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STRATEGIC ADVOCACY ON CIVILIAN PROTECTION AND THE RIGHT TO SECURITY IN CAMEROON

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A PRACTICAL GUIDE FOR STAKEHOLDERS





ENHANCING STRATEGIC ADVOCACY ON CIVILIAN PROTECTION AND THE RIGHT TO SECURITY IN CAMEROON

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Abbreviations and Accronyms

Art.	Article
CSO	Civil Society Organization
ICCPR	International Covenant on Civil and Political Rights
IDP	Internally Displaced Persons
IHL	International Humanitarian Law
IL	International Law
MDDT	Movement for Democracy, Development and Transparency
NGO	Non-Governmental Organization
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
UDHR	Universal Declaration of Human Rights
UN	United Nations

Definition of key terms

1. **Civilians:** A civilian is a person not in the armed services or the police force. For example, a person who is not a terrorist or soldier.
2. **Protection:** Protection is an action taken to protect someone or something. These are measures or steps taken to prevent something from happening.
3. **Advocacy:** Public support for or recommendation of a particular cause or policy. It is any action that speaks in favor of, recommends, and argues for a cause, supports defends, or pleads on behalf of others or a situation.
4. **Strategies:** These are actions that relating to the identification of long-term or overall aims and interests and the means of achieving them.
5. **Rights:** This is morally correct, just, or honorable or a moral or legal entitlement to have or to do something. For example; she has the right to eat.
6. **Security:** This is the state of being free from danger or threats. It includes the protection of a person, building, organization, or country against threats or attacks from countries.
7. **The right to security:** Right to security is a right that requires the state to take reasonable measures or actions to protect a person's security or well-being (both physical and mental)
8. **Concept:** A concept is a plan or an intent, it could also, be an idea or invention to help sell or publicize something.
9. **Stakeholders:** A person with an interest or concern in something. It could be a partner, collaborator, colleague, shareholder, or a participant in something, it can be in a business.
10. **Legal framework:** A particular set of rules, ideas, or beliefs that you use in order to deal with problems or decide what to do.

11. **Institutional framework:** A system of formal and or informal organizational structures, stakeholders, laws, rules, procedures, beliefs and norms, etc., that address problems and shape human activity and behavior.
12. **Humanitarian workers:** These are people who manage projects in areas protected by war, natural disasters, and other complex societal problems. For example, they support communities that have been impacted by human or natural disasters.
13. **Threats:** This is a statement of an intent to inflict pain, injury, damage, or other hostile action on someone in retribution for something done or not done; for example, *"My family received death threats"*.
14. **Strategic action:** These are projects or programs that are conceived outside of an organization's day-to-day activities. They are activities, that are meant to help organizations or people achieve their goals. For example, instituting change, building or creating capacities, or doing something new to improve performance.

Preface

In the last couple of years, the issue of civilian protection and the right to security has become increasingly critical in Cameroon. Amidst ongoing conflict and violence, civilians have faced and continue to face significant threats to their safety and well-being. As a consequence, it has become imperative that stakeholders, including government agencies, non-governmental organizations, and international actors, to engage and reinforce strategic advocacy to address these pressing concerns.

This practical guide has been designed by the Movement for Democracy, Development, and Transparency (MDDT) Cameroon, a human rights, peace, and democracy non-governmental organization, to provide a comprehensive framework for stakeholders seeking to improve strategic advocacy efforts on civilian protection and the right to security in Cameroon. It aims to equip individuals and organizations with the knowledge, tools, and strategies necessary to effectively advocate for the rights and safety of civilians.

The guide begins with the presentation of an overview of the current situation of civilian protection and the right to security in the world at large and in Cameroon in particular. It also highlights the role of stakeholders in enhancing civilian protection and the right to security. Furthermore, it exposes the main challenges and vulnerabilities faced by civilians before delving into the importance of strategic advocacy, illustrating how it can drive positive change and shape policies to prioritize civilian protection. Drawing on case studies and real-life examples, the guide explores various practical advocacy approaches and methodologies that stakeholders can employ. It provides insights into the relevance and use of data and evidence to substantiate advocacy efforts, the importance of building partnerships and coalitions, and the power of storytelling in raising awareness and generating empathy.

Moreover, this guide offers practical guidance on engaging with the relevant stakeholders, especially government authorities and state-driven institutions, and emphasizes the importance of international cooperation and collaboration. It provides strategies for effective lobbying, creating platforms for dialogue, and influencing policy frameworks to foster a safer environment for civilians in Cameroon. Most importantly, this guide acknowledges the unique challenges faced by stakeholders in advocating for civilian protection within a complex and conflict-ridden context. It addresses potential obstacles and offers guidance on how to

navigate and overcome them, emphasizing the need for persistence, adaptability and resilience in the face of adversity.

Ultimately, this guide aims to empower and motivate stakeholders to take concrete steps towards enhancing strategic advocacy on civilian protection and the right to security in Cameroon. By equipping individuals and organizations with the necessary knowledge and practical tools, it endeavors to promote a society where civilians can live free from fear, violence, and insecurity, even within conflict-driven environments.

We would like to express our gratitude to all the contributors and experts who have generously shared their insights and experiences to make this guide possible. We hope that their collective wisdom will inspire and guide stakeholders in their individual and collective efforts to advocate for a safer and more secure Cameroon.

Together, we can make a difference and foster a society that upholds the fundamental view that *'All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.* (Article 1 UDHR 1948).

CHAPTER ONE

GENERAL INTRODUCTION

The protection of civilians during armed conflicts is and has always been a major obligation under International Law (IL) and International Humanitarian Law (IHL), imposed on all belligerents, states, international organizations, and non-governmental organizations. Armed conflicts have been inevitable due to mankind's growth and development, with their origins dating back to the days of Hammurabi. The number of civilian and military casualties during armed conflicts is often inaccurately accounted for in conflict situations.

For instance, from 24 February 2022, which marked the start of the large-scale armed attack by the Russian Federation, to 15 February 2023, the Office of the UN High Commissioner for Human Rights (OHCHR) has recorded 21,293 civilian casualties in 1,141 settlements of Ukraine, including 8,006 killed and 13,287 injured.

Also, in the Israel-Palestinian conflict, Euro-Med Monitor documentation shows that at least 4,079 Palestinians have been killed, including 1,413 children and 806 women, with approximately 3,420 civilians among the dead. More than 15,000 additional Palestinians have been injured in various ways, with more than half of them being children and women.

