

Republic of Cameroon: Mapping of International Disaster Response Laws, Rules and Principles

The below information seeks to map the International Disaster Response Law Framework (IDRL) in Cameroon as provided in law, policy and agreements. It is intended to contribute to a regional analysis of strengths and gaps in the institutional architecture for the coordination and facilitation of regional disaster response in Africa.

This document is the result of a desktop review of information either publicly available or shared by the Cameroon Red Cross Society (CRC). This document was prepared by Candela Navarro Casquete under the supervision of Jeanique Serradinho and María Martínez. The information is up to date as at May 2021.

This document is pending an in-country review and is therefore in draft form. Due to challenges surrounding desktop legal research in the region, errors may remain. This document therefore should not be relied upon as authoritative and IFRC does not assume any responsibility for the contents of this document, including any errors and omissions contained herein, nor for the contents of the sources to which it refers.

The IFRC gratefully acknowledges all stakeholders who have given generously of their time and experience.

Question 1: Does your country have a clear legal framework for disaster risk management which includes procedures relating to international disaster assistance?

Summary	Source
<p>Cameroon has several laws and policies which, together, comprise the framework for disaster risk management. However, none of these documents include detailed procedures relating to international disaster assistance. The paragraphs below set out a brief overview of the legal framework of disaster risk management in Cameroon.</p>	<p>Constitution of Cameroon</p>
<p>As a starting point, the Constitution of Cameroon establishes in article 9 that the President of Cameroon may, when circumstances so require, proclaim by decree, a state of emergency which shall confer upon him special powers under the conditions laid down by law, including to take all measures he deems necessary.¹ Law 90/47, relating to the state of emergency, provides that a state of emergency may be proclaimed throughout the national territory or in any part thereof in the event of, among others, an occurrence which, by its nature and gravity, is considered a national disaster.²</p>	<p>Law 90/47, Relating to the State of Emergency</p>
<p>However, the main legislative document for disaster management in Cameroon appears to be Law 86/016, providing the general reorganization of civil protection and revoking the previous law on civil protection, Law 73/12. As provided in article 1, civil protection consists of ensuring the permanent protection of people, property and the environment against the risks of serious accidents, disasters or catastrophes, as well as against the effects of these disasters. Civil Protection includes measures of prevention, protection and organization of assistance.³ It is the responsibility of the President of Cameroon to define the general policy on Civil Protection.⁴ In exercising these prerogatives, the President of Cameroon is assisted by a National Council for Civil Protection (CNPC) whose composition and powers are determined by decree.⁵ As per article 6, civil protection uses the personnel of the Public Services in charge of conducting Civil Protection activities, the required persons, the recruits of the contingent and the volunteers.⁶ In terms of resources and Civil Protection Organizations are mobilized by decree in the event of a warning of a state of emergency.⁷</p>	<p>Law 86/016, General Reorganization on Civil Protection</p> <p>Decree 96/054, National Council for Civil Protection</p>

¹ Law 96/06, Constitution of the Republic of Cameroon, article 9.

² Law 90/47, Relating to the state of emergency, Section 1.

³ Law 86/016, General Reorganization of Civil Protection, article 1.

⁴ Law 86/016, General Reorganization of Civil Protection, article 2.

⁵ Law 86/016, General Reorganization of Civil Protection, article 3.

⁶ Law 86/016, General Reorganization of Civil Protection, article 6.

⁷ Law 86/016, General Reorganization of Civil Protection, article 7.

The composition and powers of the CNPC are established by Decree 96/054. As stated above, the CNPC is an advisory body that assists the President of Cameroon in the exercise of his prerogatives in the field of civil protection.⁸ The CNPC proposes appropriate preventive measures to the President, and it coordinates the means implemented for civil protection, in particular relief, rescue, logistics and the use of auxiliary forces and auxiliary corps.⁹ The CNPC is chaired by the Secretary General of the presidency, and its members include representatives from the ministries of territorial administration, defense, public health, foreign affairs, finances, justice, communication, transports, social affairs, environment, domestic security, as well as the President of the Cameroon Red Cross (CRC).¹⁰ As per article 9, the resources of the CNPC come from State budget, specific interventions of the State, and donations, but it does not specify whether the donations may be made by international actors. The CNPC may appeal to the public generosity for resources under the conditions set by the laws and regulations in force.¹¹ It is not clear whether this includes both the international and national community.

The CNPC is in charge of the implementation of the general policy of civil protection, in normal times as well as in times of crisis, as defined by the President of Cameroon, and can make any useful suggestion in this matter.¹² For the accomplishment of its missions, the CNPC shall proceed in particular:

- *a detailed national assessment of the risks of natural and technological disasters, serious accidents and calamities;*
- *the permanent updating of an inventory of supplies, materials, means and personnel that can be mobilized in case of an emergency situation; and*
- *general studies on civil protection measures in peacetime and wartime.¹³*

Lastly, the CNPC shall adopt, after approval by the President of the Republic, a national plan for intervention and organization of relief.

Decree 98/031 establishes the organization of the emergency and rescue plans in case of disaster or major risk.¹⁴ As per article 2, the emergency plan is the set of rapid intervention measures that must be taken to face disasters or major risks occurring on the territory of Cameroon.¹⁵ The activation of the emergency plan in case of disaster or major risk is done:

- *by the Prefect, at the level of the department;*
- *by the Governor, at the level of the province; and*
- *by the Secretary General of the Presidency of the Republic, at the national level.¹⁶*

The emergency plan may only be activated when the competent authority is in possession of reliable information, giving no cause for doubt, on the nature and extent of the disaster or major risk. The action of the competent authority shall include:

- *dissemination of the warning;*
- *the immediate provision of emergency assistance;*
- *informing the hierarchical authorities;*

[Decree 98/031, Organization of Emergency and Rescue Plans](#)

⁸ Decree 96/054, National Council for Civil Protection, article 1.

