract of construction and commissioning. It is the latter which assigned the project to the Chinese company. Cameroon received financial supports from several partners: the World Bank, the African Development Bank (ADB), the Development Bank of Central African States (DBCAS), the French Development Agency, and the Saudi Fund which will provide funds for the construction of a hydroelectric plant, a power transmission line, and an associated network. In principle, the construction is expected to be complete in 2013. The total project cost is estimated at 200 billion francs CFA: 24 billion of this money comes from the bondholder loan of November 2010.

**V.A.5. Social Security**

According to reliable official sources of the CWE and workers, social security is guaranteed for all employees, with an employment contract. They are all reported to the NSIF.

But this registration with the NSIF hides an irregularity; which is the misclassification of employees per category, by the CWE. For example, a car driver (pick-up of 5 seats) would have the same salary as a truck driver or a heavy plant driver.

After the strike on December 19, 2012, a tripartite commission was constituted forthwith to examine the conformity of the 660 existing contracts in the personnel file of CWE against the requirements of the job classification of the collective agreement Btp of 2004. In the face of misunderstandings related to interpretations of the emphasis on lodging by the Cameroonian law, the CSEC in turn is committed to continue the process with the government.

At C & K Mining’s, Mobilong, a good portion of employees is not affiliated with the NSIF. This is a very worrying situation for a mining company prospecting for diamond in Cameroon.

**V.A.6. Freedom of association and Negotiation**

It appears that the freedom of association is guaranteed on the project site. A local branch of the Trade Union Confederation of Workers of Cameroon is installed there.

When questioned on the issue of non syndication some workers, evoke an irregular operation attempted to forced syndication.

But one of the curiosities of Lom Pangar is the establishment of a non-unionized block of workers in the company. Their representative intervenes in consultation meetings including, the monthly social dialogue meetings, or at meetings with the authorities: like the meeting with the Minister of Labour and Social Security, for example.

Such recognition of non-union is somewhat unusual in that they do not constitute an association with known targets. Moreover, such an association has no legal ground, and looks more like a machination of the employer, to weaken the legal role of the trade union in place.
“The law recognizes workers and employers, without restriction of any kind, without prior authorization, the right to freely establish trade unions whose object of study is defense, development, and promotion of their interests (...) as well as the social, economic, cultural and moral development of their members."

Three years ago, 34 workers affiliated with the National Union of Rural Workers of Cameroon (NURWC), by signing the ballot withholding provided for this purpose. But the Employer has never made such deductions. Instead, the Directorate has granted another trade union facilities to settle on the site, thanks to the recommendation of the Departmental Delegate of Labour and Social Security in Boumba Ngoko.

This is a case of discrimination and obstruction of trade union activities. All things contrary to the law No. 87 of the ILO concerning the Freedom of Association and Protection of the Right of Association.

V.A.7. The right to strike

The law No. 92/ 007 of 14 August 1992 on the Labour Code in its article 157, paragraph 4, defines a strike as "the collective and concerted refusal by some or all workers of an establishment to comply with the normal rules of work to get the employer to meet their claims or demands."

The right to strike (Article 157), when exercised under the conditions stipulated by the law that is to say, after the exhaustion and failure of conciliation and arbitration, is guaranteed.

Unfortunately, the events prior to the visit of public authorities and the CNHRO on the site of the Project, show that any protest from the part of the workers is suppressed through intimidation, arrests leading to dismissals after beatings and other ill-treatment, by paramilitary and security personnel present on the site, the police, and the rapid Intervention Battalion (RIB).

As far as Lom Pangar is concerned, the case of the strike of 25 June 2012, 29 October 2012, and 19 December 2012 are eloquent illustrations.

On 25 June 2012, 218 workers from various sections of the CWE, led by their leaders, observed a work stoppage to demand improved conditions of life and work: a strike that paralyzed the site for two whole days.

Subsequently, a general strike of workers of the construction of the hydroelectric dam was announced on Monday, October 29, 2012. The complaints brought to the notice the classification and compensation in accordance with the national collective agreement for construction companies, public works and related activities of 24 August 2004 on bonuses and other salary-related payments for overtime worked, respect for the work on dismissals and other sanctions, compliance with legislation and regulations for working hours in case the holidays, social security, housing, and the recall clearance of amounts owed international standards workers...".

On October 25, 2012, before the arrival of Mrs. Delphine Nanga, the then Regional Delegate of Labour and Social Security of the East, Lom Pangar for a crisis meeting, a contingent of “forces of order” had invested the job site, intimidating workers; meanwhile the latter had followed the legal procedure governing the right to strike.

This happened after consultation between the Delegate, EDC officials, those of Coyne and Bellier, CWE, and some members of the Confederal Bureau of Trade Union Confederation of Workers of Cameroon (CSEC).
Noting the failure by CWE to respect the commitments of the meeting of 25 October 2012, who argued that "wages increases can only be effective as from January 5, 2012", 1000 workers of the CWE scored a total work stoppage on Wednesday, December 19, 2012. Overlooking the authorities in charge of social dialogue, a detachment of the elements of the gendarmerie stationed in the East, descended on the site to "restore order" in its own way. Faced with the arrival of the police, the workers put up barricades at the major bridge linking the site and the basic worker’s camp.

The complaints of this second strike had to do with the "Cameroonization of the position of Director of Human Resources, the specification of the notion of flexibility, the respect of the balance between the score and the salary, the classification of workers, and salary increases". Moreover, "the non-compliance with the resolutions of the multiple crisis meetings already held" led them to seek the coming on the website of the Ministry of Labour and Social Security, Owona Gregory; who had previously summed up CWE to comply immediately with the Cameroonian legislation on work of 25 June 2012.

At GEOVIC, managers and employees found on the site swore that there has never been a mood of protest in nearly 10 years. At Mobiling, the few protests initiated by workers and local residents have resulted in dismissals for the first group, and unfulfilled promises for the second. The concerns raised by workers and communities are, in the opinion of the Employer, on the negotiating table. The implementation of the resolutions keeps on delayin, though.

V.A.8. Non-discrimination

Discrimination is obvious on the site of Lom Pangar. The first point of discrimination is habitat. Executives and expatriates work and live in high buildings with high- standing, while workers live in poor and substandard housing. Similarly, IDP’s sites are inaccessible villages: the roads are neither arranged nor maintained, while the drainage has not been made.

For example, the site of the new village Lom Pangar was chosen after a concerted action between EDC, the administrative authorities of the Eastern Region, the people involved in the movement, and the people called to welcome newcomers. It is located at about 25 km from the old one, between two villages that is, Ouami and Déoulé, both belonging to the canton Képépé Deng Deng, whose headquater is Deng Deng Village. Once the site was found and accepted by all stakeholders, construction began. A total of 57 houses in brick and cement from T2 to T5 were built under the project management of EDC.

The terms of reference provide that each house must be accompanied by a kitchen and latrines both built in the same materials, roofed with sheet metal, and ceiling installed inside the houses. All room are to be equipped with a plot of land (home gardens) of 2000 m2 each, so that people can continue to exercise their main source of income: agriculture.

But in practice, the site of the relocated village of Lom Pangar was delivered with no openings in houses, no plastering works were finalized. Populations, including the village chief, had to put his hand their pockets, for purposes such as construction of gutters around houses to hunt runoff invading some homes. Similarly, the material used, the pressed brick and uncooked posed some problems for people. Some had to face the extreme brittleness of the material, proceed at their own expense in plastering houses offered to them, while those
expatriates and executives EDC are fully plastered and equipped. It is the same way, soils in most cases, are not cemented; in violation of the basic rules of environmental health.

Similarly, each executive is entitled to 7 days off accrued per month: a facility that allows them to find their families. EDC on-site manager to Lom Pangar stipulates that workers are entitled to 5 days, while they (the workers) unanimously declare only eligible for four days.

This disparity 7 days for executives and 4 days for the workers is tantamount to discrimination. It is particularly serious that workers are escorted to Belabo by the company when they leave, where they must either take the train or a car; while the company’s vehicles accompany staffs to their homes. This autonomy in movement allows them to fully enjoy the holidays offered, while workers generally take more time on the road and actually have only one night to spend with their families. Things are even more difficult for who come cities as remote as Bafoussam, or Nkongsamba.

As for the diamond mining of Mobilong, the inhabitants of the 22 villages in the canton of Bidjouki believe that all the populations should included in the compensations and achievements contained in the specifications of the job description. Unfortunately, official documents retain only a few villages near the site.

IV. B. THE RIGHT TO ADEQUATE FOOD

- Article 11, paragraphs 1 and 2 of the Covenant on Economic, Social and Cultural Rights ratified by Cameroon in 1984 by Cameroon affirms the right to food.
- At the regional level, Cameroon has ratified a number of regional instruments for the protection of the rights related to the right to food. These instruments are:
  - The Charter of Human and Peoples’ Rights, ratified by Cameroon on 21 October 1986;

One of the innovations in promoting the right to food in Cameroon is the creation of the Ministry of Trade and Industry which defines its terms by charging policy of price regulation, and the Ministry of agriculture has inherited a special status (Deputy Prime Minister) and defines agricultural policy in Cameroon.

Alongside these Ministries of operational vocation, are Ministries of scientific character such as the Ministry of Scientific Research and technical structures such as the Institute of Agronomist Research for Development (IARD), and other research centers.

Similarly, there are programs set up by the government, namely the Food Security Programme (FSP) and the National Program for Popularization and Agricultural Research (PNVRA).

In addition, support and financing instruments have also been developed and included such as the Community Development Programme (CODEPRO), the Community Agricultural Micro-Investment Fund (CAMIF), the Mission for the Development of Fisheries in Cameroon (MDFC), the Fund for the Development of Marine Fisheries (FDMF), the Decentralized Rural Credit Pilot Project (DRCPP), the various agricultural cooperatives of savings and credit, and the road Maintenance Fund.

Article 11, paragraphs 1 and 2 of the Covenant on Economic, Social and Cultural Rights ratified by Cameroon, in 1984, affirms the right to food.
In Cameroon, the legal system for the protection of the right to food is almost non-existent. Apart from a few principles that are stated in the constitution of Cameroon (the right to a healthy environment, the protection of the environment) there is no law that protects the right to food in Cameroon.

Despite this legal vacuum at the national level, data collection and data analysis focused on the following seven conditions:

- **Food sources**
- **Compliance with minimum core obligations for displaced populations**
- **The obligation of the state to realize the right to adequate food**
- **The respect of the right to access to land and resources for vulnerable groups**
- **The respect of the right to water**
- **The Improvement of access to markets**
- **The main factors that impede access to adequate food.**

**V.B.1. Food sources**

The workers of the BWS at Lom Pangar are fed by two contractors hired by tender. At the passage of the teams from CNHRO, OKINA Africa and Hotel Complex were both selected providers.

EDC has built on the site two canteens that serve as restaurant to workers and two commissaries which are kinds of shops where workers can refuel in commodities.

Independent kitchen is prohibited; workers must use 12000 F they receive every ten days to feed. This entitles them to 1200 F per day, two meals of 600 F every day.

Of the 36 000 CFA F that workers receive per month for nutrition, 12000 F are deducted from their salary and their F 24,000 are subsidized by EDC and CWE.

Displaced populations who are already installed at Lom Pangar villages eat food they grow themselves, and fish in the rivers Lom and Pangar.

The populations of Képéré, Lom, and Pangar cultivate cassava, tomato, maize and cocoyam. They practice artisanal fishing with rod in the Lom River. Lom Pangar which is their village, was once located on the river. Today, the closest river bank to the village, Lom, is located at 3.5 km from the site of the present village; and the track that leads to it is not fitted. This causes great distress to the fishermen, especially when it comes to taking the products of their activity to the village, to smoke it.

The effects of the Memorandum of Understanding (MOU) on the implementation of measures and actions accompanying actors of the livestock, fisheries, and Aquaculture sub-sector Lom Pangar project between the Ministry of Livestock, Fisheries and animal Industries (MINEPIA) and Electricity Development Corporation (EDC), Client project signed on 25 September 2012, are delaying. The said Memorandum envisages in a period of five years, renewable by tacit agreement:

- The creation of specific areas that are likely to be valued in pastures by the drawdown of the reservoir for an entomological treatment of these spaces;
- The development of farming community and infrastructures, including the creation of cattle park of Touraké;
- The construction of a bridge crossing the Lom Touraké to ensure the passage of herds;
- Support and technical supervision of breeders;
- The integration of agriculture and livestock and the introduction of improved methods of animal nutrition;
- The monitoring of the social situation between herders and farmers: support for peaceful conflict management, and help to fishermen directly affected by the operation of the dam through:
- The establishment of two pilot docks in the areas Bétaré Oya and Lom Pangar;
- The studies on the appropriateness of development of fisheries in the reservoir;
- The establishment of a strict limitation of access to rights retained through a mechanism of access control and registration of boats, canoes and other vessels circulating in the reservoir system.