In the Sahel region, such as Burkina Faso, Chad, Mali, Mauritania, and Niger, civilian rights have been continuously violated due to demographic explosions, terrorism, conflicts, instability, coups, drugs, and human trafficking. Groups like Al-Qaida, Ansar Dine, MUJAO, Al-Mourabitoune, ISGS, Boko Haram and other violent extremist organizations have transformed the region into an inviting space for terrorists and traffickers. *(FACTS): On April 14, 2014, 276 schoolgirls were abducted by Boko Haram from a secondary school in Chibok, a town in northeast Nigeria. Some of the girls managed to escape, while others were released following campaigning efforts and government negotiations.*

In the state of Cameroon, specifically in its North West and South West regions, civilian rights have been violated and they are still continuously violated in the course of the ongoing armed conflict. Both security forces and separatist fighters have been targeting schools and educational institutions, causing damage and arrests. Intimidation and threats have also been experienced by civilians, including community leaders, teachers, healthcare workers,

journalists, and human rights officers.

Extrajudicial killings have been reported, with security forces using excessive force against unarmed protesters and alleged separatist supporters. Separatist fighters have carried out targeted assassinations of individuals perceived as supporting the Government or collaborating with them. Arbitrary arrests and detentions have been carried out without due process. In summary, civilians and combatants remain under the protection of IL and IHL, which therefore justifies the establishment of legislation and conventions promoting and protecting civilian rights during times of war.

(FACTS):

The *Kumba School Massacre* of October 24, 2020, whereby a group of unidentified men in civilian clothing, armed with machetes and guns, stormed a secondary-high school in Kumba on motorcycles at noon and opened fire on the students, killing seven and leaving many others injured.

In 2022, human rights officer, *Akem Kelvin Nkwain* faced death threats from alleged armed separatists after tweeting about a child killed by an Improvised Explosive Device (IED), with messages declaring him and his family traitors and enemies of the Ambazonian war for independence.

The *Ngarbuh Massacre* of February 14, 2020, in Donga-Mantung division of the North West Region of Cameroon resulted in the murder of 21 civilians, including 13 children, by Cameroonian soldiers and Fulani militia.

OCHA reports on the attack in Manyu Division on November 6, 2023, show that more than 25 people were killed in the village of Egbekaw and more than 480 were displaced.

CHAPTER TWO

THE CONCEPTS OF CIVILIAN PROTECTION AND THE RIGHT TO SECURITY

This chapter sets out to identify the key issues with regard to civilian protection and the right to security in Cameroon. It will identify and define the concepts of civilian protection, the right to security, and also, will look at the various stakeholders involved in civilian protection and the right to security in Cameroon.

PART 1

CIVILIAN PROTECTION

The concept of “*Civilian Protection*” refers to efforts to halt violence against civilians during armed conflicts by carrying out peacekeeping operations. Protection encompasses all activities aimed at obtaining full respect for the rights of the individual in accordance with the letter and the spirit of the relevant legislation.

In essence, the goal of protection is to improve the safety of civilians by limiting their exposure to violence, abuse, coercion, exploitation, and deprivation and the threat thereof.

Who is a Civilian?

These are a group of unarmed people, including women, children, the sick and elderly, refugees and internally displaced persons, who are not directly engaged in an armed conflict.

A civilian could be loosely defined as any body who is not in the armed force, police, or any of the defence and security related departments whose primary activity is non-military. In other words, anybody who is not actively taking part in military hostilities is a civilian and can be called non-combatants. Civilians are also defined in Article 4 of the *Geneva Convention on*

Civilian Protection as those persons who at a given moment and in any manner, whatsoever, find themselves in the hands of a party to a conflict.

The *Cameroon Instructor's Manual* defines a civilian as *persons who do not belong to the Armed forces and do not participate in 'levee en masse'*. Going by this definition, a civilian is any person who is neither in the armed service or the police force or is not a member to any fighting group and who does not take part in hostilities.

Mindful of the asymmetric and unconventional nature of the crisis in the North West, South West and Northern Regions of Cameroon, this definition leaves out a category of persons, though not actively on the 'battlefield', play strategic roles by giving vital support to the cause. These include, for example, spies who provide strategic information that can be impactful as to the outcome, arms traffickers/porters, kidnappers, cooks, and care-givers in the likes of bush wives, etc. They are not 'combatants' but of course, members of non-state armed groups. The question, therefore, is whether this category of persons can and should be considered civilians mindful of Additional Protocol I (Articles 45.1, 51.3) and Additional Protocol II (Articles 13.3)? In case of doubt as to the status of an individual, the standard is that such a person must be considered as a civilian.

From the foregoing, it is often difficult to give an all-embracing meaning of the term. 'civilian', given the diverse nature of conflicts, both internal and international. However, it is important to understand that the term, 'Civilian', does not only include those who do not carry arms in armed conflict but equally includes civilian property and extends to those trying to help them, in particular, medical units and humanitarian or relief bodies providing essentials like food, clothing and medical supplies. The parties engaged in war are supposed to recognize the vital role that such organizations play and allow them access to reach people in need.

Article 48 of *Additional Protocol I* prescribes that in order to ensure respect for and protection of the civilian population and civilian objects, the parties to the conflict shall at all times distinguish between the civilian population and combatants and between civilian objects and military objectives and shall direct their operations only against military objectives.

IHL upholds certain major principles in the determination and protection of civilians, which are: The "*Principle of Distinction*", which distinguishes between civilians and combatants and prohibits any form of attack against them or their properties. Secondly, "*the Principle of Proportionality*" which provides that, even if there is a clear military target to attack, if that attack will bring harm to civilians or civilian properties, the attack should be canceled.

While IHL protects all civilians without discrimination, certain groups are singled out as needing more protection. These include women and children, the aged and the sick who are highly vulnerable during armed conflict, and internally displaced persons (IDPs) or refugees. It should be noted that IHL prohibits forced displacements by intimidation, violence or starvation. Apart from these groups, another distinct category that falls under the protective cover of IHL others is simply known as 'protected persons'.

Who are the Protected Persons?

It is also important to distinguish 'civilian protection' from the term, 'protected persons', which applies only to situations of armed conflict. 'Protected persons' refers to specific legal safeguards for people captured by or under the control of the opposing side. These protections come from IHL, including the Geneva Conventions of 1949 and their Additional Protocols of 1977. Persons accorded protection under IHL who take no active part in the hostilities, including members of the armed forces who have laid down their arms and those placed hors de combat by sickness, wounds, detention, or any other cause, shall in all circumstances be treated humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

Civilian Personnel: This includes UN non-military staff members who form part of a peace-keeping operations and perform duties, among other things, relating to human rights, the humanitarian or political situation on the ground, and the financial and administrative management of a mission.

Civilian protection extends beyond the lives of these persons to include their direct physical settings, environment and properties, also called "*civilian objects*," as established under Article 52(1) of the 1977 *Additional Protocol I* as, "*all objects which are not military objectives.*"

What should civilians be protected from?

A person so defined as a civilian should be protected even during political tension or armed conflict, from any violations of, especially, first and second generation human rights.