⁹ Decree 96/054, National Council for Civil Protection, article 4.

¹⁰ Decree 96/054, National Council for Civil Protection, article 2.

¹¹ Decree 96/054, National Council for Civil Protection, article 9.

¹² Decree 96/054, National Council for Civil Protection, article 3.

¹³ Decree 96/054, National Council for Civil Protection, article 4.

¹⁴ Decree 98/031, Organization of Emergency and Rescue Plans, article 1.

¹⁵ Decree 98/031, Organization of Emergency and Rescue Plans, article 2.

¹⁶ Decree 98/031, Organization of Emergency and Rescue Plans, article 3.

- the mobilization of human, material and financial resources;
- the immediate convening of the Crisis Committee; and
- informing the public.¹⁷

Furthermore, as established in Decree 98/031, the Crisis Committees, which are established at departmental, provincial and national levels, are responsible for, among other things, managing all the human, material and financial resources made available for the circumstance by the public authorities, international, public or private organizations and, in general, all donations and legacies.¹⁸ The resources available to the National Crisis Committee to intervene in the event of a disaster or major risk come from the annual allocations in the State budget; public subsidies; public or private aids and contributions of any kind; and donations and legacies of all kinds.¹⁹

Presidential Order 037/PM establishes the creation, organization and functions of the National Risk Observatory (the Observatory). Although the Observatory is an entity dedicated to collect, manage and disseminate information on natural, technological, industrial and anthropic risks,²⁰ article 2 highlights that it serves as a framework for consultation and collaboration between the various administrations concerned, public or private, national and international organizations involved in preventive risk management.²¹ Although the participation of international actors in the National Risk Observatory is provided for, there do not appear to be any provisions included specifically relating international disaster assistance and relief operations in this Presidential Order.

Throughout the years, the Government of Cameroon has developed various plans of action for adaptation, environmental protection and disaster risk reduction. The National Contingency Plan (PNC) of 2011 provides a general framework to guide the actions of institutional partners, agencies and other civil protection actors in Cameroon.²² As stated above, civil protection consists of ensuring the permanent protection of people, property and the environment against the risks of serious accidents, calamities or disasters as well as against the effects of these disasters. The PNC identifies in section 2.3.1 the relevant actors for its implementation, which include State services, decentralized territorial authorities, public and para-public organizations, international organizations and NGOs.²³

In addition, the National Climate Change Adaptation Plan (PNACC) of 2015 provides a framework for action and adaptation to the changing climatic conditions in the country. The PNACC highlights that the Government of Cameroon counts on the dynamics of its international and regional cooperation to obtain multilateral and bilateral funding for the implementation of the plan.²⁴ Although the PNACC focuses on activities for prevention and mitigation of the effects of climate change, rather than on disaster response operations, it reflects the relevance of international actors during the disaster prevention and preparedness phases.

Decree 2002/209 establishes the organization of the Ministry of Public Health. Article 29 states that, under the authority of a Deputy Director, the Sub-Directorate of Health Care Organization is responsible for, among others, the coordination of care for disaster victims and non-epidemic emergencies.²⁵ Furthermore, article 107 provides that under the authority of a Head of Division, the Cooperation Division is responsible for:

- monitoring technical cooperation with foreign countries and international organizations;
- the elaboration, coordination and follow-up of partnership agreements with national and international non-governmental organizations, in conjunction with the Legal Affairs and Legal Affairs and Litigation Division and the other departments concerned;

[Presidential Order 037/PM, National Risk Observatory](#)

[National Contingency Plan 2011](#)

[National Climate Change Adaptation Plan 2015](#)

[Decree 2002/209, Ministry of Public Health](#)

¹⁷ Decree 98/031, Organization of Emergency and Rescue Plans, article 3.

¹⁸ Decree 98/031, Organization of Emergency and Rescue Plans, article 5.

¹⁹ Decree 98/031, Organization of Emergency and Rescue Plans, article 8.

²⁰ Presidential Order 37/PM, National Risk Observatory, article 1.

²¹ Presidential Order 37/PM, National Risk Observatory, article 2.

²² National Contingency Plan 2011, page 3.

²³ National Contingency Plan 2011, page 33.

²⁴ National Climate Change Adaptation Plan 2015, page 93.

²⁵ Decree 2002/209, Ministry of Public Health, article 29.

- the examination of partnership files and the maintenance of the file of Nongovernmental organizations and other associations working in the field of health;
- the follow-up of decentralized cooperation in the health sector, in liaison with the administrations concerned;
- the development and monitoring of the implementation of the partnership with the private health sector, in liaison with the Legal Affairs and Litigation Division and the other departments concerned;
- preparation and follow-up of negotiations in the health sector, in liaison with the Ministries concerned;
- monitoring the implementation of bilateral and multilateral agreements in the health sector;
- the follow-up of technical assistance files;
- maintaining the file of cooperating personnel;
- researching and centralizing offers of scholarships from international organizations or foreign countries for transmission to the Human Resources Department Human Resources; and
- the evaluation of the partnership in the health sector.²⁶

Although not explicitly related to disaster management, the fact that the Ministry of Health in Cameroon has a specialized unit for cooperation with international partners, organizations and NGOs, can contribute to better preparedness when responding to a disaster, including public health emergencies.

Question 2: Do your country's laws and regulations clearly set out a focal point for coordinating international disaster assistance?

Summary

From the desktop research conducted, several bodies play a role in the coordination of international disaster assistance.

For example, Decree 96/054 provides in article 6 that the CNPC meets at least once a year upon convocation by its President. However, in the event of a declared calamity or disaster, it holds the right to meet and be set up as a crisis unit for the coordination of the activities of civil protection organizations at the national level.²⁷ As stated above, the CNPC coordinates the means implemented for civil protection, in particular relief, rescue, logistics and the use of auxiliary forces and auxiliary corps.²⁸ However, no specific procedures appear to be provided to ensure efficient coordination among international and domestic efforts in disaster response activities.