These measures which were to be implemented by EDC with the support and expertise of MINEPIA took effect from the date of the signing of the Memorandum.

The employees of the site of Mobilong are fed by EDF. The company gives a breakfast each morning as from 6 H 30, to those who live Yokadouma before they go to their workplace located at 96 km from Yokadouma; on non-paved and non-maintained road. The harshness of the journey, the shocks, the time taken to cover the distance, make the workers to be very hungry, by the time they arrive at their workplace: but yet, they need to start work in these conditions.

The workers of Mboy 2 live at 46 km from the site. They join their colleagues on the site to lunch in the canteen of the Company.

V.B.2. Compliance with minimum core obligations for displaced populations

As part of the implementation of the project Lom Pangar, a compensation and resettlement plan (IRP) was established by EDC and its partners. This concerns the displaced populations for the implementation of the works on the site, those whose lands will be flooded by the reservoir of the dam, and those living in areas that may be flooded in case of accidental breakage of Lom Pangar.

EDC officials say that all IDPs will be resettled in the short term and that the compensation was paid in the villages Deng Deng, Déoulé, Haman, Ouami, Lom Pangar Bétaré Oya, Tike, Tibanga, Berikando, and Ngazakoro.

The regulation concerns the populations of:

- Lom 2, Goyoum village. This movement concerns 60 families who received 32 acres of land, and whose houses were at level of the chaining when the teams of CNHRO made this survey. In addition to the preceding, they were granted a health check, two boreholes: one the resettlement site; Lom 2 Goyoum; and one in the host village.
- Lom Pangar for a new site situated at 20 km from the site of the former village, between the villages Ouami, Deng Deng Haman and Déoulé. These villages comprise 39 families. They received a small
church building which is used by Protestants and Catholics, two boreholes, and a bore hole at Ouami. A school is also expected on this site that is not yet built. In the meantime, children of Lom Pangar attend the Government Primary School of Ouami School, located at 5 km from their new village.

- Garga Sarali for a new site a few kilometers away from the former: people are expecting the construction of 4 classrooms, as well as the development of a source of drinking water.

- Ndanga - Gandima where 43 households were identified: They havea health check, a community box, a bore hole, and a dryer for cassava.

- Petit Ngaoundere where households received two new boreholes and two classroom;
- Bodomo Issa where 11 households have been supplied with 1 bore hole and 4 classrooms.
- Ndokayo where 43 households were given 2 bore holes, and 6 classrooms.
- Bouli where 14 households were supplied with 1 borehole, and 4 classrooms: 2 classroom for the primary school, and 2 other classrooms for the GSS;
- Bétaré Oya where the existing in the various camps (market, schools, wells,...) will be fixed and maintained.

Another important aspect is provided in the CRP granting food every three months to the displaced populations. For Lom Pangar village, these provisions are provided for a value of 3,000,000 CFA F per month. But according to the population and the Head Dodo Faroukou, since April 2012, the date of delivery of the first batch of food, they have received the food only three times. From April 2012 to October 2013, 20 months have gone by that is, seven supplies of food of 3,000,000 CFA F each. This failure to comply with the regulation constitute a serious violation to the right to adequate food, poses a strong suspicion of embezzlement and corruption in the Lom Pangar project. It is desirable that independent national audit institutions be involved in monitoring the implementation of such projects. To this end, the National Anti-Corruption Commission (NACCO) should be able to take responsibility by carrying out investigations so as to operate in a pro-active manner on a similar project.

It should be noted here that housing and supplying of food to the populations of Mobilong who were dispersed without any resettlement plan, is not on the agenda in the activities of C & K Mining or government. These people have lost their homes, their plantation, hunting and fishing areas, and are now scattered throughout the villages of the canton, and over the divisions of Bidjouki Boumba and Ngoko.

V.B.3. The obligation incumbent upon the state to realize the right to adequate food

Although the right to adequate food is not specified in the national legal arsenal, the State through the development strategy for the rural sector, which is provided in the ECSD and mechanisms and bilateral initiatives as the Getting-out-of-Debt of Contract and Development (C2D), professionalizes the agricultural sector, strengthens the capacity of local producers, and provides financing for growing agricultural crops.

As to the populations of Lom Pangar, the Regional Delegate of Agriculture in the East states that in collaboration with EDC, development services of agriculture, support the displaced populations in the production of foodstuffs. To this end, 60 families of about 6 people each have received a diagnosis, the provision of seeds, crop monitoring. They were supposed to be in full harvest at the time of passage of CNHRO’s teams.
But on the ground, the displaced populations of Lom Pangar acknowledge having participated in activities of multiplication of seeds and crops such as cassava, cocoyam and tomato. The people complain that such simulations are made outside of the agricultural calendar; yet held by MINARDE.

This gap between intentions and actions to improve food security around the site of Lom Pangar needs to be filled through a documented monitoring of MINARDE; in terms of information on agriculture, food security, tips nutrition and practical assistance for agricultural inputs, or social transfer programs in kind or in cash.

Coaching to help local people improve their production should also, in addition to agriculture, interest in fishing and conservation by smoking products from the.

V.B.4. The respect of access to land and resources for vulnerable groups

Access to land has:
- Farmland
- Grazing Lands
- Forests and mangrove
- Fishing Areas

Barriers to access to land for food production include:
- The lack of security of tenure, which leads to what people do not invest in land because they fear deportation;
- The lack of protection of access to traditional lands and resources of indigenous peoples, or grazing land for livestock

Access to productive resources includes access to the following:

V.B.5. Water for irrigation
- The energy (such as electricity);
- Seeds;
- The extension services;
- Tools;
- Advice and training on the best use of resources.

Access to land is a key element in access to resources and wealth creation. CRP Lom Pangar Project pioneered by limiting the areas for each resettled in the resettlement site. For example, the 2 Lom villages of Goyoum received 32 ha; while Lom Pangar was rebuilt on a site of 12 ha. These sites have land titles that will enable occupants to secure the land.

But it should be noted in the case of the village Lom Pangar for example, 12 ha are not enough, as soon as you think they should serve as a site for the village and reservoir of vital resources. Since these people live on agriculture and fishing, they are forced to go out of the 12 ha that make their village, in search for their livelihoods. Regarding agriculture, the fields extend up to 2 km beyond the village limits of Lom Pangar.
Regarding fisheries, the closest river is situated at 3.5 km from the boundaries of the village, villages of Mbaya and Ouami.

At Mobilong, there is no document or an arrangement which states the inclusion of vulnerable groups; especially as concerns their access to land or even their survival.

V.B.6. Respect for the right to water

The elements of the right to water include the following rights:

- Having access to existing water supplies;
- Not to be arbitrarily disconnected from a water supply;
- Ability to have access to water in sufficient quantity and quality;
- Ability to have access to water supply systems; without discrimination;
- Benefit from access to water that is both physical (in or near the house) and economic (affordable).

Although part 3 (Public Health) of the Environmental and Social Management Plan of the Lom Pangar project has provided drinking water, and the development of health infrastructure, access to drinking water has long been the downpoint of the Lom Pangar project.

The basic worker’s camp rarely has a continuous supply of potable water. Beyond the declarations of workers and direct observation, various official reports indicate supply disruptions for several days on the site. For example, during the first meeting for the implementation of the Memorandum of Understanding between EDC and the MOH of 29 to 31 August 2013, the team led by Inspector General Services MOH, Professor Magloire BIWOLE, found that the city of Chinese expatriates and executives Cameroon benefited necessary equipment for drinking water, while at BWS, there was a "lack of drinking water for 15 days ". The purification system of AURA type had a breakdown. This deliberate and repeated negligence is certainly the main cause of the high prevalence of typhoid on the BWS. (According to the the UN, the minimum amount of water for basic needs of a person: drinking, cooking, and cleaning, is between 20 and 50 liters per day).

The various recommendations of the MOH led the company plan on the monitoring of water quality on the site, and of bore holes in the villages. According to the Environment and Social Director CWE, 200 tests were ordered for a value of 720 000 CFA F, to monitor the quality of the water treated by AURA Cameroon, following its agreement with CWE and the concerned villages.

Among neighboring populations of Lom Pangar project site, access to water is mixed. Villages located in the immediate vicinity of the project and handled by the CRP, are involved in a project of construction of bore holes. A few bore holes are operational, and others are in construction. Other neighboring villages of the project site do not have the same "goodluck". Villages and small towns like Bodomo and Issa, towards Ngaoundere, do not have bore holes. It is important to note that even villages that have a bore hole have difficulties of access to water, because of the large number of people who get their water from these wells. A villager from Garga Sarali said “since the displaced people arrived, there is lack of water, for the village only has two bore holes for a large population.”

The people of Betougou, Mbeten, Yamben 1 Bombi, Yamboyi, Hona, Kambogassi and other people get their water from rivers and streams where they bathe and do their laundry. When we know that the Minister of the
Environment, Protection of Nature, and Sustainable Development noted the “spill in the nature of effluents without prior treatment,” there is concern that in addition to bacterial hazards, populations these villages are threatened by a greater peril from the waters of CWE.

Indeed, the discharge into the nature of these effluents without treatment is also a threat to crops that can be irrigated with this water. Access to water for irrigation is another serious challenge in the Lom Pangar Project.

This precarious situation is betraying the general context of the hygiene and sanitation around the project site Lom Pangar. It is therefore a concern for the neighboring populations. In addition to the risk of bacteriological contamination of rivers, there is a chemical risk that is brewing in the area. Such a risk would also threaten the National Park which is located at the entrance to the site of the Lom Pangar Project.

At Mobilong, two bore holes have been built on the operating system and houses for workers who consume this liquid. The results of tests performed by a laboratory hired by the Company are still pending. “Have the intense activities performed in the subsoil of this locality not defiled groundwater”, asked a local resident.

V.B.7. Improving access to markets

Access to markets is conditioned by several factors:

- Easy entry into, and exit from the village;
- The availability in the village of a site allocated to the populations as a market place;
- The existence of a neighboring market accessible to local residents;
- The existence of an economic system based on supply and demand;
- The availability of local products to sell;
- A purchasing power.

Traffic to reach the village is not obvious, with a non-profiled and non-maintained roads; such that the access to the purchase of smoked fish which is the only permanent commodity for sale is either on foot or by bike.

Major shopping centers in the area are Deng Deng, Bétaré Oya, Ndokayo Ntongo, Gandima, and Bouli. Several other villages have a market, justified by the presence of Mbororo customers, or the intensity of production activities (agriculture, hunting and fishing). Those products are exported to other zones.

It is mainly through market area that Deng Deng transit the commodities to be exported: those of Lom Pangar; for fishery products, and those of Deng Deng and Goyoum; for trade in general. The markets Doyo area - Bétaré Oya - Bangbel is mainly visited by the Mbororos. They are more active during the dry season. In the northern and southern parts of the country, the villages which have a market are: Doyo, Tamtana, Biboko, Mararaba, Bouli, Mbardé Ndokayo, Bétaré Oya and Bangbel. Bouli has a market that is also important for breeding.

The major markets of the asphalt road (Ndokayo, Garga Sarali, Ntongo, Gandima) are important for the sale of agricultural products (cassava flour, corn, yams) to the North and the Central Africa Republic. All villages with Chief of 3rd Degree have a market. Mbitom market is different. It is made mainly for the purchase of agricultural products through intermediaries (“buyam - sellam”) that are intended for export by rail to major consumption
centers of the South (Yaoundé and Douala, for example) and North (Ngaoundéré). The fact that the sale of agricultural products, fisheries and livestock is a well-established tradition among local populations is a potential pledge (and expected) for the economic development of the region, since the construction of the dam and reservoir and exploitation will bring an influx of individuals who will necessarily find food to eat.

There is no site reserved for the market at Lom Pangar. For now, the village is entirely dependent on the assistance offered by EDC and individual acquisitions.

The nearest neighbor Market is Ndeng - Ndeng, central village in the canton Képéré, tribe, whence came the people of Lom Pangar. Which takes the place of market at Ndeng - Ndeng is a crossroads where three paths depart one for Lom Pangar, one for and one for Bertoua-Belabo.