Considering the Anglophone Crisis and the Boko Haram insurgency, civilians should be protected particularly against the following: Arbitrary arrest (and even where the arrest is lawful, they must be told the reason(s) for their arrest and be cautioned according to the

prescriptions of the law. Civilians must be protected against torture, brutality and unlawful detention. They must be protected against unfair or summary trials, against hostage-taking or kidnapping, humiliation and degrading treatment of any sort. They must be protected against forced displacements or movements away from their homes, disappearances, assault, rape, enslavement and murders, etc. They must also be protected against mutilation, scientific experimentations, removal of tissue or body organs for rituals or medical transplants.

What Are the Protected Areas?

A protected area is a zone aimed at separating civilians from military objectives. Its purpose is to protect civilians from the effects of hostilities by assuring enemy forces that no military objectives exist within a defined area where civilians are concentrated.

IHL gives belligerents the possibility of setting up various types of protected zone during armed conflicts. Within these zones, civilians and/or certain other categories of person, are safe from the effects of the conflict so long as all sides obey the rules. Some of the protected areas include:

- Hospitals
- Hospital Locality
- Demilitarized zone
- Churches
- Schools
- Prisons
- Humanitarian Corridors

Who is charged with the Responsibility to Protect (R2P)?

As a human rights concept, civilian protection imposes the responsibility on the State and the International Community to protect a population that is suffering serious harm, as a result of internal conflict, insurgency and repression.

The R2P principle upholds that States bear the primary responsibility for the functions of protecting the physical security and lives of their citizens, and promoting their welfare. During complex emergencies occurring within their territories, this includes initiating, organizing, coordinating, and implementing humanitarian assistance programs.

The responsibility to protect is founded on the obligations inherent in the concept of state sovereignty, the responsibility of the Security Council under Article 24 of the UN Charter for the Maintenance of International Peace and Security, specific legal obligations under human rights and human protection instruments, IHL and national law, as well as in the developing practices of states, regional organizations and the Security Council.

The 2001 Report of the International Commission on Intervention and State Sovereignty (ICISS) notes that the responsibility to protect encompasses three essential components:

- *The responsibility to prevent a human catastrophe by addressing root causes and direct causes of internal conflict and other man-made crises;*
- *The responsibility to react to an actual or apprehended situation of compelling human need, should one occur, with appropriate measures, which may include coercive measures such as sanctions, international prosecution and military intervention in extreme cases;*
- *The responsibility to rebuild after the intervention through the provision of full assistance with recovery, reconstruction and reconciliation.*

Although the state is the duty bearer under international law and human rights Law, one must be mindful of the fact that the state cannot afford to assign a security officer for each of its citizens. However, the state and state agents must at all times ensure that these rights are respected, protected and fulfilled. Civil societies, NGOs and other structures act as ombudsmen to promote and ensure strict respect of these rights.

UPLIFTING THE VEIL OF CIVILIAN PROTECTION

There are certain circumstances under which a civilian will lose its rights to protection in an arm conflict situations. Some circumstances are as follows:

◆ Direct participation in hostility

Article 51(3) of the 1977 *Additional Protocol I* provides that civilians shall enjoy protection against the dangers arising from military operations *“unless and for such time as they take a direct part in hostilities”*.

Article 13(3) of the 1977 *Additional Protocol II* provides that civilians shall enjoy protection against the dangers arising from military operations *“unless and for such time as they take a direct part in hostilities”*.

- ◆ **The Participation of Civilians as Voluntary Human Shield**

Voluntary human shields are targetable and, of course, they *"are excluded in the estimation of incidental injury when assessing proportionality"*.

- ◆ **Where the Civilian is Engaged in Activities Hostile to the Security of the State**

Article 5 of the Geneva Convention 1949 states that if a party to a conflict suspects that an individual or protected person is engaging in activities hostile to the state's security, they cannot claim rights and privileges that would harm the state.

PART 2

THE RIGHT TO SECURITY

The concept of the right to security is primarily concerned with the security of individuals and promoting the protection of individuals' physical safety, economic and social well-being, human dignity, human rights and fundamental freedoms. It reflects the growing recognition worldwide that concepts of security must include people as well as States.

WHAT IS THE RIGHT TO SECURITY?

The right to security is a non-interference right and a right to positive state actions, aiming to protect individuals from risks from fellow citizens, poverty, or the state, including fair procedures and undue delay.

In addition, in regards to the right to security, States have a duty to protect individuals from abduction or kidnapping by criminal groups, while security of person refers to protection from bodily or mental injury by state or private actors.

Security encompasses various forms of protection for individual human rights, including international, national, and human security. These rights help individuals enjoy complete security from states and other states. Security as a human rights concept includes various rights under international, regional, and national frameworks.

The protection of the right to security encompasses but not limited to the following rights:

- ◆ **Right to Life** (Art. 3 UDHR 1948).
- ◆ **Right to self-determination** (Art. 1 ICCPR 1966).
- ◆ **Right to health**
- ◆ **Right to equality before the law** (Art. 7 UDHR).
- ◆ **Right to fair trial** (Art. 10 UDHR).
- ◆ **Freedom of peaceful assembly and association** (Art. 20 UDHR 1948).
- ◆ **Right to work** (Art. 23 UDHR 1948).
- ◆ **Right to education** (Art. 26 UDHR 1948).

For details and a comprehensive list on the various rights enhancing the right to security, see the relevant provisions of the Universal Declaration of Human rights 1948, the international

covenant on civil and political rights 1966, the African Charter on Human and peoples' rights 1981, the International Labour Organization Conventions (ILO), the Cameroon Constitution 1996, the Cameroon Criminal procedure Code 2005 just to name a few.

VIOLATIONS OF THE RIGHT TO SECURITY

Violation of the right to liberty

For instance, in *Fongum Gorji-Dinka v Cameroon*, the Human Rights Committee in 2005 found a violation of Mr. Dinka's rights to liberty, his security of person and to be free from arbitrary arrest and/or detention.

Violation of the right to work

This can be seen through the wrongful dismissal of Dr. Willis was of Mr. Thaddeus Bendzeka by the Ministry of Territorial Administration. Mr. Bendzeka worked as a Senior Divisional Officer for Bui Division, and in addition to being dismissed from his employment, payment of his accrued monthly salary between 1981 and 1987 was wrongfully withheld.

Arbitrary arrest and unlawful detention

For instance, the arbitrary arrest and unlawful detention of seven elderly members of the Southern Cameroons National Council. On March 14, 2009, the SCNC office at Cow Street, Nkwen was raided by police at gunpoint under order from Bamenda Public Security, Central Police Station.

Torture, inhumane conditions, arbitrary punishment and humiliation

The conditions inside detainment facilities have been reported to be purposely designed to be cruel and dehumanizing. The Ministry of Justice and human rights bodies have both reported that many prisons in Cameroon are operating at several thousand prisoners more than their designed capacity.

