



# **PROTECTION CLUSTER STRATEGY NORTH WEST AND SOUTH WEST REGIONS OF CAMEROON**

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**August 2019**

## I. Background

The ongoing crisis in the two English-speaking South West and North West Regions of Cameroon has its roots in the perception by a vast majority of the population of being marginalized by the government in Yaounde. They believe that the rest of the country is better represented in the Government's political as well as the economic and social plans. This perception resulted in uprisings in October 2016, followed by violent confrontations between separatists and the Cameroonian government security forces in several parts of the two regions. The result of the armed crackdown of this civil unrest has been widespread internal displacement of the civilian population within and out of both regions including movements into neighboring Nigeria. The crisis continues to adversely impact on the lives of the affected population be it displaced hosting or resident population.

Hotspots of violent conflict have emerged in many areas, inducing massive movements of people fleeing their homes for safety. Further displacements continue where IDPs are unwilling to return, moving to other hosting areas in urban, rural, and forest settings in the two regions, which may already be congested and under-resourced, placing pressure on host communities in terms of physical and legal protection, and access to basic goods and services. Tensions are also rising where secondary displacement is witnessed in areas with functioning schools and health services, as well as employment opportunities.

## II. Operational Context

The ongoing conflict between the Non-State Armed Groups (NSAGs) and government security forces has affected the overall security, access to services and increased vulnerabilities among the civilian population. When homes and villages are attacked, fleeing individuals lose their source of livelihood and documentation, affecting their freedom of movement in a highly volatile security situation. The displacement patterns show that men, women, boys and girls are fleeing rural areas to the forest and bushes, others are settling in urban centres for potential employment. Young men are seeking casual jobs in urban centers, while the women/girls go for domestic jobs. Sexual abuses by armed elements and survival sex as a harmful coping mechanism are being observed. Women are now taking on non-gender jobs, in the absence of spouses and male siblings. Children have been separated, abandoned, trafficked and kidnapped, while education services have halted, which causes increased risks on children above and beyond the damage done to the children's development. Access to legal services remains problematic while arbitrary arrests and a series of grave human rights violations are rampant. Persons living with disabilities are subjected to targeted abusive treatment, torture and killings by the conflicting parties in addition to the disproportionate impact of instability, sudden movements and violence places on them.

The crisis in the two Anglophone regions of Cameroon has resulted in widespread Sexual and gender-based violence (SGBV), and many people have suffered the trauma without finding necessary relief. Women and girls remain the most vulnerable and are the most frequently reported survivors.

Calls for the enforcement of Ghost towns in South West and North West regions disrupts civilian activities and posed some risks on civilians, and some incidents have led to loss of lives.

### III. IDP Administrative and Legal framework and policy in Cameroon

Although Cameroon has not yet put in place national laws and policies for the assistance and protection of Internally Displaced Persons (IDPs), it is a signatory to both international and regional instruments on the protection and assistance of IDPs. These are the 1998 Guiding Principles and the 2009 African Union Convention on the Protection and Assistance of Internal Displaced persons in Africa, otherwise known as The Kampala Convention. Cameroon ratified the Kampala Convention ratified through decree N° 2014/610 of December 31, 2014 and deposited at the African Union Commission in Addis Ababa on 24/05/2017.

In the 1972 Constitution as amended by Law N0. 96-6 of 18 January 1996 and Law No. 2008/1 of 14 April 2008, the Government of Cameroon (GoC) has stressed the relevance of human rights by incorporating provisions in the preamble. In its preamble it states that “every person shall have the right to settle in any place and to move about freely, subject to the statutory provisions concerning public law and order, security and tranquility”. Article 45 of the revised 1972 Constitution as amended further states that, **“duly approved or ratified treaties and international agreements shall, following their publication, override national laws**, provided the other party implements the said treaty or agreement. Other legal texts and systems relating to human rights and freedoms are in force within the country.