Decree 98/031 provides in article 5 that the Crisis Committees (at departmental, provincial and national level) are responsible for:

- coordinating public relief actions;
- directing relief operations;
- preparing the rescue means;
- directing rescue operations;
- transporting the rescue to the site of the disaster;
- determining the need for aid and assistance to victims;
- evaluating the immediate and long-term effects of the phenomenon;
- managing all the human, material and financial resources made available for the circumstance by the public authorities, international, public or private organizations and, in general, all donations and legacies.²⁹

Source

[Decree 2005/104, Organization of the Ministry of Territorial Administration and Decentralization](#)

²⁶ Decree 2002/209, Ministry of Public Health, article 107.

²⁷ Decree 96/054, National Council for Civil Protection, article 6.

²⁸ Decree 96/054, National Council for Civil Protection, article 4.

²⁹ Decree 98/031, Organization of Emergency and Rescue Plans, article 5.

<p><i>Decree 2005/104 establishes the organization of the Ministry of Territorial Administration and Decentralization (MINATD). The central administration of MINATD is composed by various bodies, including a Civil Protection Directorate (DPC).³⁰ Placed under the authority of a Director, the DPC is responsible for:</i></p> <ul style="list-style-type: none"> • <i>the general organization of civil protection throughout the territory, in conjunction with the administrations concerned;</i> • <i>studies on civil protection measures in peacetime and wartime, in conjunction with the administrations concerned;</i> • <i>relations with national and international civil protection organizations;</i> • <i>preparing training courses for civil protection personnel, in conjunction with the Human Resources Department;</i> • <i>examining requests for compensation and financial aid from victims of calamities;</i> • <i>control of the use of aid;</i> • <i>the coordination of the means implemented for civil protection, in particular relief, rescue, logistics, the use of auxiliary and auxiliary forces;</i> • <i>body transfers; and</i> • <i>monitoring of aid management.³¹</i> <p><i>The DPC is composed by the Studies and Prevention Unit and the Coordination and Interventions Sub-Directorate.³² It is the responsibility of the Coordination and Interventions Sub-Directorate to organize and coordinate the assistance, and to liaise with national and international civil protection organizations.³³</i></p> <p><i>Therefore, from the above, the MINATD, through the Civil Protection Directorate, would be the focal point for international disaster assistance in Cameroon.</i></p>	
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Question 3: Do your country's laws and regulations outline the roles and responsibilities of different institutions relating to international disaster assistance?

Summary	Source
<p><i>The roles and responsibilities of various institutions relating to disaster risk management, including those roles and responsibilities directly or indirectly relate to international disaster assistance in Cameroon have been set out above.</i></p> <p><i>With regards to the role of the CRC, the Statutes of the CRC establish that the organization is responsible for, among others, to organize, within the framework of an existing contingency plan, emergency relief services and teams for victims of disasters of any kind, and to prepare the population to react in case of disaster of any kind.³⁴ However, its role with respect to international disaster assistance is not explicitly stated in the law.</i></p>	<p><i>Decree 96/054, National Council for Civil Protection</i></p> <p><i>Decree 2002/209, Ministry of Public Health</i></p> <p><i>Statutes of the Cameroon Red Cross Society</i></p>

Question 4: Do your country's laws and regulations outline a process for requesting/welcoming offers of international disaster assistance, and for terminating international assistance?

Summary	Source
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³⁰ Decree 2005/104, Organization of the Ministry of Territorial Administration and Decentralization, article 7.

³¹ Decree 2005/104, Organization of the Ministry of Territorial Administration and Decentralization, article 52.

³² Decree 2005/104, Organization of the Ministry of Territorial Administration and Decentralization, article 52.

³³ Decree 2005/104, Organization of the Ministry of Territorial Administration and Decentralization, article 55.

³⁴ Statutes of the Cameroon Red Cross Society, article 3.

<p>Current laws on disaster management in Cameroon do not appear to provide specific procedures for welcoming/terminating international disaster assistance.</p> <p>However, as stated above, Decree 96/054 provides in article 9 that the CNPC may appeal to public generosity under the conditions set by the laws and regulations in force.³⁵</p> <p>In addition, Decree 2005/104 provides in article 56 that the Coordination and Interventions Sub-Directorate is in charge of the mobilization and management of aid, although it does not provide any procedures for the request or welcoming of international aid.³⁶</p>	<p>Decree 96/054, National Council for Civil Protection</p> <p>Law 96/06, Constitution of the Republic of Cameroon</p> <p>Decree 2005/104, Organization of the Ministry of Territorial Administration and Decentralization</p>
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Question 5: Do your country's laws and regulations provide for necessary legal facilities to be provided to international assisting actors?