Kidnappings

In November of 2018, at least 79 pupils and several other adults and staff members were kidnapped in Bamenda by secessionist militants. This was followed in February 2019 by the kidnapping of 170 pupils in Kumbo, again by alleged secessionist militants.

Right to education and child welfare abuses

PART 3

THREATS TO CIVILIAN PROTECTION AND THE RIGHT TO SECURITY

Introduction:

In armed conflicts, civilians, both active and non-combatants, face threats such as terrorism, insurgency, kidnappings, summary executions, unfair trials, armed robbery, and piracy. Civilian protection has evolved to respond to these threats, with Cameroon advocating for it through its constitution, which states its commitment to fundamental freedoms enshrined in the Universal Declaration of Human Rights, the Charter of the United Nations, and the African Charter on Human and Peoples' Rights. This chapter examines threats, instruments, structures, and ways of enforcing civilian protection.

THREATS TO CIVILIAN PROTECTION AND THE RIGHT TO SECURITY

There exist a couple of threats to civilian protection depending on the place of the armed confrontation and the period. The most common include:

- **Acts of terrorism** such as suicide bombing, plane hijacking, barbaric acts on civilians through the use of arms, improvised explosive devices with primary objective of scaring them;
- **Piracy** which involves attacks of vessels at sea by armed groups to rob people on board of their belongings and sometimes take their lives away;
- **Kidnappings** with condition for the liberation the paying of ransoms or the obligation to meet some condition;
- **Insurgency** which is characterized by attacks on state institutions and structures;
- **Rebellion** which is an armed resistance to an established to government or leader;
- **Armed robbery** which refers to the crime of stealing from someone or somewhere with the use of weapons;
- **Looting** which refers to the stealing of goods during a war period;
- **Rape** usually associated with unlawful sexual activity with someone against their wish, through use of force or incapacity to consent due to minor status, mental illness intoxication;

- **Summary executions** and **extra judicial killings** which involves killing by the state authorities without or with insufficient due trial;
- **Genocide** which refers to the deliberate killing of a large number of people from a particular nation or ethnic group with the aim of exterminating the nation or group;
- **Torture** which is the action of inflicting severe pain or suffering on someone as punishment in order to force them to do or say something.

PART 4

WHO HAS THE DUTY TO PROTECT?

The primary duty to protect is attributed to all the Stakeholders here can be seen as *“Agents helpful in enhancing civilian protection”* and the right to security. In other words, they are *“duty bearers in international human rights law and international humanitarian rights law.”*

Duty bearers, such as states and international organizations, are obligated to respect positive and negative obligations under International law and IHL. This distinction can vary depending on IL recognition.

WHO IS ENTITLED TO PROTECTION?

Persons who are entitled to protection are right holders. Rights-holders include:

- All human beings
- Women
- Girls
- Ethnic minorities
- Indigenous people
- Migrants
- Youth

STAKEHOLDERS SECURING CIVILIAN RIGHTS

THE STATE

A state is a geographically defined area with political institutions and rules, governed by conformance laws. It has a duty to respect, protect, and fulfil human rights, ensuring citizens' rights are not directly infringed upon. It should be called to mind that within a state, we have different institutions or bodies charge with the duty to protect the civilians.

Law Enforcement Officers

Law enforcement officers' primary responsibility is to protect lives and property, upholding human dignity and rights. They can be police, detectives, or military, and their fundamental knowledge is crucial.

The Judiciary

The Cameroon Legal Frameworks' strength relies on courts' ability to enforce laws and protect citizens' rights, as mandated by *Law N° 2006/015*, which provides jurisdiction for judicial adjudication.

NON-STATE ACTORS

Non state actors include Non- Governmental Organization, international organization, vigilante groups, militant organization or terrorist networks.

International human rights law and international humanitarian law have developed laws in order to regulate conducts of individuals and Non-state actors which imposes obligations on them.

Non-Governmental Organization (NGOs)

NGO's are voluntary, non-state entities formed by social sphere individuals, acting as service providers, advocates, watchdogs, and active citizens. They provide services like primary schools and healthcare, lobby governments on issues, monitor human rights, and participate in global governance processes.

Local Non-Governmental Organization

These are non-profitable organization which operates at the communal level and are not duly registered. For instance vigilante groups, militant organization or terrorist networks just to name a few.

National non-governmental Organization

Nonprofit groups, often registered by private citizens, operate independently of the government and pursue social, developmental, or political goals, often operating at national or international levels.

International non-governmental Organization

An international non-governmental organization (NGO) is a non-profit entity established at community, national, and international levels to serve social or political goals, such as humanitarian causes or environmental protection. NGOs focus on health emergencies, education, infrastructure, minority rights advocacy, poor support, and crime reduction.

CHAPTER THREE

LEGAL AND INSTITUTIONAL FRAMEWORKS ON CIVILIAN PROTECTION AND THE RIGHT TO SECURITY IN CAMEROON

There are many legal and institutional frameworks that adopted and established for the protection of civilian rights and the right to security. The level and institutional frameworks can be examine at three different levels for instance the international, regional and national legal and institutional frameworks.

SECTION A

LEGAL AND INSTITUTIONAL FRAMEWORKS THAT GUARANTEE CIVILIAN PROTECTION AND THE RIGHT TO SECURITY

The concept of civilian protection is of both national and international interests. Hence, it therefore necessitate the development of National and international instruments for its guarantee.

National Laws to Guarantee Civilian Protection

- The 1996 Constitution of Cameroon
- The Penal Code 2016
- The Criminal Procedure Code 2005
- The Code of Military Justice
- The 2014 Law on Terrorism
- The 2011 Law on Judicial Organization

International Instruments to Guarantee Civilian Protection and the Right to Security

- ◆ The Universal declaration of human rights 1948
- ◆ The Geneva Conventions 1949
- ◆ The International Covenant on Civil And Political Rights 1966

- ◆ The International Convention on Socio-Economic And Cultural Rights of 1966
- ◆ The African Charter on Human And People's Rights 1981
- ◆ The Hague Convention on the protection of children and Co-operation in Respect of inter-country adoption 1993
- ◆ Optional protocol on the involvement of children in armed conflicts 2000
- ◆ United Nation's protocol to prevent, suppress and punish trafficking in persons especially women and children (Palermo Protocol) 2000

Structures in charge of Civilian Protection and the Right to Security

There exist two main types of structures in civilian protection namely the governmental and non-governmental.

Governmental Structures

- The forces of law and order (police, gendarmerie, military and blue helmets in United nations Peace keeping Missions);
- The Ministry of Justice;
- Centralised and Decentralised Administrative structures (units): The Ministry of Territorial Administration, the External Relations, Defence, Social Welfare, and Women Empowerment;
- The Cameroon Human Rights Commission.