Moreover, the GoC since its independence in 1960 had pledged its commitments to the promotion and protection of human rights. To this end, other administrative and institutional frameworks for the protection and assistance of IDPs exist within its legal architecture. These include the judiciary, (the Bar Association and the Bench) and other human rights institutions notably as the National Commission on Human Rights and Freedoms (NCHRF) created in 1994, with regional offices in the North West and South West Regions of Cameroon. The mandate of the NCHRF consists of human rights monitoring, investigations, promotion and training. Just like the Ministry of Justice, the NCHRF produces annual reports on the human rights situation of the country.

Lastly, the 2009 Kampala Convention relating to Internally Displaced Persons in Africa comprehensively addresses internal displacements in particular the cause, and different phases of displacements. In Article 3(2), Member States agreed to incorporate their obligations under the Convention into domestic laws.

Cameroon is yet to adopt a domestic law towards the implementation of the 2009 Kampala Convention. The absence of such legal frameworks as a means of clearly defining roles and responsibilities continue to hamper humanitarian and development efforts to mitigate the effects of internal displacements. These provisions are essential to a holistic approach in supporting IDPs' search for durable solutions, and in preparing for and preventing future displacement.

On 12 November 2018, the Prime Ministry created a humanitarian coordination structure referred to as the “*CENTER*” which has been placed under supervision of the Ministry of Territorial Administration (MINAT) in Yaoundé and is operated by its Civil Protection unit. Its mandate is the coordination of emergency humanitarian assistance in both Anglophone crisis regions. The Center became fully operational in June 2019 when its regional offices were established in Buea and Bamenda.

## IV. Cluster Coordination Structure

The NWSW Protection Cluster (PC) activities are centralized in Buea. It has a regional coordination structure in Bamenda for protection activities in the North West Region. The PC is led by UNHCR in the two regions. There are three (03) functional thematic groups. At the national level, the Protection Sector Working Group in Yaoundé works regularly with the Humanitarian Country Team (HCT). The structure is as follows:

1. At national level, the PC is represented by the National Sector Working Group in Yaoundé;
2. In the NWSW Regions, the Cluster is led by UNHCR Buea Sub-Office;
3. The NW regional cluster coordination in Bamenda is led by UNHCR;
4. Three protection thematic groups are operational, namely:
  - Child Protection Area of Responsibility, led by UNICEF;
  - GBV Area of Responsibility, led by UNFPA;
  - The Access to Justice and Rule of Law (AJRL) Working Group led by UNHCR alongside two (02) co-facilitators: NCHRF (State Institution) and Human is Right (local NGO).

## V. Protection Analysis and Priority Settings

### *a. Overview of protection situation*

The capacity of the State and local structures to provide reliable protection to the civilian populations including access to basic social services in the NW and SW Regions is severely curtailed by the armed conflict that limits the presence of civil services in numbers of localities. Apart from the education sector and judiciary, it is the medical and social service that is heavily affected by lack of service personnel in place.

In consequence, the number of vulnerable persons continues to grow in spite of the humanitarian emergency assistance plan launched by GoC mid-2018. The demand for physical and legal protection therefore becomes imperative. Moreover, the weak attention of the international community with under-funding of all humanitarian sectors contributes to the inadequate level of humanitarian assistance and protection.

The affected populations can be grouped into two categories according to their areas of displacement: (i) the first group concerns displaced persons in urban centres, particularly in the major towns of both regions, as well as in neighbouring Littoral and West Regions; and (ii) the second category consists of IDPs living in the forests, bushes and in rural areas. Increase of the affected populations has further resulted in increased humanitarian needs and assistance in both regions indicating need for urgent actions to improve access to basic services and extra support.

Humanitarian access to this first category of IDPs is possible, though resource constraints and underestimation of the number of IDPs remains challenging. In Littoral and West Regions, State authorities, basic social and security services are available, though the integration of IDPs to benefit from these services remains challenging. Displaced persons are received in host families which are often overcrowded. The lack of humanitarian attention and aid to the affected population adversely increases their vulnerability and exposes them further to risk of rights violations.