Summary	Source
<p><u>Legal facilities under international law</u></p> <p>Cameroon subscribes to the monist approach to international law, according to which international agreements automatically become part of domestic law as soon as they are ratified and published. This is provided for in terms of Article 45 of the Constitution of Cameroon, which states that approved or ratified treaties and international agreements shall, following their publication (in the official national gazette), override national laws, provided the other party implements the said treaty or agreement.</p> <p>There are a number of international agreements of relevance to international disaster assistance. Most relevant to this study are those instruments that expedite and facilitate the provision of international humanitarian assistance. The Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations (Tampere Convention) provides legal facilities for the importation of telecommunications equipment and resources during emergencies, specifically requiring state parties to reduce or remove regulatory barriers to the use of telecommunication resources for disaster relief.³⁷ With regards to transport, of most relevance is Annexe 9 of the Chicago Convention on Civil Aviation (Chicago Convention) which provides procedural guidance for customs, immigration, agriculture, and public health clearance of aircrafts containing humanitarian assistance in response to disasters, including passengers, goods, and mail. Further, the Convention on the Facilitation of International Maritime Traffic mandates parties to facilitate the entry and exit of vessels engaged in natural disaster relief work and facilitate the entry of persons and cargo related to natural disaster relief work.³⁸</p> <p>In terms of customs, the International Convention on the Simplification and Harmonisation of Customs Procedures (Kyoto Convention),³⁹ which was adopted in 1973 and revised in 1999, and the Convention on Temporary Admission (Istanbul Convention),⁴⁰ simplify and harmonise customs clearance procedures for the importation of goods. Specifically, Annexe B3 of the Kyoto Convention recommends as practice that states exempt goods, including “foodstuffs, medicaments, clothing and blankets sent as gifts to an approved charitable or philanthropic organisation for distribution free of charge to needy persons by the organisation or under its control”.⁴¹ Annexe J5 provides guidelines to expedite the clearance of relief consignments intended to assist those affected by disasters. Annexe B2 to the Istanbul Convention regulates the importation of professional and communication equipment for practitioners of various disciplines in support to relief efforts. The measures and exemptions for temporary admission of goods for humanitarian purposes in response to natural disasters and other catastrophes are stipulated in Annexe B9. In addition, Annexe C of the Istanbul Convention</p>	

³⁵ Decree 96/054, National Council for Civil Protection, article 9.

³⁶ Decree 2005/104, Organization of the Ministry of Territorial Administration and Decentralization, article 56.

³⁷ See article 9 of the Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations, June 18, 1998, UN depositary notification C.N.608.1998.TREATIES-8 of Dec. 4 1998 (entered into force Jan. 8, 2005) (Tampere Convention).

³⁸ See article 5.11 and 5.12 of Annexe 1 of the Convention on the Facilitation of International Maritime Traffic, 9 April 1965, 591 U.N.T.S. 265.

³⁹ Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures of 18 May 1973, 26 June 1999.

⁴⁰ Convention on Temporary Admission, 26 June 1990.

⁴¹ Annexe B.3 to the Kyoto Convention, recommendation 7.

allows for the temporary admission of means of transport used by a foreign entity and Annex D allows for temporary admission of animals, including those involved in rescue operations.

It is also relevant to note treaties related to privileges and immunities law. The doctrine of privileges and immunities is not directly linked to disasters.⁴² However, it is essential for those entities involved in disaster response to which it applies, as it addresses many of the access and operations related issues identified as problematic in field operations, as it typically allows the holder of privileges and immunities to easily enter, exit and operate in a foreign country with minimum interference from domestic authorities.⁴³ Much of the customary law in the area of privileges and immunities has been codified in the Vienna Convention on Diplomatic Relations⁴⁴ and the Vienna Convention on Consular Relations.⁴⁵ However, personal diplomatic and consular privileges and immunities generally do not extend outside the scope of mission staff and their families, and therefore civil protection, military and other disaster responders generally do not benefit from them.⁴⁶ Intergovernmental organisations have also traditionally been granted privileges and immunities to enable them to carry out their functions without undue interference, but in general NGOs do not benefit from privileges and immunities under international law.⁴⁷

In addition, the Framework Convention on Civil Defence Assistance provides a legal framework to reduce obstacles for effective international cooperation between states in disaster settings. It is also worth mentioning the Convention on the Safety of UN and Associated Personnel (UN Safety Convention) and the Optional Protocol thereto, which imposes an obligation on a state hosting a UN operation to protect UN personnel and property to prevent or reduce any impunity for those who attack UN or associated personnel or property.⁴⁸

In terms of human rights treaties, the Convention on the Rights of Persons with Disabilities references disaster assistance the most directly. State parties are required to take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including humanitarian emergencies and natural disasters.⁴⁹ In addition, there are a number of global human rights treaties, such as the International Covenant on Civil and Political Rights⁵⁰ and the International Covenant on Economic, Social and Cultural Rights⁵¹ that set out rights closely linked to disaster relief and recovery assistance. These include the rights to life, food and water, housing, clothing, health, livelihood, and freedom from discrimination.⁵²

There are also instruments which regulate the management of specific types of disasters or emergencies. For example, the International Health Regulations (the IHR)⁵³ regulate health emergencies with potential transboundary effects, defining the rights and responsibilities for state parties in handling outbreaks and providing public health measures for international traffic and travel. Another example is the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency, which sets out rules for the initiation, coordination, and operation of international assistance operations in case of nuclear or radiological events as well as for legal facilities to be granted for the effective administration of assistance.⁵⁴ A third example is the International Convention on Oil Pollution Preparedness, Response and Cooperation⁵⁵ and its Protocol

⁴² 2007 IDRL Study, page 39.

⁴³ 2007 IDRL Study, page 39.

⁴⁴ Vienna Convention on Diplomatic Relations, April 18, 1961, 500 U.N.T.S. 95.

⁴⁵ Vienna Convention on Consular Relations, April 24, 1963, 596 U.N.T.S. 261.

⁴⁶ 2007 IDRL Study, page 40.

⁴⁷ 2007 IDRL Study, page 40.

⁴⁸ UN Safety Convention, articles 7 and 11.

⁴⁹ See article 11 of the Convention on the Rights of Persons with Disabilities.

⁵⁰ International Covenant on Civil and Political Rights, 16 December 1966, 999 U.N.T.S. 171.

⁵¹ International Covenant on Economic Social and Cultural Rights, 16 December 1966, 999 U.N.T.S. 3.

⁵² 2007 IDRL Study, page 34.

⁵³ World Health Assembly, Revision of the International Health Regulations, Doc. No. WHA58.3 (23 May 2005).

⁵⁴ Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency Sept. 26, 1986, 1439 U.N.T.S. 275, articles 1, 2, 3, 4, 7, 8, 9, 10, and 11.