Non-Governmental Structures

- Various United Nation's specialised Agencies
- Various Non-governmental organizations in charge of civilian protection
- Moral institutions (Church, School)

SECTION B

A BRIEF ASSESSMENT OF THE LEGAL AND INSTITUTIONAL FRAMEWORKS GUARANTEEING CIVILIAN PROTECTION AND THE RIGHT TO SECURITY

PART 1

INTERNATIONAL LEGAL FRAMEWORKS

The 1949 Geneva Convention on Civilian Protection and its 1977 Additional Protocols.

This law provides for the protection of civilians by protecting them from violence, murder, torture or brutality, terrorism, kidnapping, slavery, pillage, discrimination on the basis of race, nationality, religion or political opinion.

It promotes health, physical or mental wellbeing and ensures that hospital and safety zones be established for the wounded and sick.

It protects children under the age of 15, expectant mothers and mothers of children under seven as well as lactating mothers. As such, attacks are forbidden on Civilians and on civilian objects which are necessary for civilian survival such as crops, drinking water sources, cultural objects, places of worship, hospitals, schools and private dwellings.

The Convention also provides for the care of Children who are orphans or separated from their families in other words referred to as Internally Displaced Persons (IDPs). Children are to be evacuated to safe areas when in threats and when possible be reunited with their families.

The Universal Declaration of Human Rights (UDHR)

The UDHR ensures the right to life, liberty and security of persons. It states that no one shall be held in slavery or subjected to torture, cruel and inhumane or degrading treatment.

It notes that, everyone has equal protection before the law irrespective of their social status.

No one shall be subjected to arbitrary arrest or detention as well as the arbitrary intervention of one's privacy, family and home.

It provides for freedom of movement and the right to family which is a fundamental unit of the society.

It prohibits the deprivation of one's rights to his property, freedom of opinion or expression and the right to education.

The Convention on the Rights of the Child 1989.

The Convention considers a child as anyone below the age of 18 as such is entitled to protection amidst conflicts.

States have the obligation to meet children's basic needs and help them reach their full potentials such as: protecting their right to life, survival, development, and protection from violence, abuse, neglect, right to education, the right to family, the right to express their opinion and be listened to.

States must ensure that children are not forcefully recruited into armed forces but are protected from prostitution, child pornography, sale of children into slavery, which is at an increase during conflicts.

The African Charter on Human and People's Rights 1981.

It calls on states who have ratified this convention including Cameroon to protect the rights to freedom from discrimination, equality, life, personal integrity, dignity, freedom from cruel, inhumane or degrading punishment.

It highlights the respect of the right to due processes concerning arrest and detention, the right to fair trial, freedom of association, assembly and political participation.

It calls on States to enhance the right to work, health, food, housing, self-determination, respect of natural resources, the right to development, peace and security and a generally satisfactory environment at all times.

PART 2

NATIONAL LEGAL FRAMEWORKS

The Cameroon Constitution 1996

The Preamble of the Constitution highlights the responsibility of the State to protect its citizens from torture, cruel and inhumane or degrading treatment and guarantees all citizens of either sex, their rights and freedoms.

Article 45 of the Constitution places duly approved or ratified treaties or International agreements following their publications over national laws, with an inclusion of the laws on Civilian protection.

The Cameroon Penal Code (PC) 2016

The Penal Code guarantees the Protection of civilians by imposing sanctions on certain offences committed against the State and Citizens be it during international or non-international armed conflicts.

It places a demand on armed groups not to exploit the unstable environment to commit offences against citizens such as Rape, murder, Aggravated murder, Kidnapping, Adulteration of Food, Pollution of Air and Water, Harassment, Torture, Assault, False Arrest, Forced Labour and others.

The Penal Code sanctions offences against the State during peace and wartimes such as Hostilities against the Fatherland, Wartime, Secession, Riot, Armed Riot, Possession and Carriage of Arms and international offences such as piracy, trafficking in persons, trafficking in narcotics, money laundering, cyber criminality and even offences committed outside the territory of the Republic of Cameroon.

The Criminal Procedure Code (2005)

The Criminal Procedure Code outlines the procedure applicable in criminal proceedings. On its part in protecting civilians it prohibits whatever form of violation of criminal procedures which infringes on the attainment of Justice or the violation of the rule of law.

It ensures that the principle of fair trial is respected and trial comes to an end within reasonable time.

It promotes the right to fair hearing, right to liberty, presumption of innocence amongst others.

The Cameroon Labour Code (1992)

The Labour Code promotes the right to work as a basic right of each citizen with an obligation on the State to guarantee employment for citizens and prohibit any form of forced labour.

PART 3

INTERNATIONAL INSTITUTIONAL FRAMEWORKS

The United Nations (UN)

The UN contributes to civilian protection by supporting the Cameroonian government through

initiatives aimed at increasing decent employment opportunities and combating violence against women, young people, children and marginalized people.

It supports access to the use of health services in vulnerable areas and ensures improved quality education and vocational training for vulnerable group of civilians.

The UN supports food security schemes, enhances the protection of civilians from environmental disasters; albeit, it guarantees civilian protection and the right to security.

United Nations Office for the Coordination of Humanitarian Affairs (OCHA)

OCHA facilitates the protection of civilians in armed conflict by providing briefings on the security situation of civilians during armed conflicts.

Its activities are geared towards advocating on civilian protection issues and ensures an effective and coordinated humanitarian response aimed at protecting the lives, livelihood and dignity of affected people during conflicts.

African Union (AU)

The AU plays a role in recognizing the distinct threats faced by the civilian population in conflict zones in Africa, Cameroon inclusive.

The Central role of the AU mandated peace support operations is to contribute to the protection of civilians in conflict zones.

The AU has Draft Guidelines for the Protection of Civilians in AU Peace Support Operations, which guidelines comprises of four dimensions of protection to which; protection through political process for example ceasefire agreements, physical protection, right based protection and establishing a secure environment.

PART IV

NATIONAL INSTITUTIONAL FRAMEWORKS

The Courts

The courts in Cameroon have the responsibility to interpret the law in order that the respect of the rule of Law be attained to ensure civilian protection.

The Military Tribunal as one of the courts in Cameroon has the exclusive jurisdiction over armed conflict related offences such as; war crimes, crimes against humanity and crimes of

genocide, offences relating to acts of terrorism and the security of the State, offences committed by servicemen or civilian personnel serving in the defense forces in a military establishment or in the exercise of their duties, offences against the law governing general weapons and ammunition regulations in Cameroon, armed robbery, offences involving servicemen or persons considered as such committed in wartime or in an area subject to State of emergency, and offences by civilians committed in a military establishments.

The Military code which is used in the military court punishes service men who have deserted their duties both during peacetime and Wartime and acts such as Treason, Insubordination, abandonment of duty, Espionage.

The National Disarmament, Demobilization and Reintegration Committee (NDDRC)

The committee is responsible for organizing, supervising, and managing ex-associates of Boko Haram and armed separatist groups operating in the North West and South West Regions of the country.