The protection environment of the second group of IDPs could be described as extremely precarious, exacerbated by administrative restrictions and lack of basic services. Those who have sought shelter in the forests and in neighbouring villages cannot be reached as a result of insecurity inflicted by the belligerent parties. Their movement to access needed goods and services is curtailed by fear of detection and arbitrary arrest in addition to impoverishment and the complications of the remote terrain.

Humanitarian actors state that by December 2018, over 530,000 persons had been internally displaced within the Anglophone regions and to adjacent divisions, while 35,000 more had crossed the international border to neighbouring Nigeria. In this crisis raiding of towns and villages is commonplace tactics and numerous localities are razed totally or partially with numbers of houses reported burnt down. These incidents resulted in large scale displacement and the destruction of civil status documents including birth and marriage

certificates. In the course of the flight, thousands of persons lost or misplaced their documents. Moreover, hundreds of IDPs have given birth in the bushes and forests and their children have not had the opportunity to be registered.

Protection monitoring and assessment exercises conducted by protection actors and the humanitarian community identified some main protection challenges in this Anglophone crisis. These includes the persistence of insecurity, underestimation of the number of displaced persons, lack of humanitarian access to rural areas, the risks of statelessness (more than 60% of IDPs in need of civil status documents) and the deprivation of freedom of movement and arbitrary arrests. The challenges are essentially linked to the insecurity generated by the continuing attacks, threats and frequent clashes between the government security forces and NSAGs, the destruction of houses, suspicions against the young male population of being associated with the secessionists. This has created an atmosphere of fear, psychosis and mistrust of the civilian population vis-à-vis the armed men, whom they regard as the main source of threats. Persons with Special Needs (PSNs), notably women and children are particularly affected by the various consequences of the crisis including the loss of family support, family separation, the risk of statelessness, etc.

Between January and July 2019, protection actors identified and reported over 3,700 protection incidents through protection monitoring and assessment conducted in two thirds (7) of the NWSW divisions. Among these incidents 2,300 were recorded in the South West, and 1,400 in the North West. In both regions, Mezam, Fako, Meme, Lebialem and Manyu were the most affected divisions with 84% of incidents; 55% of the victims were females while 45% were males and 13% were children. The most frequent incidents were the violation of the right to property through house destruction which constitutes about 50% of the incidents, followed by violations of physical and mental integrity, offenses against liberty and security of the persons, violations against children and GBV issues.

### ***b. Protection Issues***

The main protection issues identified in the two Anglophone regions include:

- Violence against civilian populations in villages of origin, on their way and in places of refuge in rural areas;
- Burning and destruction of houses and shops;
- Looting, extortion, imposition of illegal taxes;
- Forced displacement following threats and regular attacks by armed men;
- Loss of civil status documents including birth certificates;
- Restriction of movement by frequent curfew, ghost town, prolonged shutdown;
- Impeded access to basic services and humanitarian assistance;
- Restricted access to land, to farms, and employment (in places of origin and displacement) for reasons of security, lack of means and occupation of property;
- Risks of arbitrary arrest and detention related to identity checks / loss of documents and curfews;

- High level of threat, fear and psychological trauma due to insecurity (including children);
- Injuries or death of relatives and / or the disappearance of family members;
- Risk of sexual and gender-based violence for internally displaced girls and women with no accommodation, early or forced marriage, early pregnancy and survival sex related to school drop-out and income loss;
- Family separation with the presence of Unaccompanied and Separated Children (UASC);
- Recruitment and use of children by armed groups;
- Forced or involuntary disappearance and frequent kidnapping, extortion of ransom;
- Forced labour, physical abuse and torture;
- Deliberate killing of civilians, namely young males.

## VI. Key objectives of the Protection Cluster Strategy

### *a. Approach of the cluster*

In this strategy, the Protection Cluster aims to promote the protection of populations affected by the humanitarian crisis in NWSW Regions, in particular the most vulnerable. It also aims to strengthen strategic partnerships with stakeholders (national and civil society actors) to respond to the humanitarian needs as well as to provide durable solutions to the affected population.