The existence of an economic system based on supply and demand is still problematic. Indeed, the traffic is still low, due to the poor roads, low population density, and the cul de sac position of Lom Pangar. The economy developed here is not much more than a “counter” type; where any goods available are exposed on sheves along the road, waiting for a potential traveler.

Local products consist primarily of cocoyam, plantain, fufu, plantain, and smoked fish. Agricultural activities such as fishing are not the most dynamic. The hunting products are increasingly rare because of the pressure exerted by the MINFOWL on the local populations, and the proximity of the reserve / park.

This volatile economy is also the result of low purchasing power, due to low incomes and rural exodus, which reduce the economic activity to a mere concept.

At Mobilong, Bidjouki, due to the prevailing poverty, commercial activities are not part of the priorities. The people live on poaching and smuggling, in the border area frequented by armed groups from the CAR. These groups who often behave as masters, perpetuate attacks against farmers and forces order of Cameroon.

**V.B.8. The main factors that impede access to adequate food**

The hydroelectric project Lom Pangar has been the subject of several environmental and social studies, which led in November 2011 to the preparation of the final report of the Compensation and Resettlement Plan (IRP); to treat all matters relating to the compensation and resettlement of people physically or economically displaced by the Lom Pangar project. Actions will be complemented by the ESMP which includes all additional compensatory measures in order to to restore the living standards and / or to support local development. The payment of compensations and the resettlement of the displaced persons, as well as the collective compensation of the host villages, are all actions of the CRP.

The implementation of the CRP provided the displacement to a site located at about 2 km from the dam site. The CRP also included the relocation and restoration of livelihoods of the residents, in accordance with a policy of the Environmental Protection of the World Bank, on the trips and involuntary resettlement. The movement of the town of Lom Pangar has been one of the points discussed during the last mission of project evaluation by donors. This marked, in many respects, a maturity in the conduct of the project both at level of the security of the people and at the socio-economic level. The construction of the crossing structure and a bridge on the Lom by the Contractor CWE, was accompanied by an intensification of traffic (vehicles transporting workers, Lorries,
civil engineering engines, etc.). This situation is likely to endanger the lives of residents, despite road safety measures implemented by the Contractor.

In addition, the deployment of site teams on the project site and the work done there now marked the end of access to farms; for farmers, and to water; for fishermen: thus penalizing the access to food for populations. All these risks have been identified in the environmental and social impact study of the project, and CRP has been the response to these impacts on the lives of people, namely the displacement and resettlement of the village Lom Pangar.

Unfortunately, these provisions of CRP to ensure adequate nutrition are not fully implemented. In the analysis point to several factors that impede access to adequate food for people and workers, on the site and around Lom Pangar. These include:

- The narrowness and the general poverty of the BWC, which makes the self-contained kitchen nearly impossible and therefore prohibited by the CWE;
- The general poor road infrastructures;
- Difficulties in supplying local markets;
- An economic system extrovert;
- A little fragile and consistent local production;
- A context of scary WASH;
- Limited access to safe drinking water and water for irrigation;
- A poor diet and inadequate for the workers;
- Revenues for not feeding properly;
- A farming and food fishery that no longer appeal to young people;
- Broken promises and allegations of corruption on the facilities periodic granting food to people's livelihoods.

In the specific case of Mobilong, poor populations, natural isolation accentuated by suppression of highway Mobilong – Song-Loulou, lack of awareness on issues related to food and the pressure of the forest administration on the inhabitants are all significant factors. Indeed, the right to use forest products is almost nonexistent; The MINFOWL generally and systematically seize any, regardless of its classification in the lists of protected species.

Similarly, the administration of agriculture has ceased to mentor local producers, and projects conducted by MINARDE do not touch reach the rural populations.

**V.C. THE RIGHT TO HEALTH**

Cameroon has ratified several international treaties, namely the International Covenant on Economic, Social and Cultural Rights of 1966; ratified in 1984, the Convention of 20 November 1989 on the Rights of the Child;
signed on September 27, 1990 and ratified January 11, 1993, the Convention of 18 December 1979 on the

It also recognizes the World Declaration on Education for All and the Framework for Action to Meet Basic
Learning Needs adopted by the World Conference on Education for All; held in Jomtien, Thailand from March 5
through 9, 1990.

In the framework of Article 12 of the ICESCR ratified by Cameroon, the measures to be taken for the
implementation of the right to health must be able to ensure:

- The reduction of the mortality rate and infant mortality; and the healthy development of the child;
- Improvement of all aspects of environmental health and industrial hygiene; prophylaxis and
treatment of epidemic, endemic, occupational diseases; and others, as well as the fight against
these diseases;

Cameroon is party to the anti-tobacco UN Convention and acceded to the ethical principles on therapeutic
trials, the Millennium Development Goals (2000) including the health component.

At the regional level, the legal framework regarding the right to health is guaranteed by the following
instruments:

- The African Charter on Health Law;
- The African Charter on Human and Peoples’ Rights (January 1986);
- The Abuja Declaration on Roll Back Malaria 2000.

Cameroon has ratified the African Charter on Human and Peoples’ Rights, adopted on June 27, 1981; ratified
on 21 October 1986, and its Protocol adopted on 11 July 2003, the Cultural Charter for Africa adopted in June
November 21, 1989; and ratified September 5, 1997.

On the other hand, Cameroon has not yet ratified the Convention on the fight against discrimination in the field;
which came into force on 22 May 1962, as well as the two Optional Protocols on teaching of December 14,
1960, the Convention on the Rights of the Child. That notwithstanding, the Act No. 98/ 004 of 14 April 1998 on
the monitoring of education in Cameroon, Article 35 states: " the physical and moral integrity of students is
guaranteed the educational system are therefore prohibited: physical abuse and all forms of violence;
discrimination of any kind... "

The Cameroon's constitution (January 1996) devotes in its preamble the right to health for all citizens of
Cameroon.

The admission of Cameroon at the completion point of the HIPC initiative has actually started decisive reforms
to strengthen the health sector; in an institutional environment where decentralization progresses inexorably.

The Declaration of Health Sector Policy in 1992 and the declaration of the implementation of the " Reorientation
of Primary Health Care " in 1993 will contribute to a significant number of reforms; including new laws
reorganizing the national health system.
Thus, the central level includes Central Services of the Ministry of Public Health which play a vital role in the development of concepts, policies and strategies, coordination and regulation. These services have established central care services like the General Hospitals of reference, and University Hospitals, as well as organizations that operate under its umbrella. The National Center for Supply of Essential Drugs (NACED) was also created.

Currently, there are no specialized legal structures to fight against the illicit sale of drugs. This is already a public health problem in Cameroon.

The relay in local communities is ensured by Provincial Pharmaceutical Centers (PPS) and the Pharmacies of Central Hospitals and General Hospitals.

It can also be noted that the implementation of decentralization gives importance to the regions and municipalities; by promoting the right to health. The laws No. 018/ 2004 and 2004/019 of 22 of July 2004 laying down the rules for decentralized local authorities (regions and municipalities) that play a vital role in the health and social development: through the creation, equipment, management, and maintenance of communal health centers or regional health map; in accordance with the interest, participation in the organization and management of the supply of drugs, reagents and essential medical devices in accordance with national health policy and the organization and management assistance for the benefit of the needy.

District Health Services are more sensitive and closer to vulnerable people. It is noted that at this level, support is generally provided by the District Hospitals, District Medical Centers, and Integrated Health Centers.

Decentralization promotes skills transfer.

At the national level, the five ministries that are responsible for promoting education are the Ministry of Basic Education, the Ministry of Secondary Education, Ministry of Higher Education and the Ministry of Youth, the Ministry of Sport and physical education, alongside these entities exist the National Commission for UNESCO established by the State of Cameroon in 1969; which has a computerized documentation center where you can find books published by UNESCO. The Centre receives mainly academics and leaders of non-governmental organizations.

Article 16 of the African Charter on Human and Peoples’ Rights, in its paragraphs 1 and 2 provides:

1. Everyone has the right to the highest attainable standard of physical and mental health attainable.

2. States Parties to the present Charter shall take the necessary measures to protect the health of their people and assure them medical assistance in case of illness.

Collection and data analysis focused on the following five conditions:

- **The availability of facilities, goods and health services**
- **The accessibility of facilities, goods and health services**
- **The quality of facilities, goods and health services**
- **Equity and non-discrimination in the provision of care**
- **The satisfaction of the beneficiaries of the services offered**
V.C.1. Availability of facilities, goods and services of health

According to data from the National Health Development Plan (NHDP) 2011-2015 East has 801,968 inhabitants; in an area of 106,000 km2. Health facilities include a MOH Regional Delegation and 14 health districts.

In terms of health facilities, they number 190, 1 Hospital of third category (Regional Hospital Bertoua), 13 hospitals of the fourth category (District Hospital), 17 medical centers district (SMC), 115 health centers integrated (IHC) - the fifth category is not all functional, and 35 private health facilities. Out of 9 drug companies and 14 private wholesalers that account Cameroon, none is installed in the East. The ratio of populations by public IHC is 7,565 and 51,176 SMC, while the ratios of population per district hospital and health districts are 66 923 and 62 143, respectively.

This is the region which hosts most of the major infrastructures and mining projects in Cameroon today. When we add to this, poor health coverage, the recurring unavailability of staff, bad roads, etc, one can imagine the plight of the populations.

There is a IHC at Deng - Deng, a check house, and a Chinese medical center on the construction site.

The provision of health centers on the construction site deserves comment. The Chinese Medical Centre is built with solid materials, and it is located between the offices of executives and their homes. While the IHC and the check house whose works seem to continue, are not plastered, are located about 150 meters from the BWS. The standard of Health recommends a ratio of 1 nurse for 250 people.

Here, the staff is reduced to 2 trained nurses who are permanent on the site, and a doctor who works part-time. This reduced staff serves a crowd of workers which fluctuates between 600 and 3500 people. In its interim report of January-June 2013, EDC mentioned that “the local medical center staff CWE is functional and has a staff of 02 GPs working alternately, in addition to two nurses, for a ratio of one nurse; for more than 500 workers.”

The various tasks of the central and decentralized services of the MOH, the unsanitary, inappropriate and ineffective medical mechanisms, in a context where malaria, typhoid are known for their rates of morbid mortality, have become endemic.

At Mobilong, there is no infrastructure on the site to take care of the sick and injured. Those are transported to the Hospital of Yokadouma and fees are deducted from their wages. The distance of 96 km and the means of transportation (pick up) is a concern for urgent cases. According to the authorities of the company, an agreement between the company and the hospital is in preparation.

V.C.2. Accessibility of facilities, goods and health services

Health facilities are accessible nearby.

The health center BWS is within a walking distance to the workers, about 150 meters from dormitory. The only difficulty for a patient lies in crossing the main road through the site, to get there. This poses the problem of choosing the site. Indeed, the health center may well have adjoined BWS; as is the case with the staffs, to facilitate accessibility.
Patients visiting Regional Hospital Bertoua are transported by the company, in ambulances not yet equipped with hardware as qualified management and delivery of the wounded and seriously ill personnel.

Due to the non existence of a system of management of a massive influx of patients, the provisional nature of structures, the growing number of workers, and a very limited staff, the awaiting time in the health center of the BWS Lom pangar is very long.

The poverty of the workers pushed the government to ask CWE and EDC to provide medical care and drugs for all the personnel, without any discrimination. But in practice, the management of health facilities on site escapes to recipients; who have no say in the care and services they need, the staff they need, and the different decisions during the construction, equipment and operation of their health center.

V.C.3. Acceptability of facilities, goods and health services

It may be noted that the principles of the Alma Ata Declaration on primary health care, including actions relating to health in terms of minimum service to provide to such populations does not seem to be part of the agenda of the authorities of the Project. These include:

- Health education;
- Improving the provision of food and proper nutrition;
- Emergency care;
- An appropriate treatment for common diseases and injuries;
- Maternal and child care, sexual and reproductive health; including family planning, the availability of midwives, emergency childcare, and maternity care;
- Services of vaccination and immunization against major infectious diseases, including influenza, meningitis and tuberculosis;
- Programs for the prevention, treatment, and control of diseases;
- Essential drugs as defined by WHO;
- Awareness programs and health education;
- Environmental Health Programs.

On the other hand, the requirement to obtain informed consent before any medical treatment is not yet on the agenda in the areas visited. While the confidentiality of personal health information seems warranty at Lom Pangar, incompleteness and lack of equipment at the health center of the BWS does not guarantee confidentiality.