The Committee has created Regional Centers in Bamenda, Buea and Mora to foster peace and rehabilitation. The centers aim at de-radicalizing ex-fighters, sensitizing and providing multi-faceted assistance to home communities to facilitate the reintegration of ex-fighters into civil life, particularly by organizing, training and providing them with tools and means of production and assistance for the creation of income generating activities.

The National Commission on Human Rights and Freedom (NCHRF)

The NCHRF is established to promote and safeguard human rights, by upholding the principles of security, justice, and the protection of individuals within a country.

The Commission monitors, reports, advocates, legislates, investigates, redresses, dialogues and cooperates with national and international bodies for civilian protection.

CHAPTER FOUR

STRATEGIC ADVOCACY ON CIVILIAN PROTECTION AND THE RIGHT TO SECURITY IN THE ANGLOPHONE REGIONS OF CAMEROON

4.0 Background

4.1 The Concept of Strategic Advocacy

This section will expatiate on the concept of strategic advocacy. However for a better understanding of this concept it is primordial that elucidate on the meaning of advocacy in general. Advocacy is the act of publicly supporting or recommending a particular cause, policy, or course of action. It involves speaking up on behalf of individuals or groups to influence decision-makers, raise awareness about specific issues, and promote changes that align with the advocate's goals. Advocacy can take various forms, including lobbying, public speaking, media campaigns, community organizing, and legal action, all aimed at advancing a particular agenda or addressing a specific social or political issue.

Strategic advocacy therefore refers to a more deliberate, targeted and planned approach to promoting a cause, influencing public policy, or bringing about social change. It involves identifying clear objectives, understanding the political and social context, and employing specific tactics and messaging to effectively advance the interests of a particular group or issue. Strategic advocacy often includes activities such as research, coalition-building, media outreach, lobbying, and public education to achieve its goals.

On a general note, there exist different approaches within the realm of advocacy, which include self-advocacy, systems advocacy, and individual advocacy.

Self-Advocacy: Involves individuals speaking up for themselves to express their needs, rights, and preferences. It empowers people to articulate their own interests and make decisions that affect their lives. This can be particularly important for individuals with disabilities, chronic illnesses, or other marginalized groups to assert their rights and preferences.

Systems Advocacy: Focuses on advocating for broader systemic change to policies, practices, and structures that impact groups of individuals. Systems advocacy aims to address root causes of issues by influencing laws, regulations, funding priorities, and institutional practices to have a positive impact on a larger scale.

Individual Advocacy: Revolves around advocating on behalf of specific individuals to ensure

they receive the support and resources they need. This can involve working with service providers, navigating bureaucratic systems, or advocating for fair treatment within specific contexts, such as healthcare, education, or the legal system.

Each type of advocacy plays a significant role in addressing different levels of need and effecting change at various scales, from personal empowerment to systemic transformation.

Below are some common types of strategic advocacy:

Policy Advocacy: This focuses on influencing government policies, laws, and regulations to bring about systemic change.

Grassroots Advocacy: This involves mobilizing individuals at the local level to support a cause, often through community organizing, public demonstrations, and grassroots lobbying.

Legal Advocacy: Legal advocates work within the judicial system to bring about change through litigation, advocacy in courts, and legal reforms.

Corporate Advocacy: This involves influencing corporate behavior and policies through shareholder activism, public campaigns, and engagement with corporate leadership.

Public Relations and Media Advocacy: Utilizes media, public relations, and communications strategies to shape public opinion, raise awareness, and influence public discourse on specific issues.

International Advocacy: Aims to influence global policies, international treaties, and institutions to address issues of global concern, such as human rights, environmental protection, and global health.

Each type of strategic advocacy involves specific approaches and tactics tailored to achieve its objectives within various contexts.

In the context of Cameroon's ongoing Anglophone Crisis and the critical need for civilian protection and the right to security, strategic advocacy is not just important, but essential. The crisis has resulted in widespread human rights violations, including targeted attacks on civilians, displacement, and a pervasive sense of insecurity. Strategic advocacy can serve as a crucial tool to amplify the voices of affected communities, draw attention to their plight, and mobilize support for their protection and security.

By engaging in strategic advocacy, there can be a concerted effort to bring about tangible improvements in civilian protection, security, and the overall human rights situation within the context of the Anglophone Crisis in Cameroon.

4.2 Driving Strategic Advocacy on Civilian Protection and the right to Security in Hotspots in the Anglophone Regions of Cameroon.

The Anglophone regions of Cameroon have experienced significant challenges related to civilian protection and the right to security. The ongoing conflict has resulted in reports of human rights abuses, including extrajudicial killings, forced displacement, arbitrary arrests, and restrictions on freedom of movement and expression. Civilians have often found themselves caught in the crossfire, leading to a pervasive sense of insecurity and fear within these communities.

Additionally, access to essential services such as healthcare and education has been disrupted, further exacerbating the vulnerabilities of the civilian population in these regions. The breakdown in security has led to a climate of uncertainty, making it difficult for individuals and communities to lead normal lives and pursue their livelihoods without fear of violence or reprisals.

Efforts to address these issues are further complicated by the lack of consistent and effective governance structures and the presence of various armed groups and security forces operating in the region. These factors have contributed to an environment where civilian protection and the right to security are under significant strain.

It's important to note that these observations are based on publicly available information and reports, and the situation may continue to evolve. It is essential to engage with a variety of sources to gain a comprehensive understanding of the state of civilian protection and security rights in the Anglophone regions of Cameroon to propel strategic advocacy on civilian protection and the right to security.

4.2.1 Key Steps to Developing a Good Strategic Advocacy Plan

It is of great essence to mount a feasible, achievable and measurable strategic advocacy mechanism to consolidate a result oriented and effective advocacy scheme. Creating a good strategic advocacy plan typically involves several key steps:

STEP 1: Problem Identification

Clearly define the specific problem, its causes and effects that the advocacy plan aims to address. This should involve thorough research and understanding of the problem and its impact.

STEP 2: Defining the Goal

Establish clear, specific, measurable, and achievable advocacy goals that align with the identified issue. These goals should be specific, realistic, and time-bound.

STEP 3: Stakeholder Analysis

Identify and understand the key stakeholders who will influence or be impacted by the advocacy efforts. This includes decision-makers, community members, allies, opponents, and others.

STEP 4: Strategy Development

Devise a comprehensive strategy outlining the actions and tactics to achieve the advocacy goals. This may involve a combination of direct lobbying, media outreach, public education, grassroots mobilization, and coalition building.

STEP 5: Message Crafting

Develop persuasive, clear, and compelling messages that effectively communicate the advocacy goals to target audiences.

STEP 6: Resource Allocation

Determine the necessary resources, including funding, staffing, expertise, and partnerships needed to execute the advocacy plan.