⁵⁵ International Convention on Oil Pollution Preparedness, Response and Cooperation, 30 November 1990, 30 I.L.M. 733 (1990).

on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances⁵⁶ which require state parties to cooperate and provide advisory services, technical support, and equipment when necessary and within their capabilities and resources, to respond to an oil pollution incident, as well as to take the legal or administrative measures necessary to facilitate the arrival and utilisation of vessels and the expeditious movement of personnel, cargoes, materials and equipment.⁵⁷

In terms of regional instruments, article 23 of the African Charter on the Rights and Welfare of the Child⁵⁸ (ACRWC) provides that states shall take all appropriate measures to ensure that refugee children as well as children who have been internally displaced, including by disasters, receive appropriate humanitarian assistance. In addition, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), provides in article 5(7) that state parties are obligated to facilitate the coordination of international relief and allow rapid and unimpeded passage of humanitarian relief to internally displaced persons. Further, states shall enable and facilitate the role of local and international organisations and humanitarian agencies, as well as other relevant actors, to provide protection and assistance to IDPs.

The tables below examine which of the above mentioned agreements Cameroon is a state party to:

<u>Convention</u>	<u>State party</u>
Tampere Convention⁵⁹	No
Chicago Convention⁶⁰	Yes
Convention on the Facilitation of International Maritime Traffic⁶¹	Yes
Annexe B.3 to the Kyoto Convention⁶²	Yes
Annexe J-5 to the Kyoto Convention⁶³	Yes
Annexe B2 to the Istanbul Convention⁶⁴	No
Annexe B9 to the Istanbul Convention⁶⁵	No
Annexe C to the Istanbul Convention⁶⁶	No
Annexe D to the Istanbul Convention⁶⁷	No
Vienna Convention on Diplomatic Relations⁶⁸	Yes
Vienna Convention on Consular Relations⁶⁹	Yes

⁵⁶ Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances, 15 March 2000.

⁵⁷ See article 7 on the Convention on Oil Pollution Preparedness, Response and Cooperation and article 5 of the Protocol on Preparedness, Response and Cooperation to Pollution Incidents by Hazardous and Noxious Substances.

⁵⁸ African Charter on the Rights and Welfare of the Child, 11 July 1990, OAU Doc. CAB/LEG/24.9/49 (1990).

⁵⁹ Information obtained from the UN Treaty Collection (UNTC) available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXV-4&chapter=25.

⁶⁰ Information obtained from ICAO available at <https://www.icao.int/publications/Pages/doc7300.aspx>.

⁶¹ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280129d04>.

⁶² Information obtained from the World Customs Organization (WCO) available at http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf_revised_kyoto_conv/Instruments.

⁶³ Information obtained from the WCO available at http://www.wcoomd.org/en/Topics/Facilitation/Instrument%20and%20Tools/Conventions/pf_revised_kyoto_conv/Instruments.

⁶⁴ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

⁶⁵ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

⁶⁶ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

⁶⁷ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800b2770&clang=en>.

⁶⁸ Information obtained from https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-3&chapter=3&clang=en.

⁶⁹ Information obtained from the UNTC https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-6&chapter=3.

<i>Framework Convention on Civil Defence Assistance</i> ⁷⁰	No
<i>UN Safety Convention and Optional Protocol</i> ⁷¹	No
<i>Convention on the Rights of Persons with Disabilities</i> ⁷²	Signed, but not ratified.
<i>IHR</i> ⁷³	Yes
<i>Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency</i> ⁷⁴	Yes
<i>International Convention on Oil Pollution Preparedness, Response and Cooperation</i> ⁷⁵	No
<i>ACRWC</i> ⁷⁶	Yes
<i>Kampala Convention</i> ⁷⁷	Yes

At sub-regional level, the Regional Strategy for Central Africa for risk prevention, disaster management and climate change adaptation (June 2012) is based in the framework of the Hyogo Framework for Action, and has the objective to “contribute to the achievement of sustainable development and the reduction of poverty through the substantial reduction of the social, economic and environmental impacts of disasters in accordance with the African Regional Strategy and the Hyogo Framework for Action.” It does not contain any provisions directly related to international disaster assistance.

The sections below examine whether there are any legal facilities provided for international assisting actors in terms of the domestic laws in Cameroon.

i. Landing rights and general customs arrangements

As indicated above, Cameroon is a party to the Chicago Convention, Annexe 9 of which provides procedural guidance for customs, immigration, agriculture, and public health clearance of aircrafts containing humanitarian assistance in response to disasters, including passengers, goods, and mail; as well as the Convention on the Facilitation of International Maritime Traffic mandates parties to facilitate the entry and exit of vessels engaged in natural disaster relief work and facilitate the entry of persons and cargo related to natural disaster relief work.⁷⁸ This may facilitate the entry of international disaster assistance in Cameroon.

In terms of domestic law, the Civil Aviation Law provides the civil aviation regime in Cameroon, applying to all areas of civil aviation in accordance with international conventions, treaties and agreements ratified by Cameroon.⁷⁹ The law does not appear to include specific provisions on the landing rights of international flights carrying humanitarian assistance. Article 59 states that aircrafts can circulate freely over Cameroonian territory. However, aircraft of foreign nationality may only enjoy this right

⁷⁰ Information obtained from the UNTC available at <https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280086ecb&clang=en>.

⁷¹ Information obtained from the UNTC available at https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XVIII-8&chapter=18 and https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtmsg_no=XVIII-8-a&chapter=18&clang=en.

⁷² Information obtained from the UNTC available at https://treaties.un.org/Pages/ViewDetails.aspx?src=IND&mtmsg_no=IV-15&chapter=4.

⁷³ Information obtained from World Health Organisation available at https://www.who.int/ihr/legal_issues/states_parties/en/.

⁷⁴ Information obtained from the International Atomic Energy Agency available at <https://www.iaea.org/topics/nuclear-safety-conventions/convention-assistance-case-nuclear-accident-or-radiological-emergency#:~:text=The%20Convention%20on%20Assistance%20in.in%20the%20event%20of%20nuclear>.