In terms of cultural specificities, the Chinese staff receive treatment of Chinese medicine, while the locals who have a preference for local remedies whose ingredients are available on the site, do not have the right to hold a pot; which could, among other things, allow them to prepare their medicines.
In the same vein, rare medicinal species that are retained on the two sacred sites and near the Lom and Pangar were destroyed. They were not included in the CRP, because of the intellectual orientations of the designers of the Project.

To conclude this issue of accessibility, it is important to note that everything happens as if the proponents do not find it important to provide sustainable installation to the so-called called “alien”. This situation indicates that the needs to care for the health of women, men, the elderly, and adolescent are relegated to the background, because of the essentially provisional nature of structures and temporary facilities.

V.C.4. Quality of facilities, goods and health services

The overall characteristics of health facilities include cleanliness, safety, and friendliness (they must be welcoming). As concern cleanliness, the case of the health center of Lom Pangar is prECcupying.

The staff’s attitude towards patients is full of kindness and compassion; even if the two nurses (and the doctor who works part-time) are regularly overwhelmed with requests. Regarding the quality of facilities, goods and health services, recommendations were made to CWE before the end of September 2013 to:

- Complete construction of the Health Center by plastering, painting walls and tiling floors;
- Provide the health center basic worker’s camp comfortable furnishings consultation;
- Offer free drugs irrespective stock, both for workers and for managers;
- Fix the system of drainage of toilets and and showers; with the help of experts in sanitation from the MOH;
- Equipping ambulances with adequate emergency material.
- Until the end of October 2013 to:
  - Set up a laboratory;
  - Develop a mechanism to manage the massive influx of patients.
- Until the end of December 2013 to:
  - Train staff on simulation exercises; for potential emergencies situations (drowning, food -related infection, road accident highway, epidemic of cholera...)

The implementation of all these recommendations is delayed on the site, and no sanctions are taken against CWE. It should also be noted that the MOH was committed to “assign a status to health centers on BWC, including the personnel engaged there’”; before the end of September 2013. “. This commitment is overdue. We come to ask what mechanism was established under the memorandum of understanding (MOU) between EDC and the MOH to inspect facilities and follow the recommendations.

V.C.5. Equity and non-discrimination in the provision of care

Equity and non-discrimination in the provision of care have some difficulty be made.

As concerns Lom Pangar, there are two health centers dedicated to staffs and workers, respectively.
Until September 2013, health care and medicines were provided free or charge to the staffs of EDC and CWE, workers had to pay for theirs.

V.C.6. The satisfaction of the beneficiaries of the services offered

Overall, the difficulties associated with the availability, accessibility, quality of facilities, goods and services of health, non-discrimination in the provision of care necessarily create dissatisfaction among beneficiaries of the services offered.

But it is important to acknowledge some recent progress.

At Lom Pangar and Mobilong, a dynamic improvement of access to health care is underway.

The workers of Lom Pangar can now be treated free of charge at the Regional Hospital of Bertoua; following a partnership agreement between CWE and the hospital.

At Mobilong, the process of contracting with the District Hospital of Yokadouma is underway; to support the workers of C & K Mining. In the meantime, they are supported by the same hospital: all the incurred costs are deducted from their salaries.

V.D. THE RIGHT TO EDUCATION

The full and universal education is a priority for the Government of Cameroon. This has resulted in the strengthening of measures for the effectiveness of free public primary education proclaimed in 2000. As part of the universalization of education, incentives such as scholarships, textbooks, and the provision of school canteens are applied in the Priority Education Zones (PEZ). The East Region is part of the PEZ.

Into the domestic law, the right to education is contained in the Constitution and legislative acts. Thus, the right to education is guaranteed by Law No. 96/06 of 18 January 1996 amending the constitution of 2 June 1972. But it should be noted that the term "education" is not explicitly expressed in the constitution that prefers its asymmetric synonym: "instruction" and concludes that this fundamental law recognizes that the State owes a right to education because the organization and supervision of education at all levels "is the duty of the State".

Among the legislative acts that organize education in Cameroon include the Law No. 98/004 of 14 April 1998 on the orientation of education in Cameroon, Law No. 2001/005 of 16 April 2001 on the orientation of the higher education, as well as Decree No. 2010/0247/PM 26 February 2010 on the procedures for the exercise of certain powers transferred by the State to the House of Commons; concerning basic education. There are also the national action plan of education for All, and the education sector strategy.

V.D.1. Availability

With the creation of the Catholic University of Bertoua, all levels of education are available in the Eastern Region. But the availability of educational infrastructures remains problematic. International partners such as PLAN International supports the efforts of the Government in enhancing the availability of school infrastructures.

At Lom Pangar, the site of the Project, CRP has planned a variety of activities related to the construction of schools. One can only wonder why the school proposed to the populations relocated at Lom Pangar village is
not yet built; 20 months after the settlement of the inhabitants. Similarly observations can be made about the villages situated along the road, between the site of the Project and Bertoua. At Betougon for example, education is narrowed down to a Pre-School Center built by Plan Cameroon, and 02 public schools. Schools generally have reduced staff and poor infrastructures. Access to education for children, especially girls, remains a challenge in rural communities in the East.

Due to the the low standard of living around the sites visited, there are no private schools. The distances to cover to get to school are sometimes enormous for children, who can only walk to school, or take a motorcycle.

The community of Mobilong has disappeared because of the diamond mining project, and its populations are scattered over the surrounding villages; along with their school-age children. Hamlets that exist in the community do not have schools. Children are forced to travel ten kilometers every day to get to school. By the time they arrive at school, they are exhausted and hungry; yet they need to cover the same distance in the evening. Others simply chose to settle in the villages of the canton or center Yokadouma. These difficulties of children, coupled with the financial inability of parents, have led some to drop-outs of school. The lack of compensation and resettlement policy portrays a rather chaotic situation situation. Even in villages where some were able to attend school, the situation is no better: the absence or lack of classroom, and lack of drinking water and toilets. Added to this dark picture, is the low qualification of teachers; who are either part-time teachers, or volunteers commonly called “parents’ teachers”.

V.D.2. Accessibility

Accessibility to education is analyzed here in the physical, economic and socio-cultural perspectives.

V.D.2.a. Physical accessibility

Physical accessibility is a problem in itself. On the other hand, the infrastructures is generally unfinished, incomplete and sometimes inappropriate. That is the case in the at Kongo, near Lomié, where some classrooms are crumbling.

The schools are most often built along roads; just like like village huts. But in some places like Yamboyi, the road maintenance works have created a slope which makes access difficult.

At Mobilong, around the educational setting is usually housed in an unhealthy environment with inadequate buildings made of provisional materials, without electricity, and most often exposed to the elements. Teachers usually have no staff rooms, no school canteens, and there is no head teacher’s office. Parents complain about the absenteeism of teachers; while the latter complain about inappropriate wages and the lack of books for children.

Didactic material and the minimum package regularly announced by the Minister does not always reach the target.

V.D.2.b. Economic Affordability

Affordability is also problematic. The free public school remained a true myth. Indeed, parents do pay the registration fee and the cost of association of parents and teachers (PTA).
V.D.2.c. Sociocultural accessibility

The main barrier is related to the socio-cultural appropriateness of training received by students; compared to their daily realities. The project sites are inhabited by people who practice hunting, fishing, agriculture, small livestock and gold panning. No training offered in schools seems to take this cultural background into account.

In addition, the shape of classrooms; which are built according to national standards, remains a curiosity for all the villagers.

V.D.3. Attitude of individuals with regard to education

Generally, people have a kind of apathy towards education. The apathy increases when it comes to girls. It now has many faces: distraction, absenteeism for domestic or agricultural tasks, and early withdrawal from school for marriage.

In villages like Lom Pangar or Mbeten, it is normal for girls to turn up late to school or leave school earlier; because she wants to fetch water which will be used for cooking and other various chores.

Acceptability and adaptability of basic education

In the PEZ, school administration is complex, due to the scarcity of human resources. At Pouempoum for example, near the mining Project (Cobalt), Lomié, GEOVIC has built schools and paid the salary of a teacher for 10 years.

The difficulties above seem insurmountable: both the populations and to the teachers; and they ignore the legal and administrative procedures which could eradicate those problems. Free primary education proclaimed in 2000 remains wishful thinking for head teachers in these poor areas. The latter still require several contributions from parents, and for various purposes: registration, PTTA fees, practicum, sequence examinations, contributions in nature, handicrafts, teachers’ plantations, remedial classes, etc.

V.E. THE RIGHT TO THE ENVIRONMENT

A fact-finding mission of the Department of Environment and Conservation and development went from 25 to 30 August 2013 on the construction of the hydroelectric dam at Lom Pangar for inquiring about the situation taking into account environmental and social aspects. After this mission, observations were made including:

- Nuisance noise and pollution of the air by dust in the quarry and crushing rocks;
- Poor management of solid waste (bad sort, poor storage conditions) and liquid (effluent evil decanted water, oil drain poorly stored);
- Terms of unhealthy and cramped prevailing in the working life base (toilet for 15 people);
- Spill the nature of effluents without prior treatment.

Minutes environmental inspection of 24 September 2013 on the site of Lom pangar and information collected in the field by our investigators allow us to make the following point on the implementation of these recommendations:

<table>
<thead>
<tr>
<th>N°</th>
<th>Recommandations</th>
<th>Observations</th>
</tr>
</thead>
</table>

Respect of human rights on the sites of major projects in Cameroon: the case of Lom Pangar, Mballam, Nkamuna and Mobilong - OBSERVATION REPORT
1. Equip staff with the extraction and crushing quarry sites appropriate equipment to reduce

2. Remodel the device effluent treatment and scrap concrete from the crushing unit immediately;

3. Establish system source separation level different places waste production, transport and storage in order to conform to the current regulations

4. Manage users packaging nitrate and ammonium as hazardous waste

5. Ending burning waste in the open air on the site

6. Improve the system of collection, transport and treatment of waste

7. Perform analysis of all waste water and to fit the results to the Ministry for the Environment monthly

8. Outlaw open burning regardless of their type

9. Providing the lids to close the holes of lost toilet to control odors as well as septic

10. Provide staff waste storage area specific equipment and install cloakroom these places and see their diet

11. Cover the surface of household waste landfilled with a membrane before the addition of land to reduce ammonia odors

12. Keep records of medical waste management and hazardous updates and manifests traceability

13. Ensure that CWE improves sanitation in the base of working life

14. Remodel units of waste oil treatment, wastewater so that it conforms to regulations and ESMP

---

Slowness in the implementation of these recommendations by the EDC is worrying and may reflect a desire on their part not to respect their terms of office, and violate the right to the environment.

We recommend that all these recommendations are achieved and if necessary, sanctions are taken against the company concerned.

**V.F. THE RIGHT TO ADEQUATE STANDARDS OF LIVING**

The right to adequate standards of living is bordered by many texts; in particular Article 25 (1) of the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Racial Discrimination, the African Charter of Human and Peoples’ rights, etc.). Compliance with this law allows any human being to be free from hunger. That is to say, to have sustainable access to adequate food: in quantity and quality.

The implementation of the ESMP PHLP aims is the restoration of the standard of living of the affected populations. Achieving this goal depends on the activities to be implemented in the areas of fishing, agriculture, livestock and gold mining; which are the main activities and sources of income for the people of the locality.
The Compensation and Resettlement Plan of the project was to conduct a social and economic monitoring of people directly affected by the project. This monitoring should include, among other things, monitoring the situation of the displaced persons and their resettlement, as well as the restoration of livelihoods.

**V.F.1. Agriculture and Livestock**

As to agriculture and livestock, the project would provide support to the development of agriculture and livestock, in order to restore the living standards of the populations directly affected as defined in the CRP.

The ESMP should focus on improving production and the introduction of value-added crops, where soils are suitable. To this end, the fields of intervention must include:

1) The monitoring of producer groups; and the empowerment of these groups through the provision of small equipments, seeds, fertilizers etc., and the commercialization of local crops;

2) Technical assistance and training will be provided, to encourage the production of new varieties of crop, the use of fertilizers, the increase of yields, and development of vegetable crops for the local market;

3) The project could subsidize the acquisition of selected seeds and fertilizers and, when necessary specialized, the purchase of specialized equipment;

4) Promotion of intensive crops if conditions permit;

5) Facilitating access to markets whenever possible;

6) The promotion of new animal breeds and breeding lines (such as more productive pigs and chickens);

7) Integration agriculture/livestock (use of agricultural residues), and introduction of improved methods of animal nutrition.