STEP 7: Implementation

This involves putting the plan into action, executing the defined strategies, and actively engaging with stakeholders and the public.

STEP 8: Monitoring and Evaluation

Continuously assess the progress of the advocacy plan, adjust strategies as needed, and gather data to measure impact and effectiveness.

STEP 9: Reflection and Adaptation

Reflect on the results of the advocacy efforts, learn from both successes and challenges, and adjust the plan as necessary for ongoing or future advocacy campaigns.

A good strategic advocacy plan is rooted in comprehensive research, clear objectives, and systematic execution while being flexible enough to adapt to changing circumstances and stakeholder feedback.

4.2.2 Key Strategies for Effective Advocacy on Civilian Protection and the Right to Security

In driving strategic advocacy on civilian protection and the right to security in the Anglophone regions of Cameroon, it's essential to employ a comprehensive and targeted approach. Here are some key strategies that could be considered:

Community Engagement

In order to create a safe space amidst an ongoing conflict, it is of great essence to engage with local hotspot communities to understand their specific security concerns and experiences. This can help tailor advocacy efforts to address the unique needs of different communities within the Anglophone regions. Again engaging traditional councils, chiefs, quarter heads and notables in villages is a very strategic action that precipitates acceptance of the project in hostspots.

It is further very important to identify community friendly activities as entry points to run successful sensitization campaigns such as Cultural Festivities, Sporting Events, Musical Jamborees.

Media and Public Awareness

Utilize media, social media and creative public awareness initiatives to shed light on human rights abuses, advocate for civilian protection, and raise consciousness both domestically and internationally about the situation in the Anglophone regions.

Coalition Building

Forge alliances with local and international civil society organizations, human rights groups, diplomatic missions, inter-governmental organization and advocacy networks to amplify voices, share resources, and collectively advocate for civilian protection and security rights.

Policy Advocacy

Advocate for policy changes and legal reforms aimed at enhancing civilian protection, enforcing accountability for human rights violations, and ensuring adherence to international human rights and humanitarian law by all parties involved in the conflict.

Through round table conferences with relevant state institutions, the National Assembly, inter-governmental organizations and dissemination of recommendation papers to same,

organizations can incite policy changes. Engage with governmental authorities, international organizations, and other relevant stakeholders to push for meaningful dialogue, peace-building efforts, and the implementation of measures to address security concerns in the Anglophone regions.

Documentation and Reporting

Support efforts to document human rights abuses, facilitate the reporting of incidents, and ensure that evidence-based information is available to bolster advocacy efforts and hold perpetrators accountable.

By employing these strategies, strategic advocacy can work towards promoting civilian protection and the right to security in the hotspots of the Anglophone regions, contributing to a more secure and rights-respecting environment for the people living in these areas.

4.3 Possible Challenges to Strategic Advocacy

Stakeholders involved in executing strategic advocacy on civilian protection may encounter several challenges, including:

Limited Resources: Insufficient funding, personnel, or expertise can hinder the effectiveness of advocacy efforts, potentially limiting the scope and impact of initiatives aimed at civilian protection.

Access Restrictions: Challenges in accessing conflict-affected areas can limit the ability of stakeholders to directly engage with affected communities, assess needs, and effectively advocate for civilian protection.

Security Risks: Advocates and stakeholders may face personal safety risks when operating in conflict zones, leading to concerns around security and inhibiting on-the-ground activities.

Government Opposition: Some government authorities may resist or restrict advocacy efforts, particularly if they perceive advocacy as a challenge to their policies or actions.

Community Dynamics: Cultural sensitivities, local power dynamics, and community divisions can impact the acceptance and effectiveness of advocacy efforts within civilian populations.

Legal and Political Obstacles: Advocacy work may be hindered by legal restrictions on freedom of expression, assembly, or association, as well as political resistance to advocacy goals.

Media and Communication Barriers: Challenges in effectively communicating advocacy messages due to limited media access, censorship, or misinformation may impede the reach and impact of advocacy campaigns.

Coordination and Collaboration: Lack of coordination among stakeholders and insufficient collaboration between organizations may lead to duplicated efforts, contradictory messages, or gaps in coverage.

Inadequate Data: Limited access to reliable data on civilian protection issues can hinder evidence-based advocacy and the formulation of well-informed policy recommendations.

Long-term Impact: Advocacy efforts may struggle to achieve sustained impact due to short-term funding, changing political priorities, or the persistence of conflict dynamics.

Addressing these challenges requires sustained efforts, adaptability, and collaboration among stakeholders to navigate complex environments and effectively advocate for the protection and well-being of civilians in conflict zones.

4.4 Recommended Advocacy Focus to Stakeholders

4.4.1 Civil Society

Recommendations for NGOs engaging in strategic advocacy on civilian protection may include:

Collaborate with Local Communities: Work closely with local communities to understand their specific protection needs, challenges, and priorities. Empower communities to actively participate in decision-making processes and shape advocacy agendas.

Data-Driven Advocacy: Utilize comprehensive data and evidence to substantiate advocacy efforts, including documenting human rights abuses, civilian casualties, and displacement. Highlight the impact of violence on civilian populations to drive awareness and policy change.

Engage in Policy Dialogue: Advocate for the implementation and the enforcement of international humanitarian law, human rights standards, and accountability mechanisms aimed at protecting civilians in conflict zones.

Raise Public Awareness: Conduct public education campaigns to inform the broader public about the impact of violence on civilians and garner support for protective measures. Use storytelling and media outreach to humanize the experiences of affected individuals.

Strengthen Legal Protections: Advocate for legal reforms and measures to ensure the protection and rights of vulnerable populations, including refugees, displaced persons, and marginalized communities.

Coalition Building: Form partnerships and coalitions with other NGOs, civil society organizations, and international bodies to amplify advocacy efforts and foster collaboration on civilian protection initiatives.

Engage with Decision-Makers: Advocate with policymakers, government authorities, and international organizations to develop and implement policies and practices that prioritize civilian protection in conflict-affected areas.

Support Survivors: Provide assistance, support, and resources for survivors of violence, including access to essential services, psychosocial support, and legal aid.

By implementing these recommendations, NGOs can enhance their strategic advocacy on civilian protection, ultimately contributing to greater recognition and respect for the rights and safety of vulnerable populations in conflict zones.

4.4.2 Law Enforcement Officers

When advocating for civilian protection to law enforcement officers, it's essential to foster an understanding of the importance of upholding human rights and ensuring the safety and security of civilians. Recommendations for strategic advocacy in this context may include:

Human Rights Training: Provide comprehensive training programs that emphasize the importance of respecting human rights, international humanitarian law, and the rights of civilians in conflict and crisis situations.

Community Policing: Promote community-oriented policing approaches that prioritize building positive relationships with local communities, listening to their concerns, and addressing protection needs in collaboration with civilians.