⁷⁵ Information obtained from the UNTC <https://treaties.un.org/Pages/showDetails.aspx?objid=08000002800aada6>.

⁷⁶ Information obtained from the AU available at <https://au.int/en/treaties/african-charter-rights-and-welfare-child>.

⁷⁷ Information obtained from the AU available at <https://au.int/sites/default/files/treaties/36846-sl-AFRICAN%20UNION%20CONVENTION%20FOR%20THE%20PROTECTION%20AND%20ASSISTANCE%20OF%20INTERNALLY%20DISPLACED%20PERSONS%20IN%20AFRICA%20%2028KAMPALA%20CONVENTION%29.pdf>.

⁷⁸ See article 5.11 and 5.12 of Annexe 1 of the Convention on the Facilitation of International Maritime Traffic, 9 April 1965, 591 U.N.T.S. 265.

⁷⁹ Law 2013/010, Civil Aviation Regime, article 1.

by virtue of an international or diplomatic convention or, where applicable, an authorization from the competent Cameroonian authorities.⁸⁰ As per article 93, state aircraft flights of countries having concluded reciprocal agreements with Cameroon and search and rescue flights authorized by a competent body shall be exempt from the air traffic terminal services charge.⁸¹

In terms of customs, as indicated above, Cameroon is a party to the revised Kyoto Convention⁸², and its annexes. As stated above, Annexe B3 recommends as practice that states exempt goods, including “foodstuffs, medicaments, clothing and blankets sent as gifts to an approved charitable or philanthropic organisation for distribution free of charge to needy persons by the organisation or under its control”;⁸³ and Annexe J5 provides guidelines to expedite the clearance of relief consignments intended to assist those affected by disasters.

In terms of other customs arrangements, the Customs Tariff Code of the Economic Community of Central African States (CEMAC) establishes in article 276 that the following shall be admitted free of import duties and taxes, by decision of the Director of Customs and Excise of the State concerned: donations offered to Heads of State, materials and products provided free of charge to Member States by foreign States or international organizations, shipments intended for Ambassadors, diplomatic and consular services and foreign members of certain official international organizations sitting in them Member States, and products intended for the Red Cross and similar works of assistance or national relief specially designated by the Minister of Public Health of the State concerned.⁸⁴ Goods imported or exported by Member States or on their behalf are not subject to any immunity or derogation, except in the cases provided for in Article 276.⁸⁵

ii. Customs arrangements for specialized goods and equipment

The General Tax Code does provides that the following may import passenger vehicles duty and tax free:

- diplomatic missions, consular posts and international organizations for the needs of their services; and
- members of their diplomatic, administrative and technical staff who are not Cameroonian for their private use.⁸⁶

Although not directly related to international disaster assistance, this provision may be of relevance to international assisting actors who enjoy privileges and immunities under Cameroonian law.

With regards to communications, decree 2005/124 establishes the organization of the Ministry of Posts and Telecommunications. Article 58 establishes that placed under the authority of a Head of Service, the Emergency Telecommunications Service is responsible for: taking all necessary measures to acquire the telecommunications equipment and services required for emergency response operations; defining the role of telecommunications operators in emergency telecommunications, in liaison with the administrations concerned; the design and implementation of telecommunications emergency plans, in liaison with the relevant departments of the administrations in charge of disaster prevention and crisis situations; and the training of the various committees with regard to emergency telecommunications.⁸⁷ However, no provisions are provided on simplified procedures for the import of telecommunications equipment as part of international disaster assistance.

iii. Immigration

[Law 2013/010, Civil Aviation Regime](#)

[Regional Strategy for Central Africa for risk prevention, disaster management and climate change adaptation](#)

[CEMAC Customs Tariff Code](#)

[General Tax Code 2021](#)

[Decree 2005/124, Organizations of the Ministry of Posts and Telecommunications](#)

⁸⁰ Law 2013/010, Civil Aviation Regime, article 59.

⁸¹ Law 2013/010, Civil Aviation Regime, article 93.

⁸² Protocol of Amendment to the International Convention on the Simplification and Harmonization of Customs Procedures of 18 May 1973, 26 June 1999.

⁸³ Annexe B.3 to the Kyoto Convention, recommendation 7.

⁸⁴ CEMAC Customs Tariff Code, article 276.

⁸⁵ CEMAC Customs Tariff Code, article 2.

⁸⁶ General Tax Code 2021, annex 2, page 700.

⁸⁷ Decree 2005/124, Organization of the Ministry of Posts and Telecommunications, article 58.

Law 97/012 determines the conditions of entry, stay and exit of foreigners in Cameroon.⁸⁸ Although there are no provisions explicitly related to international disaster assistance, a number of provisions were found to be indirectly relevant. Article 4 highlights that the provisions of the Act do not apply to career diplomatic agents and consuls,⁸⁹ recognizing their privileges in terms of the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations. This could potentially facilitate the entry of any disaster assistance actors which enjoy diplomatic privileges and immunities in Cameroon. In general, however, any foreigner wishing to reside in the national territory in order to carry out a salaried professional activity must prove possession of 1) a medical certificate issued by any approved doctor, in agreement with the authorities of the country of origin, by the representation of Cameroon territorially competent and endorsed by its consular services; and 2) an employment contract approved by the Ministry of Labor under the conditions provided for by the legislation in force.⁹⁰ Although there are, no specific provisions are included in this law regarding visa types that might apply to international assisting actors, such as temporary stay visa, courtesy visa or diplomatic visa, Decree 2007/252 prescribes the manner in which Law 97/012 above is to be implemented. Article 2 states that apart from foreigners in transit, the categories of temporary visitors include, among others, people on mission.⁹¹ This category is defined as foreigners who come to Cameroon in an official capacity as part of their professional activities.⁹² Although the law does not explicitly refer to international assisting actors, the category of people of mission could potentially apply to international relief personnel. As per article 20, there are four categories of entry visas:

- 1) the transit visa;
- 2) the tourist visa;
- 3) the temporary visa; and
- 4) the long stay visa.⁹³

A temporary visa may be valid for one or multiple entries, and may be granted to a foreigner whose stay in Cameroon does not exceed three months.⁹⁴ The issuance of a temporary visa is subject to the production of, as the case may be, a passport or any other travel document valid for at least six months; an airplane ticket or a round-trip ticket or, if applicable, a customs clearance booklet; the required international vaccination certificates; proof of the purpose of the visit, as well as proof of adequate living conditions and means of support for the duration of the stay; a certificate of accommodation issued by the person who undertakes to accommodate the visitor, bearing the visa of the mayor of the territory concerned, or an invitation to an event organized on the national territory, or a firm hotel reservation for the planned duration of the stay; and/or a mission order.⁹⁵

iv. Registration of international assisting actors

The law does not appear to provide expedited procedures for international actors to register in Cameroon and therefore it appears that the normal rules and procedures would apply.

However, the General Tax Code does provide in article 337 a list of entities which can be registered in Cameroon free of charge, which includes, generally, international organizations.⁹⁶

[Law 97/012, Conditions of entry, stay and exit of foreigners in Cameroon](#)

[Decree 2007/252](#)

⁸⁸ Law 97/012, Conditions of entry, stay and exit of foreigners in Cameroon, article 1.
⁸⁹ Law 97/012, Conditions of entry, stay and exit of foreigners in Cameroon, article 4.
⁹⁰ Law 97/012, Conditions of entry, stay and exit of foreigners in Cameroon, article 13.
⁹¹ Decree 2007/252, article 2.
⁹² Decree 2007/252, article 5.
⁹³ Decree 2007/252, article 20.
⁹⁴ Decree 2007/252, article 23.
⁹⁵ Decree 2007/252, article 29.
⁹⁶ General Tax Code 2021, article 337.

v. Recognition of professional qualification of foreign personnel

The Labor Code of Cameroon does not appear to establish specific procedures for the recognition of foreign professional qualifications of international disaster assistance personnel, and no other relevant laws could be located for the purposes of this review.

[Law 92/007, Labor Code](#)

vi. Tax and currency exchange for disaster relief activities

Cameroon has a residence-based tax system, in terms of which residents are subject to tax on their world-wide income, whereas non-residents are subject to tax only on their Cameroon-sourced income.⁹⁷ The tax law of Cameroon does not define the term “resident”. However it has established a territoriality rule in terms of which companies “operating” in Cameroon are subject to tax in Cameroon.⁹⁸ An entity is deemed to be operating in Cameroon if has its headquarters, place of effective management, a permanent establishment or dependent agent in Cameroon or if it carries out activities that form a full commercial cycle in Cameroon.⁹⁹

[General Tax Code](#)

The General Tax Code list of types of entities exempted from the corporate income tax in article 4, including mutual aid societies and certain non-governmental organisations, but international disaster assistance is not specifically mentioned. Furthermore, the General Tax Code states that the net taxable profit is established after deduction of all expenses directly required by the exercise of the taxable activity in Cameroon. Such activities include, among others, donations made on the occasion of disasters, deductible in the forms and conditions laid down by order of the Minister of Finance. In addition, the Code does make provision for international organisations to benefit from a wide range of tax exemptions in terms of headquarters agreements entered into between the organisation and the Government of Cameroon.

Also, the General Tax Code also establishes the exemptions from taxes for diplomatic missions and consular posts. For example, section 27 provides that following persons are exempt from personal income tax:

- (1) the head of a diplomatic mission, consuls, agents of diplomatic and consular missions of foreign nationality who hold a diplomatic card issued by the Ministry of Foreign Affairs, but only insofar as the countries which these diplomatic and consular missions represent grant similar advantages to Cameroonian diplomatic and consular agents; and*
- (2) the administrative and technical staff and technical staff of diplomatic missions, consular posts and international organizations when it is established that they are subject to income tax in their country of origin.¹⁰⁰*

In terms of VAT, diplomatic missions, consular posts and international organizations are exempted of paying this tax on purchases of movable and immovable property for the goods made for the equipment of their premises. This exemption also applies to the maintenance of administrative and official vehicles, the acquisition of working clothes for maintenance staff, supplies of maintenance staff, supplies of water, electricity, gas, cable television and telecommunications, as well as goods and services acquired in exceptional circumstances, such as the international days and official celebrations of international organizations and diplomatic missions and consular posts.¹⁰¹

Diplomatic or consular missions, international organizations and their personnel of diplomatic rank are also exempted from the Special Tax on Petroleum Products, subject to a formal reciprocity agreement or headquarters agreement, within the limits of the quotas provided for by regulation.¹⁰²

⁹⁷ ENS, *Doing Business in Cameroon*, available at <https://www.ensafrica.com/doing-business/download?termId=17>.

⁹⁸ ENS, *Doing Business in Cameroon*, available at <https://www.ensafrica.com/doing-business/download?termId=17>.

⁹⁹ ENS, *Doing Business in Cameroon*, available at <https://www.ensafrica.com/doing-business/download?termId=17>.

¹⁰⁰ General Tax Code 2021, article 27.

¹⁰¹ General Tax Code 2021, annex 1, page 696.

¹⁰² General Tax Code 2021, article 230 bis.