Improving the mechanisms for identifying protection issues, systematic analysis and the implementation of plans to address the needs of the civilian population will be priorities for the protection cluster. The strategy considers the protection risks to which people are exposed due to the violent nature of the crisis, worsening of the threats, massive violations of the rights of the civilian population and the persistence of crimes in the NWSW regions.

Taking into account the difficulties of humanitarian access and coverage of the affected regions, the funding needs of protection projects, and the training needs of protection actors, the cluster will strengthen strategic partnerships with all stakeholders, technical partners and financial institutions (Donors) as well as the community members. It will continue to build the capacity of protection actors including national institutions in collaboration with other humanitarian sectors to promote the centrality of protection as well as social cohesion between communities. It will also work closely with the affected population to strengthen the capacity of the community and develop resilience mechanisms that enable vulnerable persons to protect themselves and their rights to security, protection, assistance and development. Additionally, the protection cluster will support the other clusters in their implementation of the four elements of protection mainstreaming through the promotion and monitoring of a mainstreaming action plan in humanitarian assistance.

Given the political and security character of the crisis, the role of civil and military authorities in the Anglophone regions, the conduct of hostilities by the conflicting parties with its detrimental impact on civilians, advocacy will be one of the fundamental protection tools for the cluster.

Finally, the core functions of the cluster notably protection analysis and information sharing, agreement on common responses plans and outcomes, harmonisation of tools, coordination of activities, application of agreed standards in implementation and monitoring of operations will greatly support the protection outcomes envisaged by this strategy and its action plan.

### ***b. General Objective***

***“Reduce the vulnerability of people affected by the crisis and strengthen risk prevention and protection response for the target population”.***

The Protection Cluster will support:

- the strengthening of the national response frameworks;
- the protection of the populations affected by the crisis through capacity building programs for different stakeholders;
- the promotion of human rights;
- the implementation of protection responses including through advocacy as well as programmatic initiatives;
- the process of integrating the Kampala Convention into domestic laws in collaboration with the National Protection Sector.

### ***c. Strategic Objectives***

In view of the protection needs of the affected population, the cluster identified protection priority issues and set strategic targets:

<b>Priority Protection Issues</b>	<b>Strategic Objectives of Protection</b>
The violent character of the crisis, the worsening of the threats, the massive violations of human rights, the persistence of crimes in the NWSW regions, and the weak response capacity;	Enhance protection monitoring, data analysis and information management and sharing among different actors and strengthen the protection capacity of stakeholders including communities;
Restrictions of movement of the most vulnerable persons due to increased intensity of armed violence resulting in difficulties of accessing basic services and humanitarian assistance;	Conduct advocacy and develop creative partnerships with relevant actors to enable humanitarian access for enhanced response to the needs of the affected populations;



Burning and destruction of homes by parties to the conflict and ensuing flight have caused loss of identification and other important documents thus amplifying vulnerability of civilians to arbitrary arrest and detention, extortion and the risk of statelessness;	Support legal responses and strengthening of the rule of law notably but not limited to the establishment of legal civic documentation (birth certificates and national identification document as well as property documents);
Increase in gender-based violence incidents and lack of access to integral responses;	Strengthen GBV Prevention and Response including the capacity of duty bearers, service providers and right holders as well as information management and reporting and establishment of a referral system;
Child protection issues such as unaccompanied and separated children, children associated with armed groups and lack of access to adequate education and care;	Strengthen capacity for monitoring and reporting, as well as building capacity for coordination and response to Child Protection issues;
Insufficient protection mainstreaming into sectorial humanitarian response activities;	Enhance Protection Mainstreaming to ensure accountability to the affected population and prevent adverse effects inadvertently caused by humanitarian action ;
Lack of national legal framework and mechanism for protection and assistance to Internally Displaced Persons and their host communities.	Support the efforts of the National Protection Sector in domesticating the Kampala Convention already ratified by the Republic of Cameroon.