Conflict De-escalation: Offer specialized training in conflict de-escalation and crisis management techniques, emphasizing the use of minimum force necessary and the protection of non-combatants during law enforcement operations.

Accountability Mechanisms: Advocate for the establishment and enforcement of robust accountability mechanisms within law enforcement agencies to ensure accountability for human rights abuses and misconduct.

Engage with Civil Society: Encourage dialogue and collaboration between law enforcement agencies and local civil society organizations to jointly address civilian protection concerns and create channels for community participation in decision-making processes.

Data Collection and Monitoring: Implement systems to track and monitor civilian protection incidents involving law enforcement, and use this data to improve practices and prevent future violations.

International Standards: Advocate for adherence to international human rights standards and best practices in law enforcement operations, ensuring that civilian protection remains a top priority.

Dialogue and Sensitization: Foster open dialogue and candid discussions within law enforcement agencies about the complex challenges and ethical considerations surrounding civilian protection in conflict and crisis contexts.

By incorporating these recommendations, law enforcement officers can adopt a proactive approach to civilian protection, contributing to safer and more rights-respecting environments for the communities they serve.

CHAPTER FIVE

CHALLENGES, RECOMMENDATIONS AND CONCLUSION

Introduction

The right to security is a fundamental human right common to citizens of every State in the world today. The right to security is a fundamental human right which requires States to adopt reasonable measures to protect the physical and moral integrity of its citizens (civilians). According to the International Committee of the Red Cross, the civilian population constitutes of all persons who are civilians.

PART 1

CIVILIAN PROTECTION CHALLENGES TO CIVILIAN PROTECTION AND THE RIGHT TO SECURITY IN CAMEROON

The quest to protect civilians in Cameroon has over the years been accompanied by some challenges faced by the various stakeholders concerned.

1) Challenges in Identifying Combatants

Identifying combatants during armed conflicts can be challenging due to various factors such as:

- **Non-Uniformed Combatants:**

In many conflicts, combatants do not wear uniforms or any distinctive markings that make them easily identifiable. This often makes it difficult for opposing forces or third-party observers to differentiate between combatants and non-combatants.

- **Asymmetric warfare:**

In modern conflicts, non-state armed groups or insurgents often employ tactics that blur the distinction between combatants and civilians. This has been very common during the current Anglophone Crisis and Boko Haram insurgency in the Far North region. They may hide among the civilian population, use civilian infrastructure for their operations, or dress as civilians, making it challenging to accurately identify combatants.

- **Proxy Involvement:**

In certain conflicts, state actors may support non-state armed groups, providing them with weapons, training, and other assistance. This involvement blurs the lines between unofficial combatants and official state military forces, making it difficult to determine which parties are actually involved in the conflict.

- **Lack of Identification Documents**

In many conflict-affected regions, particularly in the remote and rural areas of the Far North Region and the two Anglophone regions of Cameroon, it is not individuals may not possess official identification documents or may deliberately hide their true identity to avoid persecution or prosecution. This lack of reliable identification documents makes it challenging to accurately identify combatants.

- **Use of Child Soldiers:**

Various armed groups forcibly recruit children as combatants. Child soldiers often do not conform to traditional notions of combatant identification, and their age and appearance can make it difficult to determine their involvement in the conflict.

- **Technological advancements**

Advancements in technology, such as unmanned aerial vehicles (UAVs) or remotely operated weapons systems, enable combatants to engage in warfare from a distance. This makes it harder to physically identify combatants on the ground.

- **Propaganda and misinformation**

In armed conflicts, multiple parties often engage in propaganda and disinformation campaigns to manipulate public opinion and confuse the identification process. This use of false narratives and misinformation can make it challenging to accurately determine the true combatants involved.

2) Bad Governance and Impunity

Bad governance in several countries including Cameroon has often been manifested in the form of corruption, embezzlement and impunity for crimes which tend to violate the rights of civilians. It is worth noting that over the years, within the context of the fight against crimes such as rape, kidnapping and human trafficking, some perpetrators of the aforementioned offences in Cameroon have been able to go unpunished for their criminal acts as a result of corruption.

3) Difficulty to Access the Civilian Population in times of Armed Conflicts

The armed conflict in the Far North, the North West and South West regions of Cameroon has substantially hindered civilian access to humanitarian assistance, as hostilities in areas not directly affected by the conflict hinder the ability of humanitarian actors to provide aid.

4) Limited Cooperation between the State and Humanitarian Actors

The State of Cameroon faces challenges in protecting civilians due to limited cooperation with humanitarian actors, particularly in the arm conflict in the North West and South West regions, as seen with the case of Médecins Sans Frontières/Doctors without Borders.

5) Terrorism/Violence

Terrorism across Africa, Cameroon inclusive, is one of the major challenges faced in the protection of the civilian population. Acts of terrorism perpetrated by known and Unknown terrorist groups such as Boko Haram in the Far North region of Cameroon have over the years had severe effects on civilians, resulting in death, injury, displacement and destruction of property.

PART 2

RECOMMENDATIONS

Improvement in cooperation between the State of Cameroon and other humanitarian actors to foster civilian protection in Cameroon. Such improvement in the level of cooperation would help protect civilians and give humanitarian actors access to the civilian population which will facilitate the provision of humanitarian assistance in time of armed conflicts.

The State of Cameroon should strengthen its fight against bad governance and promote good governance. The promotion of good governance and accountability is necessary to ensure that perpetrators of crimes which tend to violate the rights of the civilian population

The Ministry of Defense (MINDEF), the National Commission of Human Rights and Freedom (NCHRF) and other humanitarian actors should engage in education and sensitization of the law enforcement officers and defense forces on human rights and humanitarian law, specifically on aspects concerning the protection of the civilian protection.

It remains in the best interests of the Cameroonian people for the belligerents to prioritize continuous dialogue over armed invention. An armed approach or military intervention is

more likely to leave civilian casualties as most separatists groups are not trained on the norms of the rules of war and Humanitarian Law.

There is a need for more intensive literacy programming and modern curriculum on Human Rights and International humanitarian law for police and military academy. More so a course on civilian protection and the right to security not only for students at the academy but for judicial officers, gendarmes and all arms of the military. This needs to be continuous.

In addressing the challenges in the identification of combatant during conflicts, it is recommended as a measure a combination of strict adherence to international humanitarian law, improved intelligence-gathering and surveillance capabilities, and robust mechanisms for accountability and investigations into violations of the laws of war.

PART 3

CONCLUSION

Over the years, the international community has recognized the need to uphold and guarantee the right to security of the civilian population, considering the multiplicity of events which have resulted in the violation of their rights. Civilians have always borne the brunt of armed conflicts, acts of terrorism and other violations to their right to safety and security. In response to these, the international as well as the national communities have played a vital role in the development of numerous instruments aimed at protecting the rights of civilians. Despite the challenges faced in the course of doing this, the work is still to this day put in.

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