**V.F.2. Fishing**

As concerns fishing, particular emphasis should be placed the first phase of aid to fishermen directly affected by the Lom Pangar Project. To do this, two (02) landing stages will be set up in Bétaré Oya and Lom Pangar areas. The monitoring of fish stocks and fishing activities before, during and after construction of the dam by EDC will enable people to understand its impacts; and adapt fisheries management accordingly, throughout the life span of the dam. To this end, studies on the appropriateness of development of fisheries in the reservoir will define, at the appointed time, needs for this sector.

A mechanism of access control will be set up, to monitor and regulate the activities of the fishing community circulating in the reservoir.

The control of the reservoir by the agents MINEPIA, the Gendarmerie, and the EDC agents will enhance the control of migrations of alien fishermen through a registration of boats, canoes, and other vessels circulating in the reservoir.

**V.F.3. Gold Panning**
Talking about gold panning, the project has set as objective ennoyer a portion of the resources located in the valley of Lom. On the other hand, it is important to ensure that the activity of gold mining that will continue after the impoundment of the dam upstream of the reservoir, does not provoke a chronic pollution of the reservoir including mercury. The ESMP support activities geared towards i) the development of environmentally friendly mining techniques; ii) the monitoring of the local mining industry; iii) support for the professionalization of some minors.

To better take into account the interests of the population, suggestions were made by a commission composed of two to three persons nominated by the inhabitants of these localities was created. The mission of the commission was specifically to defend the interests of the people at the time of the census. The said Committee should also help the Verification and Evaluation Commission teams (VEC) identify the affected property owners; the boundaries between landowners and habitats as well as the boundaries between villages and camps. Commissions in most cases consist minutes: sometimes before the census operations.

It should be noted that agriculture and livestock are not only a source of income for the people but also allows them to feed their families. The Compensation Decision, signed in 2012 by Prime Minister, set the amount payable to the people of the project site.

Compensation began in 2012 and covered the first quarter, 38 villages in the districts of Bélabo, and Bétaré Oya. Out of 822 people affected by the project, 743 were compensated in the first quarter of 2013: which represents 90 % of total beneficiaries. These are indemnifications related to crop losses, buildings, and other highlighted losses such as boxes, fisheries and livestock. 10 % of people are not compensated because of unresolved disputes including, cases of succession unresolved and questionable succession documents. There is a reason to question beyond reservations the work of the Finding and Evaluation Committee (FEC) on the rate of such compensations which, in our opinion, are undervalued. For example, the rate of compensation for a banana is 1,200 (one thousand two hundred) CFA F. A banana takes about a year to produce; and each banana produces offsprings that produce bananas. The price of a bunch of plantain in the locality varies between 1,500 and 5,000 CFA F. Ms. Aziza NENE, a farmer, received as compensation the sum of 44,000 CFA F for his crops.

For the gold mining industry, he was awarded a sum of 400,000 CFA F for the heads hole, and 300,000 CFA F for the workers. A sum of 300,000 CFA F was granted to each fisherman. For sedentary farmers, a flat amount of 200 000 CFA F was their paid. When we take the case of a gold gold prospector, there is no guarantee that the new site location allows him to have a hole where he is chief.

The amount given to different populations in compensation can not allow them to have a decent standard of living. These populations are therefore forced to endure misery and poverty. When some of these people complained about the smallness of the amount they were granted, commission members promised they would return to handle their case: a polite to get rid of these people.

It was expected that each household, plus a relocation allowance, benefit:

- A residential land title;
- A support after displacement;
- Be assisted in development activities such as land preparation, credit, training or employment opportunities.

EDC has a vehicle available for their move. However, more than half of people said they received no support for their move. Some did so by bike, others carried their luggage on the head.

Resettlement activities have been carried out by more than 95%.

<table>
<thead>
<tr>
<th>N°</th>
<th>Residence</th>
<th>Households</th>
<th>% relocation by late June 2013</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ndokayo</td>
<td>01</td>
<td>100</td>
</tr>
<tr>
<td>2</td>
<td>Ouami et Deoule</td>
<td>01</td>
<td>100</td>
</tr>
<tr>
<td>3</td>
<td>Goyoum-Lom II</td>
<td>09 households</td>
<td>85</td>
</tr>
<tr>
<td>4</td>
<td>Bouli</td>
<td>09 households</td>
<td>80</td>
</tr>
<tr>
<td>5</td>
<td>Bodomo Issa</td>
<td>02 households moved to Bétaré Oya</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td><strong>95%</strong></td>
</tr>
</tbody>
</table>

**Table 3: Evolution of resettlement activities in the host population areas affected by the project**

Notwithstanding the preceding observations, there is a bit of improvement in the lives of the surveyed population. This improvement includes the replacement of the former building houses which were built mostly in provisional material, for houses made of permanent materials and improved standing.

The building these houses of high standing is in process, and benefits today less than 30% of the people affected by the Project. In some localities, people have been waiting for long to no avail; and are in the brink of building their homes with provisional material.

It also poses a problem of fairness in compensation. Some people who owned several houses have been compensated for one. The quality of the newly built houses is questionable and feared by the new owners. In fact, some of the homes are already deteriorating.

A development directive scheme for relocation in the new village of Lom Pangar (SDARLP) has been developed and implemented. This diagram provided, highlights on the provision of food by the support program. This grant was intended to be quarterly. Its objective is to facilitate the transition and integration of resettled households in the new town of Lom Pangar. 57 households are beneficiaries of this aid.

<table>
<thead>
<tr>
<th>N°</th>
<th>Description</th>
<th>Packaging</th>
<th>Unit</th>
<th>Quantities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Cassava flour</td>
<td>Bag</td>
<td>75 kg</td>
<td>60</td>
</tr>
<tr>
<td>2</td>
<td>bean</td>
<td>Bag</td>
<td>100 kg</td>
<td>13</td>
</tr>
<tr>
<td>3</td>
<td>Pakistani rice</td>
<td>Bag</td>
<td>50 kg</td>
<td>100</td>
</tr>
<tr>
<td>4</td>
<td>Vegetable oil</td>
<td>Cardboard</td>
<td>15 l</td>
<td>50</td>
</tr>
<tr>
<td>5</td>
<td>Iodized salt</td>
<td>Bag</td>
<td>18 kg</td>
<td>10</td>
</tr>
</tbody>
</table>

**Table 4: Food support for the new Lom Pangar town in May 2013**
According to officials, EDC staffing of May 2013 is the third after the April and September 2012. From the information gathered from populations, the aid was granted twice: in April and September 2012. The consumption of these foods does not guarantee a balanced diet.

This allocation is not only insufficient, but also unbalanced.

The populations Lom II who were resettled at Goyoum never received food supply.

They complained to EDC several times, and each time received reassurance that “corrections” would be made. The restoration of living standards is also apparent in the construction of socio-community infrastructures for the resettlement such as: boreholes, communal houses, classroom, etc. At this stage of the Project, priority was given to the construction of wells.

<table>
<thead>
<tr>
<th>Locality</th>
<th>Bore holeing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Provided</td>
</tr>
<tr>
<td>Ouami</td>
<td>2</td>
</tr>
<tr>
<td>Déoulé</td>
<td>1</td>
</tr>
<tr>
<td>Nouveau Lom Pangar</td>
<td>2</td>
</tr>
<tr>
<td>Petit Ngaoundéré</td>
<td>2</td>
</tr>
<tr>
<td>Ndokayo</td>
<td>3</td>
</tr>
<tr>
<td>Goyoum</td>
<td>2</td>
</tr>
<tr>
<td>Bouli</td>
<td>1</td>
</tr>
<tr>
<td>Bodomo Issa</td>
<td>1</td>
</tr>
<tr>
<td>GargaSarali</td>
<td>1</td>
</tr>
<tr>
<td>NdangaGandima</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>16</strong></td>
</tr>
<tr>
<td><strong>Runlevel</strong></td>
<td><strong>25%</strong></td>
</tr>
</tbody>
</table>

Table 5: Status of construction bore holes in CRP 1st half of 2013

One realizes that the level of implementation of socio-community infrastructure remains very low. These play an important role in the enjoyment of the affected populations, and equally exemplify some fundamental rights. One reason for this low level of implementation lies on the procurement. It should be noted that the Commission of Procurement (CP) was established on February 13, 2013; and was effective on June 13, 2013. It is expected that the establishment of the Committee for the Award will help rescue the situation within a short time.

The improvement on living standards also requires the restoration of better living standards for farmers. Actions have been taken in this direction including, workshops household agriculture. 07 workshops were held between February and June 2013. The number of participants per workshop was between 20 and 30. Farmers received materials during these sessions.
### Table 6: List of agricultural holdings and the new plant material Lom Pangar

<table>
<thead>
<tr>
<th></th>
<th>Individual equipment</th>
<th>Groundnut seeds</th>
<th>405kg/7kg</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Maize seed</td>
<td>228kg/4kg</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Cucumber Seed</td>
<td>315kg/5.5kg</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Planters</td>
<td>57/1</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Collective Equipment</td>
<td>Watering</td>
<td>20</td>
</tr>
<tr>
<td>6</td>
<td>Sprayers</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Drums soaking</td>
<td>08</td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Chain saw</td>
<td>01</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Mill to crush</td>
<td>02</td>
<td></td>
</tr>
</tbody>
</table>
VI. IMPLEMENTATION OF ESMP

Like any project of this magnitude, the implementation of PHLP presented risks of negative impacts on people and their environment. To address these, four major issues have been identified. It is expected that their management will reduce these negative impacts:

- Sustainable management of sites
- Sustainable management of the reservoir and its watershed downstream
- Management of social impacts
- Sustainable management of the Deng Deng forest

Each of these issues has been a component of ESMP. An additional component addresses the actual management of the ESMP.

- Component 1. Site management
- Component 2. Reservoir management and downstream impacts
- Component 3. Social mitigation
- Component 4. Management of the Deng Deng forest
- Component 5. Implementation of the ESMP

The implementation of the ESMP is indispensable and inseparable from the performance of the first four components of the ESMP, and consists of the following subcomponents:

1. Institutional arrangement
2. Communications, complaints management and conflict prevention
3. Independent Environmental and Social (E & S) Pannel
4. Implementation manual
5. Monitoring and evaluation

For better efficiency, the implementation of the ESMP requires the establishment of an institutional framework with the clearly defined roles and responsibilities of all actors, and skills empowerment that allows these actors to play the role they were assigned. The objective of this sub-component is to ensure institutional arrangements and capacities required for the effective implementation of the ESMP.

VI.A. PROJECT OWNER AND OTHER INSTITUTIONAL PARTNERS

VI.A.1. Client

As owner of PHLP, it was EDC’s responsibility to:

- define the characteristics of the project,
- Prepare tender documents and terms of reference including a possible CCES.
- Define markets, prepare the plan procurement, launch tenders, evaluate proposals and sign contracts; in accordance with the procedures that apply either to Cameroonian government agencies or to donors.
- Engage teachers to work or take care of the project management with its staff.
- Supervise and monitor collaboration with its contractors, entrepreneurial activities and other key stakeholders in its technical, environmental, and social scope.
- Make studies prior to the completion of the project elements.
- Report to the GDC and Funding, of the progress of project, activities, and use of funds for its implementation.

VI.A.2. Other institutional partners

As far as the case study of Lom Pangar is concerned, several Cameroonian authorities have direct responsibility for the future implementation of the ESMP, and monitoring of the implementation of the CCES contractors and their subcontractors.

The roles and responsibilities of other jurisdictions that are described for each of the first four components of the ESMP are summarized in the Table below. In addition, EDC will coordinate joint activities with the Government, and the manager of COTCO PNDD; communicate effectively with all stakeholders: with the local communities in particular, and with the civil society in general. He should, wherever appropriate, carry out actions of justice in its zone of action. EDC should also assess themselves in a process of quality research, and ensure the effectiveness of interventions to keep costs, so as to keep low costs as far as possible.

Memoranda of Understanding were signed between EDC and the various administrations, to define the responsibilities of each party in the implementation of the ESMP. This is the MINFOWL, MINFI, MINTP, MOH, MINAC and MINARDE.

