



MINISTRY OF JUSTICE



Policy Brief Trafficking in Persons

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Gender Dynamics in the Fight against Trafficking in Persons in Cameroon Policy Brief based on Workshop, Ministry of Justice, Yaounde, 25.7.2024

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Mission: The goal of the workshop was to evaluate the status of the current fight against trafficking in persons in Cameroon. It brought together selected stakeholders from different ministries, the judiciary, law enforcement, civil society, international organizations, diplomatic representations, and university research. Participants drew on several years of experience in their respective work on trafficking in persons in Cameroon. The workshop benefited from participants' expertise and commitment to the cause.

The workshop included presentations on the subjects of international, regional, and national frameworks on trafficking in persons; care of victims; human trafficking and smuggling in Cameroonian courts; transnational migration and human trafficking from Cameroon to the Gulf States. It also entailed group work aimed at establishing key challenges; best practices; and suggestions for the way forward. Special attention was paid to the dimension of gender; i.e., how human trafficking has affected different categories of persons, namely women/girls, men/boys, babies, and foreigners.

Key findings

1a. General challenges

Three main challenges were identified during the workshop: Firstly, the national anti-trafficking law no. 2011-024 shows inconsistencies between the French and English versions. This can lead to legal malpractice. There is also an ongoing debate about whether the 2016 Penal Code abrogated all or part of the 2011 law. While the 2011 law contains a definition of trafficking in persons, section 342-1 of the Penal Code which deals with trafficking in persons does not. Even if it were to be held that the 2011 law has been fully abrogated, legal practitioners can refer to the Palermo Protocol for the detailed definition of human trafficking since article 45 of the Cameroonian constitution stipulates that duly approved or ratified treaties and international agreements override national laws. Secondly, the present law is not holistic and lacks sections on prevention, assistance to, and protection of victims. Thirdly, there is a need for more exchange and collaboration at three levels: a) collaboration on the part of victims and their families in the context of legal cases; b) between stakeholders involved in the fight against trafficking in persons; c) between actors in various countries, such as between law enforcement in Cameroon and source/destination countries.

1b. Challenges and gender dynamics

There is a lack of disaggregated statistics to detail the effects of trafficking in persons on different categories (women/girls, men/boys, babies, foreigners). In addition, there are inadequate gender-sensitive responses to the needs of victims of human trafficking, such as providing sanitary kits to women, respecting victims' privacy, or psychosocial interventions. Workshop participants established the following reasons for victims' limited cooperation, differentiated by categories: Women and girls fear reprisals and social stigmatization, especially in cases involving sexual violence. Men experience social stigmatization and frustration because of societal expectations to

be successful. Building legal cases for trafficked babies is particularly difficult because babies cannot speak for themselves, and because determining the child's best interest can be tricky under circumstances of partial information and lack of suitable placements. Foreigners face language barriers and fear of repatriation when prosecuted for illegal migration while being victims of human trafficking.

2. Best practices

The Cameroonian government clearly shows the political will to promote action against trafficking in persons. Both independently and in collaboration with local and international partners, they have put into place institutions, services, and measures to facilitate the fight against trafficking in persons, including a shelter for victims of trafficking and smuggling, a hotline for victims and concerned citizens, gender desks in some police and gendarmerie stations. However, there is a need for more shelters and gender desks across different regions as well as improving the efficiency of the hotline. Most recently, the government instituted parental authority as a requirement for children (below the age of 21) to travel internationally, which promises to be an effective measure against the trafficking of children. Successful campaigns by state and non-state actors have increased awareness among the general public on the issue of trafficking in persons.

3. Way forward

Recommended legal and administrative measures

Law no. 2011-024 against trafficking in persons and slavery should be revised to address inconsistencies in the English and French versions and include sections on prevention and victim protection.

Courts should be generally more victim-friendly. In the absence of transnational evidence, the court should use any other legally accepted evidence, including victims' testimonies. The interest of the victim should be taken into account in the choice of jurisdiction.

Standard Operating Procedures (SOP) on trafficking in persons should be popularized and become operational. This will facilitate the cooperation between stakeholders and ensure adequate services rendered to victims of trafficking in persons.

The government should dedicate more funding to the Ministry of Social Affairs (MINAS) and the Ministry of Women's Empowerment and the Family (MINPROFF). These ministries are charged with rendering basic services to vulnerable groups, including victims of human trafficking, but are generally underfunded. Their action is most often complemented by civil society organizations.

Capacity building and transnational collaboration

Regular meetings of engaged stakeholders should be organized to update, exchange, and learn from each other. These include exchange programs with stakeholders in other countries with ample experience in dealing with human trafficking (e.g. Nigeria, Gabon, Equatorial Guinea, Ethiopia).

Law enforcement officers, social workers, and legal practitioners should be trained on gender-sensitive investigation methods. These include respecting the victim's consent by refraining from talking to family members without their approval.

Transnational collaboration should be strengthened, including joint operations involving Interpol, to facilitate the effective prosecution of traffickers and their transnational networks.

Migrant diplomacy should be strengthened to enhance the welfare and protection of Cameroonian labour migrants abroad.