#### ***d. Expected outcomes***

As part of this strategy, the main expected outcomes of each strategic objective are detailed to enable a better definition of the action plan:

#### **1. Protection monitoring and data analysis enhanced, information management coordinated among different protection actors and protection capacity strengthened;**

*In its role of coordinating protection interventions and identifying unmet need including protection capacity for protection of civilians, the Protection Cluster will closely monitor protection situations, including violations of the rights and dignity of the civilian population. It will conduct prevention of human right violation activities and protection capacity strengthening. The NWSW Protection Cluster, through the Protection sector in Yaoundé, will present regularly its protection analysis to the HCT for attention and action in the spirit of “centrality of protection”.*

**2. Advocacy messages on protection of civilian improved humanitarian access and develop partnerships with different actors resulting adequate responses to the need of affected population;**

*The protection data will serve as a basis for programmatic initiatives for humanitarian response by a diversity of actors. They will equally serve to draft the protection advocacy strategy with key messages for the stakeholders, including but not limited to HCT, the HC and donors.*

**3. Access to Rule of law strengthened with emphasis on the negative implications of lost civic documentation of conflict affected people;**

*In the context of the fight against statelessness, arbitrary arrest, detention and extortion of money due to lack of documents, and in order to guarantee the rights of IDPs, the PC will continue to advocate with the authorities and support IDPs so that they are reinstated in their rights in terms of access to identity and civil status documents, and any other documentation that is necessary for them to restore their dignity, to have access to basic services and to recover their property and possessions.*

**4. SGBV Prevention and Response strengthened including the capacity of duty bearers, service providers and right holders, information management and reporting improved and referral systems established;**

*Through community –based structure and engagement, enhance protection referral mechanism, develop prevention activities in favor of communities and implement GBV holistic responses to survivors.*

**5. Child Protection monitoring and reporting improved, as well as capacity building for coordination and response to Child Protection issues;**

*Focus on psychosocial support, identification and care arrangement of unaccompanied and separated children and others affected by the crisis, the Child Protection Area of Responsibility will continue supporting capacity building of child protection actors to prevent and strengthen responses to child protection issues and develop enabling environments.*

**6. Protection Mainstreaming into sectorial responses introduced to ensure accountability to the affected population and reduce risk of adverse effects on the population through humanitarian response;**

*Protection concerns all humanitarian actors who commit to a responsible implementation of humanitarian programs that do not interfere in the care services (do no harm).*

*The fundamental rights of populations in need must be central to any humanitarian assistance operation, hence the importance of better integrating the principles of protection mainstreaming into humanitarian action. The protection cluster continues to promote and ensure ownership of the key elements of mainstreaming protection by all stakeholders.*

## **7. Process of national IDP policy elaboration supported in line with the Kampala Convention and its domestication into national law in collaboration with the national level efforts by UNHCR & National Protection Sector;**

*The Protection Cluster together with the National Protection Sector will advocate with national authorities and provide technical support for the domestication of Kampala Convention into national law, in order to provide Cameroon with a national framework for protection and assistance for IDPs and their host communities.*

## **VII. Prospects for durable solutions**

Based on assessments conducted so far, IDPs would like to return to their areas of origin as soon as the security situation is sufficiently improved. According to protection monitoring in several locations of internally displaced persons (in seven divisions visited by protection monitoring actors as of June and July 2019), 72% of the IDPs expressed their intention to return to their original locations as soon as the protection threats end.

In terms of interim solutions, IDPs could continue to be hosted in safe areas. The Protection cluster will advocate for a conflict sensitive approach to programming to ensure that host communities continue to support IDPs, particularly regarding rental payments. The cluster will advocate at state and national levels to ensure that no forced returns or relocations take place. Given the nature of the conflict with two Improvised Explosive Device (IEDs) or mines in June 2019 and subsequent periods, Mine Action partners would be alerted if necessary to work in coordination with the Protection Cluster to ensure that areas of return are free from UXO, ERW and IEDs before any supported IDP movements.

### **Annexes:**

1. *Protection Cluster Terms of Reference;*
2. *Protection Cluster Action Plan;*
3. *Protection Cluster Advocacy Strategy; etc.*