<table>
<thead>
<tr>
<th>Ministry/company</th>
<th>Component 1</th>
<th>Component 2</th>
<th>Component 3</th>
<th>Component 4</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Public Works</td>
<td>Project management for the access roads, earthworks and the new village of Lom Pangar</td>
<td></td>
<td>Technical control and quality assurance of the construction of the bridge Touraké</td>
<td>Technical control and quality assurance of the construction of the road N01-DNGO</td>
</tr>
<tr>
<td>Ministry of Arts and Culture</td>
<td>Give notice in terms of wealth management</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ministry of Public Health</td>
<td></td>
<td></td>
<td>Operation strengthened infrastructure and epidemiological monitoring and</td>
<td></td>
</tr>
</tbody>
</table>
VI. B. IMPLEMENTATION MECHANISM

In addition to the participation of governments, a coordination mechanism is provided at several levels of the hierarchy of the administration.

VI. B.1. Steering Committee

Several Cameroonian, members of the Executive, have direct responsibility on the implementation of Project Lom Pangar in general.

To achieve this purpose, a steering committee comprising all ministries involved in the implementation of the ESMP, should ensure the supervision of the implementation of activities, the resolution of problems of coordination between ministries and public agencies.

Committee meetings were supposed to be held at least once per quarter. It was necessary to set up a technical secretariat for the Committee. The secretariat would meet monthly to monitor the progress of the project and propose solutions to problems encountered in its implementation.

VI. B.2. Monitoring Committee, facilitation and support (SCAF)

The administrations entitled to invest their competence in the ESMP, according to their respective work programs: at local the local or regional level.

To this end, the Governor of the East Region established by Regional Decision of 18 April 2009, a Monitoring Committee, a Facilitation and Assistance Committee (CSFA) for the ESMP Lom Pangar, chaired by himself or his representative and comprising:

- The CEO of EDC as Vice-President,
- Members of the project area,
- The mayors of municipalities in the project area,

- The regional delegates and departments ensuring the supervision of EDC (MINWE and Ministries of Finance).

- A representative of NGOs

- The functions of the Committee are:

  - To monitor and facilitate the implementation of the interventions described in the ESMP

  - To identify additional projects to be implemented within the framework of intervention of the State or decentralized territorial communities

  - To review and ensure the consistency of the proposed project in the area of interventions

  - To conduct studies on the integrated development of the project area

SCAF allows a dialogue between EDC and the regional offices of ministries involved in the project; and between the delegations. It will quarterly monitor the progress of the project, the activities planned in the ESMP, the CRPs, and the local development plan. SCAF will be a place of exchange and dialogue between the regional offices of ministries, regional authorities, and EDC during the construction phase. SCAF may become a key point of contact for local people and coordinate monitoring during the operational phase.

### VI.B.3. Institutional Responsibilities

EDC is responsible for the implementation of the ESMP, in partnership with the government; according to each jurisdiction’s regulatory powers.

**Complaints Management, Communication and Conflict Management**

As part of the implementation of the project, the compensation provided for in the CRPs was given because of the disagreements which occurred along the line. These include (among others):

- Errors in the identification and evaluation of assets,

- Disagreement on field boundaries; between the affected person and the expropriation agency, or between two neighbors,

- Conflict on the ownership of property (two affected people or more report being the owners of the same property)

- Disagreement on the evaluation of a parcel or other properties,

- Inheritance, divorce and other family issues, resulting in conflicts between heirs or members of the same family over the property, or on shares of a particular property.

- Disagreement on resettlement measures; for example the type proposed habitat or the characteristics of the land resettlement

- Disagreement on collective measures for certain categories of people: farmers, ranchers, fishermen, miners;
- Conflicts between local fishermen and foreign fishermen; especially Nigerians, to control fishing on the reservoir.
- An emphasis conflicts around the reservoir between pastoralists and farmers; especially the M’Bororo, on the use of tidal zones.
- Conflicts between logging company contractors; deforestation agents, and the population of the villages that would have priority over the forest resources.
- Conflicts between wildlife (especially apes) and crops, due to the loss of forest habitat.
- Demands from the population of towns in the immediate area of the reservoir and dam, if their expectations of economic benefits are not met, for example in the form of jobs on construction sites, monetary compensation, or school improvement, medical facilities and drinking water.

VI.C. ROLES IN THE IMPLEMENTATION MECHANISM

This sub-component will be divided into two complementary sets of activities that will be conducted until year 8 of the draft:

VI.C. 1. Preventive mediation of conflicts

To overcome these conflicts, EDC and GDC have established a hierarchy of instances of mediation and a mechanism, to receive and handle complaints from people to be compensated, including:

- At the level of villages with EDC communication centers or large villages
- Within the EDC business seat complaint resolution
- The mechanism for handling complaints at the compensation phase envisaged a three-step process:
  - Drafting and filing complaints communication center. At this stage, it was expected that the basic unit of management analyzes the complaint and proposed solutions to the applicant;
  - In case of non-satisfaction of the applicant, the latter could report to the Mediation Committee;
  - If the applicant remains dissatisfied, justice could then be intervene.

A mediation bodies and hierarchy mechanism, to collect and process complaints of people to be compensated were to be established in villages; with EDC and communication centers within the company EDC, headquarters. 04 communication centers were created. In these centers, complaints are recorded daily, and sent to the complaint management operational unit (CMOU) and to EDC. According to EDC between January and June 2013, about 1,262 complaints were recorded at the communication centers. These complaints focused on failures (those not taken into account by the decree of compensation) and damage assessment. In late June, more than 80 % of the complaints had already been processed. They were treated according to the information collected from populations, and consisted mainly of unfulfilled promises.

In the field, we note a failure to use these procedures, as a result of many reasons;

VI.C. 1. a. Insufficient Knowledge of Procedures

The complaints recorded were set at the centers of communication, but information about the existence of these records, and how to fill them had not been adequately communicated to the people. The medium used was the
vi.2. Contemptuous and Threatening Attitude of Some EDC Officers

Not only did some complaints by people remain unanswered, but some EDC agents had a contemptuous attitude towards certain applicants on the grounds that the complaints were either unfounded or fictitious; and thereby uninteresting. People received a dreadful warnings and threats from some EDC agents upon payment of compensation. Populations were then allowed to make any claim on the ground that any person who had received an amount greater than or equal to 1 million had no right to claim anything as this sum was “consistant”.

VI.C. 2. Support the awareness and involvement of people

EDC was responsible for establishing a communication program throughout the construction phase, so as to create a feeling of strong ownership among the local populations. The target groups were:

- Local and regional information on the status of work, job opportunities, the rules governing access to the DPU site.
- Villages and cities to receive new infrastructure timelines and conditions of realization.
- The villages established in the project area for information on the steps and conditions of compensation programs, forestry support improved agricultural practices actions, livestock and gold mining. Supporting the development of the fishing will be a specific program of information.

These centers Communication, Cooperation and Sustainable Development are to:

i. Serve as a conduit between people and EDC;

ii. Raise people’s awareness on poaching;

iii. Collect information from the people and send them to EDC;

iv. iv) Receive complaints and complaints populations v) raising awareness in the various villages.

As part of the implementation of CRPs, it was planned to recruit an NGO to ensure the smooth running of the operations provided for the operations of compensation, and resettlement in the project area.

The NGO’s role will:

- Intervene in the preparation process of the affected persons for compensation;

- Intervene in the implementation process of compensation;

- Intervene in the monitoring of the resettlement and integration;

- Participate in the handling of complaints;

- Ensure the monitoring, evaluation and reporting.

The plan called on the organization of information campaigns; to inform and discuss with the people on the eligibility rules, the rate of compensation, the passing of the census teams. Virtually, people should be informed
by appropriate means at least thirty days (date and time) in advance. The implementation campaign was not been effective. Traditional and community leaders should be informed of this calendar, but also be involved in the operations. In practice, their roles are limited essentially to the signing of the minutes of the investigation.

The communication campaign implementation has not affected a large majority of people, but was also discriminatory, because the people who had the information in real time were acquainted to the village chiefs.

According to a report released by CAVT, it appears that only 39.20 % of the PAPs said they had been informed of the work of the CEC by formal communication channels provided for this purpose; and this 2-3 days before the start of census (operations instead of 30 days as it was planned).

It should be recalled that in 2009, people felt they had been better informed thanks to the local radio “Kpawara”, which broadcasts in local languages. Information on the programme circulated for a week; before the start of operations. This period of one week which separated the dissemination of news in the early operations proved too short to reach the target-population.

The work of the CEC had as objectives to identify households and communities that would be affected by the project, and their property. The populations, for the vast majority, did not like the way this committee worked. Among the grievances are:

• The speed and casualness of the work

In fact, people found that the time taken by the commission was very short for a quality work. In some cases, the census operations were interrupted irreversibly on the ground that the members of the commission were "tired". The consequence of this casualness and lack of professionalism is that many assets have not been recognized. In some villages, the members of the CEC were formed into two groups: one that identified farmers and the other that attended to them. In these villages, the teams are placed in the afternoon. The populations of these areas live mostly on farming and gold panning. In the morning, people go to the field and pan for gold in the afternoon. The CEC which worked in the afternoon, did not take into account the activity of gold panning, and ignored agricultural activities. Apart from those who have a little more dragged to the field at the time of passage (24 % farmers). Despite the insistence of the people, nothing was changed.

If this attitude of CEC agents made more victim among men, nearly 18% of women are concerned. In some places, the officers estimated that the houses in which families lived for over 20 years were worthless and thereby not compensable while; in other villages, houses with the same characteristics were compensated;

• The corruption of some of EDC and other malicious people Agents

It was reported that some people, for the sake of declaring all properties to CEC agents offered bribe to the latter. For example, in the localities of Gagouba, Bélingélé, and Mbitazara I, Dongo, traditional authorities said they did not recognize 22 individuals whose names were listed in the Decision of 2012 as having lost homes; and for which they were granted a total sum of 18 million CFA francs as compensation.

The terms of payment of compensation were defined before any payment. In particular, a payment check of more than 250 000 CFA F, to avoid risks associated with the flow of cash, and payment in installments of compensation; especially in case of perennial crops whose production required several input years
The project was to open an account on behalf of beneficiaries in microfinance close to account holders. It was noted that in over 90% of cases, the payment was made in cash: regardless of the amount. In order to cover this procedural defect, each population affected by the project should issued at the time of payment, a savings book of microfinance which contained two columns filled with the same amount one for "input" and one for "exit".

At Lom Pangar, a village elder said "for the purposes of advertising, the Minister of Lands, Cadastre and Land Affairs handed my check in front of cameras and a few minutes later, I was invited into an adjoining room to adjust its 431,100 CFA F in cash, before the end of the ceremony on payement of compensation".

Some people complained of the levy on amounts owed to them by some district heads (Mbaya, Gifted, Kokbedi, Dongo). The amounts ranged between 100,000 and 300,000 CFA F). The money given, according to their explanations, was used in the construction of the village school, buying sheets, and construction materials. According to testimony, the paying agents EDC systematically handed the compensations to the Head of Canton who was then reduced before returning to the rightholders.

**The shelving of these villages in the operation**

The locality of Akoumo was completely ignored by the enumerators because they were afraid to meet wild animals (gorillas precisely) and face the flooding of Lom River.

- **Poor or lack of knowledge of the minutes census**

Although most people had signed the minutes of the census, over 90% reported having signed without reading the content; and for several reasons including: fear of ostracism, intimidation, threats by members of the Committee which were really "in the haste";

- **The bad faith of the members of the CEC**

Indeed, a copy of the list containing the property affected by Project was not haded to any of the communities. This complicated any claim from the part of the people affected by the Project.

On June 05, 2013 a meeting held between the EDC and canton chiefs of Deng Deng, Mararaba, and Bétaré Oya; which resulted into a visit on the site on 07 and 08 June, 2013. The visit was aimed at improving understanding on social and environmental issues and solicit the involvement of the populations into the project's success. Communication tools were produced (guides and newsletters on the project), to facilitate ownership of the project by the people.

Beyond this consultation involving CSOs, an NGO was identified to support the payment of compensations. A study conducted in the field by CAVT revealed that only 2.5% of recipients were accompanied by the NGO in the payment of compensation. These recipients received from the NGO, information on the rational and judicious use of the money received. The populations reported having been fooled on their compensation, because some members of the NGO told them that the only person who can deal with is the President of the Republic.
CONCLUSION AND RECOMMENDATIONS

Cameroon has undertaken in recent years in the implementation of major projects. We have no doubt that they will contribute to improving the general living conditions of Cameroonians. The rights are inherent, universal, inalienable and indivisible, it is important that the implementation of major projects be done without any violation of the rights of people affected by such projects.