<p>vii. Freedom of movement of international assisting actors during a disaster response</p> <p><i>There do not appear to be any provisions that explicitly facilitate the free movement and access of international assisting actors in Cameroon.</i></p> <p>viii. Safety and security of international assisting actors</p> <p><i>The law does not appear to contain specific provisions on the safety and security of international assisting actors. However, the Civil Protection Law provides in article 8 that the use of civil protection resources is left to the discretion of the administrative authorities and that, when required the Civil Protection organizations are supported by the army, the Gendarmerie or the Police, upon request of the competent authority.¹⁰³</i></p> <p>ix. Additional facilities for international disaster relief</p> <p><i>There do not appear to be additional facilities related to international disaster relief operations.</i></p>	
<p>Question 6: Do your country's laws and regulations set out quality standards for international assisting actors?</p>	
<p>Summary</p>	<p>Source</p>
<p><i>Current law on civil protection and disaster management in Cameroon do not appear to provide minimum quality standards for international humanitarian assistance.</i></p>	<p>Statutes of the Cameroon Red Cross Society</p>
<p>Question 7: Do your country's laws and regulations set out eligibility requirements for international assisting actors to receive legal facilities?</p>	
<p>Summary</p>	<p>Source</p>
<p><i>There do not appear to be eligibility requirements set specifically for international assisting actors to receive legal facilities in Cameroon.</i></p> <p><i>The legal facilities presented in Question 5 above do not appear to be issued/granted based on the international actors' competence or experience. In most cases, they appear to be granted in compliance with the relevant international conventions from which they flow.</i></p>	
<p>Question 8: Do your country's laws and regulations establish a specialized unit for expediting the entry of international disaster assistance?</p>	
<p>Summary</p>	<p>Source</p>
<p><i>Current laws on civil protection and disaster management in Cameroon do not appear to explicitly set out a consolidated "One Stop Shop" approach to international disaster assistance nor do they establish a specialized unit for expediting the entry of international assistance.</i></p>	
<p>Question 9: Do your country's laws and regulations provide adequate transparency, safeguards and accountability mechanisms governing international disaster relief and initial recovery assistance?</p>	
<p>Summary</p>	<p>Source</p>

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Law 86/016, General Reorganization of Civil Protection, article 8.

<p><i>The law does not appear to contain explicit transparency, safeguards and accountability mechanisms governing international disaster relief and initial recovery assistance, although in most instances international actors would be subject to the normal laws applicable in the country, including criminal laws.</i></p> <p><i>However, a number of provisions may be indirectly relevant. The Civil Protection Law states in article 10 that faults and offences committed by the personnel used in the execution of Civil Protection tasks are normally the responsibility of the disciplinary bodies of the corps of origin of these personnel and of the ordinary law courts. In times of alert, state of emergency or exception, or mobilization, the same faults and offences are the responsibility of the disciplinary bodies and military courts.¹⁰⁴ As per article 11, any person who, being the subject of a regular requisition, refuses or refrains, without a health reason, from fulfilling the duties incumbent upon him in matters of Civil Defense, shall be punished by imprisonment for a period of one month to two years and a fine of 25,000 to 500,000 francs or by one of these two penalties only. The penalties are doubled if it is an act normally falling within the functions of the person required or if this offence has been committed in time of war. The penalties provided for in this article shall also apply to any volunteer who refuses to comply with the obligations arising from his commitment. The same shall apply to any individual who obstructs the performance of Civil Defense duties.¹⁰⁵</i></p> <p><i>The Statutes of the CRC provide in article 73 that National Society shall not accept any donation or bequest from activities contrary to the Fundamental Principles. Its assets, consisting of funds, goods of all kinds, furniture and buildings are inalienable and inviolable.¹⁰⁶ Furthermore, the management and control procedures are defined and specified in the National Society's Financial Procedures Manual. The Management Committee shall instruct a contractual audit by a sworn accounting firm. The Secretariats of the Departmental Committees shall prepare and send quarterly activity and financial reports to the National Headquarters of the Cameroon Red Cross. The financial statements certified by the Auditor shall be published and sent to the International Federation and presented to the General Assembly of the CRC.¹⁰⁷ Although not directly related to international assisting actors, taking into account that the CRC can accept donations from international actors, it is arguable that provisions in article 73 apply to donations as part of international disaster assistance, which are therefore subject to the National Society's financial control system.</i></p>	<p>Law 2016/007, Criminal Code</p> <p>Law 86/016, General Reorganization on Civil Protection</p> <p>Statutes of the Cameroon Red Cross Society</p>
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Question 10: Do your country's laws and regulations outline procedures for international disaster assistance sent from, and transiting through your country?

Summary	Source
<p><i>The law does not appear to contemplate special procedures for the transit of international assistance personnel sent from, and transiting through Cameroon. In terms of general laws which may be applicable, Law 97/012 outlines in article 6 that foreigners in transit are those whose final destination is not a point on Cameroonian territory, and who transit through Cameroon for a period not exceeding five (5) days, but does not provide any further requirements in respect of such persons.¹⁰⁸</i></p> <p><i>The domestic law in Cameroon also does not appear to provide a special regime for international disaster relief goods and equipment sent from, or transiting through Cameroon.</i></p> <p><i>However, the CEMAC Customs Tariff Code provides in article 276 that goods and services that may be exempt from exit duties and taxes include:</i></p> <p>a) <i>goods exported by the Red Cross or other works of solidarity of a national character; and</i></p>	<p>Law 97/012, Conditions of entry, stay and exit of foreigners in Cameroon</p> <p>General Tax Code 2021</p> <p>CEMAC Customs Tariff Code</p>

¹⁰⁴ Law 86/016, General Reorganization of Civil Protection, article 10.
¹⁰⁵ Law 86/016, General Reorganization of Civil Protection, article 11.
¹⁰⁶ Statutes of the Cameroon Red Cross Society, article 73.
¹⁰⁷ Statutes of the Cameroon Red Cross Society, article 74.
¹⁰⁸ Law 97/012, Conditions of entry, stay and exit of foreigners in Cameroon, article 6.

b) <i>exceptional consignments devoid of any commercial character.</i> ¹⁰⁹	
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¹⁰⁹ *CEMAC Customs Tariff Code, article 276.*