There is need for an effective participation of all institutions involved, so as to guarantee a better respect of human rights. The Compensation and Resettlement Plan (CRP) with regard to Lom Pangar is a document which could foster effective implementation, and help to mitigate the environmental and social consequences on the population. Only shortcomings were identified in the implementation of the CRP. There are breaches and corrections that need to be made so that these projects do not become a nightmare for the people who are affected.

We therefore make the following recommendations for greater respect for human rights on the sites of major projects:

**The Government:**

- Strengthening the functioning of the institutional framework for the implementation of various projects and more specifically that of Lom Pangar (Steering Committee, Technical Secretariat of the Steering Committee, Monitoring Committee, Facilitation and Support, etc.).
- Sign memorandums of agreement and undertake the related actions;
- Ensure that each department involved in the implemmentation of the projet readily achieves the various components of its missions;
- Make arrangements with each department involved in the implementation plan, so that they can be efficiently accomplish their various tasks;
- Ensure compliance by the owners and masters with their job description;
- Reinforce actions related to the respect of women and vulnerable women in the implementation of the project.

**EDC:**

- Make available to all persons affected by the project, farmlands, and strengthen supervision measures in accordance with the arrangements of the compensation plan and resettlement;
- Strengthen the mechanism of preventive mediation of conflicts
- Improve outreach strategy among the populations, and their participation in the implementing decisions affecting them;
- Review the reception and processing of complaints device. Improving the processing time of the complaints is also essential;
- Extend the measures of facilities to all people affected by the project as required by the CRP;
- Improving the living conditions (access to water, food, health) of all affected populations;
- Reconsider and finalize the compensation process in order to make it fairer and just;
- Strengthen collaboration with civil society.

The National Commission on Human Rights and Freedoms (NCHEF)

- Ensure the respect of human rights at each step (from the design to the implementation) of major projects.

The NACCO:

- Conduct investigations into allegations of corruption;
- Develop and implement activities to fight against corruption at all sites of major projects.

Civil Society Organisations:

- Improve knowledge on major projects;
- Advocate for the respect of human rights in the implementation of major projects;
  - Educate the populations affected by such projects on their rights;
  - Accompany victims in the claims process;
  - Report to the competent authorities any violation or infringement of the rights of human.
ANNEXES

1. Questionnaire

I - About the Company

- Firm Characteristics
- Is it a national or foreign company?
- Where are the headquarters of the company?
- Is it an opened company, closed or owned by the State?
- Is the company publicly traded?
- Who are the major shareholders?
- Is it a company owned by the State? Who in the government, is responsible for its activities?
- Does the company have partners in the investment project?
- Who provides funds for the company's investment?
- Commitments made by the company in connection with the investment
- Contractual agreement with Cameroon
- Contractual agreement with donors of the project
- Statements or public projects on the investment project
- National and international codes of ethics

II - Legal Framework the Investment Project

- Are there any laws or regulations that apply specifically to this investment project (in addition to all applicable national firm laws)?
- Do the Laws or regulations referred to protect the investment?
- Do these laws or regulations provide protection of human rights?
- Are there any restrictions on the application of national laws in the area which runs the investment project that could affect the human rights of people who live and work in this area?
- Has your government signed a bilateral investment treaty or a bilateral trade agreement with the corporate government?
- If this is the case, can you can obtain a copy of the treaty or agreement?
- Has there been a legal analysis of the investment treaty or bilateral trade agreement with respect to its impact on human rights?
- Doet the treaty or agreement impose obligations affecting human rights?
- Are you aware of the existence of an agreement or a concession contract between the investor and your government on the investment project?

III - Situation of Human Rights

The Right to Work and Fair Conditions Favorable

- The right of children not to work
- The right to adequate housing in the workplace
- The existence of a contract of employment
- Equal pay for equal work
- Social Security
- Freedom of Association and Collective Bargaining
- The right to strike
- Non-discrimination.

**THE RIGHT TO ADEQUATE FOOD**

- Food sources
- Compliance with the minimum core obligations for displaced populations
- The obligation of the State to realize the right to adequate food
- Respect of access to land and resources for vulnerable groups
- Respect for the right to water
- Improving access to markets
- The main factors that impede access to adequate food.

**THE RIGHT TO HEALTH**

Facilities, goods and health services
- Conduct interviews and surveys to determine the health needs of the community. Pay special attention to marginalized and vulnerable groups and collect disaggregated data reflecting the situation that faces each group
- Identify marginalized groups and various forms of discrimination against them (such as those experienced by women with disabilities in rural areas)
- Identify the specific needs of health of these groups

Monitor the availability, acceptability and quality of health facilities, goods and services for health

**Availability of facilities, goods and health services**

Map out the health centers in the area, identify the services they provide and whether they are provided by the state or non-state actors. These services should include:

- Emergency care
- Appropriate treatment for common illnesses and injuries
- Child sexual health and reproduction, including:
  - Family Planning
  - Delivery (Artists) qualified (s)
  - Emergency Obstetric Care
  - Baby
- Mental Health Services
- Immunization against the major infectious diseases, including HIV/AIDS, malaria, meningitis and tuberculosis
- Programs for the prevention, treatment and control of diseases
- Essential drugs as defined by the WHO
- Awareness programs and health education
- Environmental Health Programs
Note: If possible, seek the advice of a healthcare professional on how to get the following information:

- The number of doctors and nurses working in each center
- The training they received
- If working conditions and salaries are adequate
- If they have appropriate equipment, such as X-ray equipment and blood transfusion

Accessibility of facilities, goods and health services

Conduct participatory surveys to determine:

- If health facilities, goods and health services are available without discrimination on any of the prohibited grounds (listed in the manual of this series, Part I, Section 4.3, first paragraph)
- How easy or difficult individuals can have access to these services on foot or using public transport
- The waiting time in health centers
- If individuals are able to pay for health care costs without sacrificing other essential needs such as food
- If health care is accessible to people with physical, sensory (sight, hearing) and mental (get disaggregated data)
- If the information on health and health care is available and accessible to all, including those who can not read or speak other languages. This question also applies to education in health
- If individuals can file complaints (identify relevant institutions to enforce the obligation of accountability and try to find the number of complaints and repairs included)
- If the population has the opportunity to participate in decision-making

Acceptability of facilities, goods and health services

Conduct interviews with health authorities, members of staff and patients to determine whether the facilities, goods and services meet health:

- The requirement to obtain informed consent before any medical treatment
- The confidentiality of personal health information
- The culture of individuals, minorities and communities
- The needs of women, men, seniors and youth

Quality of facilities, goods and health services

Conduct research to determine whether the facilities, goods and health services meet quality standards:

- Determine whether (and how often) the competent authorities shall carry out inspections
- The health inspectors should have a checklist. Try to obtain a copy of these checklists and inspection reports to determine which items are covered
- Hospitals should be safe, clean and welcoming. Visit health centers and conducting interviews with community members to gather their views on:
  - The cleanliness of the health centers
  - Waiting time for urgent and non-urgent cases
  - The attitude of staff towards patients
- Determine whether patients have the opportunity to submit their impressions to the hospital responds attentively to their concerns
- Determine whether there are procedures for collecting and sharing medical information and conduct research on health to improve health care
- For each group, identify:
- The main health problems in the region
- Their causes, the eyes of the community
- If members of the community have identified solutions to these problems or received help from the authorities
- How many people interviewed suffered health problems that have been identified
- What has been the impact of these problems on their lives
- The experience they had when they sought to benefit from health care
- If they have reported their problems to the authorities (when and what responses they received)
- What they did for themselves (mutual assistance measures)
- The actions they want the authorities to undertake
- The availability, accessibility, acceptability and quality of the underlying determinants that have not been mentioned by the community

2a. Monitor the availability

Whether local government facilitates access to the following resources sufficient:

- Safe Drinking Water
- Food and nutrition
- Safe Housing that have adequate sanitation
- Working conditions and natural environment safe
- Information and education on health
- Any other fundamental determinant of health

2b. Monitor accessibility

Whether the underlying determinants of health are available:

- No discrimination based on a prohibited ground
- In terms of distance and physical accessibility, particularly for people living in poverty or in remote areas
- For individuals with physical, sensory (vision and hearing) and mental
- These services are free? If there are charges, are they affordable?
- Individuals do they receive information and education, and resources to help them understand the problems and to cope

2c. Monitor the acceptability

Investigate whether the fundamental determinants meet:

- The cultures of individuals and communities
- The perceptions and needs of women, men, seniors and youth

THE RIGHT TO EDUCATION

- Directors of Schools
- Fathers and mothers. They may have different perceptions. Find a way to listen to both of them (e.g.: through separate meetings with the mothers and fathers)

The following table may be useful to list the answers to questions about the costs of education.

<table>
<thead>
<tr>
<th>Type of cost</th>
<th>Amount</th>
<th>Number of young girls affected</th>
<th>Number of affected boys</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuition fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Uniforms</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meal</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Transport</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Textbooks</td>
<td></td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Writing materials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Additional academic support</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>other fees</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

What proportion of household income is spent on education it?

**Availability:**

- What levels of education are available in the area (primary, secondary, higher education, basic) and where (how far)?
- Do the community members and their sons and daughters receive any education?
- Are there available seats for all at the school / in the classrooms?
- Do parents have the means to send their children to school?
- What are some facing the populations? (e.g.: cost or distance to school)

**Accessibility:**

- Physical accessibility
- Affordability
- Accessibility sociocultural
- Individual attitudes towards education
- Acceptability and adaptability of basic education

<table>
<thead>
<tr>
<th>Item</th>
<th>Including</th>
<th>Presence/quality</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure</td>
<td>Classroom</td>
<td></td>
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<tr>
<td></td>
<td>Toilets</td>
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<td></td>
<td>Recreational areas</td>
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<tr>
<td></td>
<td>Safe and healthy environment</td>
<td></td>
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<tr>
<td>Administrative</td>
<td>Heads of experienced institutions with good management skills</td>
<td></td>
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<tr>
<td>management</td>
<td>Participation</td>
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<tr>
<td>Participation</td>
<td>Boards</td>
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<td></td>
<td>Association of Parents</td>
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<tr>
<td>Codes of Conduct</td>
<td>Rules of conduct known to all</td>
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<tr>
<td></td>
<td>Right to file complaints and complaint mechanism</td>
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<tr>
<td>Curriculum</td>
<td>Relevant to the needs of learners and their life in the community</td>
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<td></td>
<td>Balanced with respect to the attention</td>
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<td></td>
<td>Different materials and essential skills</td>
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<td></td>
<td>Available in schools - parents and students able to obtain copies?</td>
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<tr>
<td></td>
<td>System for monitoring progress and effectiveness</td>
<td></td>
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<tr>
<td></td>
<td>Inclusive : developed taking into account the contributions</td>
<td></td>
</tr>
<tr>
<td>Teachers</td>
<td>Stakeholders and other institutions</td>
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<tr>
<td></td>
<td>Been a regular update</td>
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<td></td>
<td>Qualified</td>
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<td></td>
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<tr>
<td></td>
<td>Different backgrounds</td>
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<tr>
<td>Terms of Service</td>
<td>Teaching ability (eg. No prior violence)</td>
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<td></td>
<td>Attendance and motivation</td>
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<td></td>
<td>Adequate wages</td>
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<td></td>
<td>Reasonable number of course hours</td>
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<td></td>
<td>Preparation time</td>
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<td></td>
<td>Academic Freedom</td>
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<tr>
<td>Educational environment</td>
<td>Trade union rights</td>
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<td></td>
<td>Access to adequate and affordable housing</td>
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</tbody>
</table>

**Table: Evaluation of the quality of education**

<table>
<thead>
<tr>
<th>Elements</th>
<th>Indicators</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings must</td>
<td>Have a solid structure</td>
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<tr>
<td></td>
<td>Protect from weather</td>
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<td></td>
<td>Allow circulation of clean air</td>
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<td></td>
<td>Provide good natural light</td>
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<td></td>
<td>Provide a comfortable learning place</td>
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<tr>
<td>Batman: The infrastructure should include:</td>
<td>A meeting place</td>
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<tr>
<td></td>
<td>A classroom for each level</td>
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<td></td>
<td>Room for teachers</td>
<td></td>
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<td></td>
<td>Canteen</td>
<td></td>
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<td></td>
<td>A kitchen for school meals</td>
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<td></td>
<td>Storage locations</td>
<td></td>
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<tr>
<td>Basic services</td>
<td>Electricity</td>
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<td></td>
<td>Water and sanitation services (separate toilet for boys, girls and teachers)</td>
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<tr>
<td></td>
<td>Allow users to be comfortable, healthy and productive</td>
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<tr>
<td>Individuals</td>
<td>Meet the basic needs of users</td>
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<tr>
<td></td>
<td>Ensure respect for human rights, for example under a charter school requires teachers and students to the principles of non-discrimination, the right to participate in decisions that affect them, the right of appeal in cases treatment</td>
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<td></td>
<td>unfair and the prohibition of corporal punishment</td>
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<td></td>
<td>Provide (if any) structures boarding</td>
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<td></td>
<td>accommodate students living in remote locations.</td>
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<td>System for monitoring progress and effectiveness</td>
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<th>Academic Freedom</th>
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<tr>
<td></td>
<td>union rights</td>
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**Table: Indicators for monitoring infrastructures**
2. REFERENCES

GENERAL DOCUMENTS:

- Summary of the 1798th session: Cameroun.11/11/1999.CCPR/C/SR.1798. (Summary Record), COMMITTEE OF HUMAN RIGHTS UN.
- Constitution of Cameroon on 18 January 1996.
- Universal Declaration of Human Rights of 1948.
- ECSD (Strategy Document for Growth and Employment).
- Study on the implementation of the compensation plan and resettlement of the "dam" project Lom Pangar April 2009 May 2013 component, CAVT, May 2013.
- The emergence of a culture of human rights in Cameroon, Memory for obtaining a Diploma University 3rd cycle Fundamental Rights by Cyril APALA MOIFFO, University of Nantes, 2005.
- Introductory word from the CEO of the EDC meeting on EDC / CSOs June 5, 2013.
- General Observations of the Committee on Economic Social and Cultural Rights.
- Interim Narrative Report of the activities of PHLP January to June 2013, EDC.
- Periodic Report, 2nd and 3rd periodic reports of Cameroon to the CESC.

DOCUMENTS OF SPECIFIC THEMES:

RIGHT TO ADEQUATE FOOD

- ALPHA, A and Douya, E. "Issues of international trade negotiations for Agriculture of Cameroon ", GRET, Training document for the seminar on international trade negotiations for agriculture in Cameroon, 2005.
- Anonymous International Report 2009 on the right to food.
- Study on improving the competitiveness of the poultry sector in Cameroon.
- MBALLA, A., 2006. Analysis of food storage capacity in Cameroon, FAO.
- Medou, JC, 2007, Studies of food markets and food security in Cameroon, WFP
- MINAGRI, DPA : "Letter from Agricultural Development Policy ", 1995
- MINEPTM 2005 Strategy Paper Rural Sector Development
- Republic of Cameroon " Food self-sufficiency in Cameroon", 1984

RIGHT TO EDUCATION

- Law n ° 98/ 004 of 14 April 1998 on the direction of education in Cameroon

RIGHT TO WORK AND HOUSING

- Order No. 008/E/E/12 MINDUH on standards of social housing;
- Order No. 009/E/2 / MINDUH of 21 August 2008 fixing the social housing standards.
- Order No. 001/CAB/MTPS of 14 February 1995 fixing the rate of compensation during the period of suspension of the employment contract due to layoffs;
- Order No. 015/MTPS/SG/CJ of 26 May 1993 determining the conditions and the period of notice;
- Order No. 016/MTPS/SG/CJ of 26 May 1993 laying down the procedures for allocating and calculating severance pay;
- Order No. 017/MTPS/SG/CJ May 26, setting a time limit and terms of commitment to the test;
- Order No. 018/MTPS/SG/CJ of 26 May 1993 laying down the conditions met by the accommodation provided to workers, the minimum rate and the rules for granting the compensatory allowance;

- Order No. 019/MTPS/SG/CJ of 26 May 1993 laying down the procedures for the election and the conditions for exercising the functions of staff representatives;

- Order No. 020/MTPS/SG/C of 26 May 1993 laying down the procedures for declaration of establishment;

- Order No. 021/MTPS/SG/CJ of 26 May 1993 laying down the procedures for dismissal for economic reasons;

- Order No. 115 of 15 April 1982 repealing Ordinance No. 55 -CAB -FR March 1975 laying down detailed rules for the application of Article 7 of Decree No. 75-759 of 26 August 1974 on the organization of the system civil pensions;

- Resettlement Policy Framework (RPF) MINWE, Development of the Energy Sector (PDSEN).

- Convention No. 100 concerning Equal Remuneration for Men and female labor for work of equal value.

- Convention No. 105 concerning the Abolition of Forced Labour.

- Convention No. 106 concerning weekly rest in commerce and offices.

- Convention No. 108 concerning national identity documents of seafarers

- Convention No. 11 of the ILO concerning the association coalition rights of agricultural workers.

- Convention No. 111 concerning Discrimination in Respect of Employment and Occupation.

- Convention No. 112 on employment policy.

- Convention No. 123 concerning the minimum age for admission to employment underground in mines.

- Convention No. 13 of the ILO concerning the use of white lead in paint.

- Convention No. 131 concerning the fixing of minimum, including wages regards developing countries.

- Convention No. 132 concerning Annual Holidays with Pay (Revised in 1970).

- Convention No. 135 concerning the protection of workers’ representatives in the undertaking and facilities to be accorded to them.

- Convention No. 138 concerning Minimum Age for Admission to Employment.

- Convention No. 14 of the ILO concerning Weekly Rest in Industrial Undertakings.

- Convention No. 143 concerning Migrations in Abusive Conditions and the Promotion of Equality of Opportunity and Treatment of Migrant Workers on.

- Convention No. 146 concerning paid annual leave for seafarers

- Convention No. 15 of the ILO fixing the minimum age for admission of persons to employment as trimmers or stokers.

- Convention No. 158 concerning termination of employment at the initiative of the employer.

- Convention No. 16 of the ILO concerning the compulsory medical examination of children and young persons employed on board vessels.

- Convention No. 183 of the International Labour Organisation on the Worst Forms of Child Labour and Immediate Action for the Elimination.
- Convention No. 19 of the ILO Equal treatment of foreign and national workers' compensation work.
- Convention No. 26 of the ILO concerning the institution of methods of fixing minimum wages.
- Convention No. 29 of the ILO on forced or compulsory labor.
- Convention No. 3 of the ILO on the employment of women before and after childbirth.
- Convention No. 33 of the ILO concerning the admission of children to non-industrial age.
- Convention No. 45 of the ILO on the employment of women in the work.
- Convention No. 5 ILO fixing the minimum age for admission of children to industrial employment.
- Convention No. 50 of the ILO concerning the regulation of certain special systems of recruiting workers - Convention No. 64 of the ILO concerning the regulation of written contracts of employment of indigenous workers.
- Convention No. 65 of the ILO concerning criminal sanctions for breach of the contract of employment of indigenous workers.
- Convention No. 77 of the ILO concerning the medical examination for fitness for employment in industry of children and adolescents.
- Convention No. 78 of the ILO concerning the medical examination for fitness for employment in non-industrial occupations of children and adolescents.
- Convention No. 81 of the ILO Labour Inspection in Industry and Commerce.
- Convention No. 87 of the ILO Freedom of Association and Protection of the Right to Organise.
- Convention No. 89 of the ILO Night Work of Women Employed in Industry (Revised 1948).
- Convention No. 9 of the ILO employment of seamen.
- Convention No. 90 on night work of children in the industry
- Convention No. 94 on labor clauses in contracts awarded by a public authority contracts.
- Convention No. 95 concerning the protection of wages.
- Convention No. 97 concerning migrant workers.
- Convention No. 98 concerning the Application of the Principles of the Right to Organise and Collective Bargaining.
- Convention No. 99 concerning the methods of fixing minimum wages in agriculture.
- Enforcement Decree N° 2005/4811 of 16 December 2005 laying down the conditions for obtaining land in Cameroon;
- Decree 2007/149/PM of 2 November 2007 laying down the conditions of application of Law No. 97/003 of 10 January 1997 on the real estate development;
- Decree No. 2008/0732 laying down rules for land use and construction;
- Decree No. 2008/0736 laying down the procedures for the preparation and review of all documents of urban planning;
- Decree No. 2008/0737 for its fixed rules of safety, hygiene and sanitation in construction;
- Decree No. 2008/0738 covers the organization of procedures and methods of land development;
- Decree No. 2008/0740 lays down rules on penalties applicable to breaches of planning rules;
- Decree 68/DF/253 of 10 July 1968 laying down the terms and conditions of employment of domestic servants and amended by Decree No. 76 /162 of 22 April 1976;
- Decree No. 76/165 of 27 April 1976 laying down the conditions for obtaining land title;
- Decree No. 76/167 of 27 April 1976 laying down the procedures for managing the national domain;
- Decree No. 90/1198 of 3 August 1974 laying down detailed rules for the application of Law No. 6 -LF- 18 of 10 November 1969 establishing an old-age pension, disability and death insurance;
- Decree of 8 May 1992 92/221/PM fixing the age for retirement of employees of the State under the Labour Code;
- Decree 93/084/PM 26 January 1993 on the organization and functioning of the National Consultative Committee;
- Decree 93/570/PM of 15 July 1993 laying down the procedures movement of workers;
- Decree 93/571/PM of 15 July 1993 laying down the conditions of employment of foreign workers for certain occupations and levels of skill;
- Decree 93/572/PM of 15 July 1993 on temporary work;
- Decree 93/573/PM of 15 July 1993 laying down the procedures for management of travel and transport displaced worker;
- Decree 93/574/PM of 15 July 1993 on the form of trade unions admitted to the registration procedure;
- Decree 93/575/PM of 15 July 1993 laying down the procedures for the establishment and visa certain contracts;
- Decree 93/576/PM of 15 July 1993 laying down the form of the certificate of registration of a trade union;
- Decree 93/578/PM of 15 July 1993 laying down the basic conditions and applicable collective bargaining agreements form;
- Decree n° 94/ 036 of 1 March 1994 amending and supplementing certain provisions of Decree No. 74/ 779 of 26 August 1974 on the organization of the Civil Pension;
- Decree 94/197/PM 09 May 1994 on deductions from wages;
- Decree of 17 February 1995 95/009/PM fixing the guaranteed minimum wage ;
- Decree 95/677/PM 18 December 1995 concerning the derogations to the legal working time;
- Law No. 2008 / 0738/PM of 23 April 2008 on the organization of procedures and methods of land development;
- Decree No. 2008/0740/PM of 23 April 2008 laying down the rules on penalties applicable to infringements of the rules of town planning;
- Decree No. 2009/1727/PM of 4 September 2009 on the modalities of application of Law No. 2009/ 010 of 10 July 2009 governing the rent- to immovable property;
- Act 2004 laying down rules of town planning in Cameroon;
- Act 2008 revaluation of guaranteed minimum wage (minimum wage);
- Law No. 2004/003 of 21 April 2004 governing town planning in Cameroon;
- Law No. 84/007 of 4 July 1984 amending Law No. 69/LF/18 of 10 November 1969 establishing a system of old-age pension, disability and death;
- Law No. 90/63 of 19 December 1990 establishing a pension insurance scheme for disability pensions and death;
- Law No. 92/007 of 14 August 1992 Cameroon’s labor code;
- Law No. 96/06 of 18 January 1996 amending the 1972 constitution in Cameroon;
- Law No. 97/003 of 10 January 1997 on the real estate development;
- Procedures Manual implementation of the government program of social housing construction and management of building plots;
- Note of the budget for the year 2010 by MINDUH members of the Finance Committee of the National Assembly on 20 November 2009;
- Ordinance No. 73-1198 of 3 August 1990 on the organization of social welfare;
- Ordinance No. 74/001 OF 6 July 1974 fixing the tenure and subsequent texts.

RIGHT TO HEALTH

- Order 1969 establishing the CUSS;
- Decree of 1995 on the organization of health care basic health district.
- Decree 1997 establishing CENAME;
- Participatory Evaluation of the right to health in Cameroon Women’s Development (WED)
- Health Framework Act (January 1996);
- Act of 1989 on the health system;
- Act of 10 August 1995 regulating the practice of pharmacy;
- Law 2004/018 and 2004/019 of 22 July 2004 laying down rules for the decentralized local authorities (regions and municipalities) that give them a very important role in the health and social development;
- General Comment No. 14 on the right to health, adopted on 13 December 1991.
- Advocacy Plan CALSCE
- Report evaluation set course C2D
- Websites: High Commissioner for Human Rights: www.ohchr.org
- Sectoral Strategy for Health in Cameroon.