



HOUSING AND LAND RIGHTS NETWORK **Habitat International Coalition**

CAM–FEDN 160715

URGENT ACTION APPEAL:

Demolition of the *Fanta Citron* Neighborhood in the Mvog Ada District in Yaoundé, the Capital City of Cameroon: More than 250 Families Affected

I. Summary

Along with his counterpart from the City of Douala, the government delegate to the Yaoundé City Council, Gilbert Tsimi Evouna, has launched large-scale evictions in Yaoundé, the political capital of Cameroon. The Yaoundé authorities justified these demolitions by claiming the need to avoid flooding disasters, like what recently took place in Douala (see Urgent Action [CAM-FEDN 120715](#)). Many areas of the city have been classified as “areas at risk.” In the case of Mvog Ada, that designation has rendered over 250 families homeless without sufficient notice, legal proceedings or any support for the victims.

Despite protests from the press, civil society, lawyers and other human rights activists, the Yaoundé City Council began to demolish the houses of the people of the locality *Fanta Citron*, in the Mvog Ada District, on Tuesday, 7 July 2015, pushing many families to distress and desolation.

This was only the first phase, as the authorities have decided to return and complete the evictions on Tuesday, 14 July. The government forces came on Tuesday, 21 July, to continue with a second wave of evictions ([La Nouvelle Expression](#), No. 4022, 23 July 2015).

II. The Victims: Over 250 families

According to the website of *Cameronline* and *Cameroon Radio and Television* (CRTV), the state radio and television channel, demolitions started in the early morning of Tuesday, 7 July. The exact number of victims in this first phase is not known, but estimated at over 250 families who will be left homeless if the action continues and nothing is done to stop the process. The local authorities ordered the residents to leave the area before the demolition, but they have nowhere to go.

The victims are mostly small-scale merchants, shopkeepers, hairdressers and workers. Most are low-income families with children and young people on their school vacation, and the elderly. For now, these victims have no assurance of alternative accommodation, or any form of compensation for their losses.

III: The Perpetrators of the Violation

The demolition of *Fanta Citron* was a decision taken by the political authorities in agreement with the central government's executive branch-appointed delegate to the Yaoundé City Council. This followed similar measures taken after the flooding in Douala, the economic capital (see Urgent Action [CAM-FEDN 120715](#)). Applying the same rationale, the Yaoundé City Council is responsible for the destruction of hundreds of *Fanta Citron* homes.

IV. The Events, Developments and Consequences

The Mvog Ada neighborhood in Yaoundé dates back to 1972. Despite the neighborhood's continuous 43-year presences, the City Council classified it as one of the "swampy areas or areas at risk" as a legal cover for authorities to carry out mass demolitions. The people were warned late and in haste, preventing any alternative arrangements or alternative solutions.

A young woman named Larouchka testified:

"I am an orphan from my mother, and my father lives in Guinea. He told us he will pick us in September. We're out because of the house destruction. My mom died May 26 at 4:00 in the morning." (Cameronline)

The first 7 July demolitions produced many predictable consequences. Around the post-demolition ruins, the City Council cannot erase the anxiety and helplessness in the eyes of neighbors awaiting their turn for eviction. The destruction also coincides with punishing rains in Yaoundé. *Cameronline* has concluded that *"the authorities are implementing a criminal urbanization policy toward the poorest classes of society."*

Some of the victims have been spending the night under the stars. One such septuagenarian reported as complaining:

"The government is unable to protect the poor. Do you think destroying in this way before our eyes is helping the poor? It does not help them; it destroys them. The government should protect the poor. There are people who have nothing...The country is not just for the rich."

Allegations and rumors began to emerge about a second phase of demolitions and removals reported to begin on Tuesday, 14 July. This led some of the residents to begin tearing down their own homes, in order to salvage whatever belongings and building materials they could.

V. The Official Reasons

On the night of 21–22 June 2015, the city of Douala experienced heavy rain followed by property damage and the loss of human life, with three children reported dead in the Bepanda and Maképè Missokè area of the Douala's 5th District.

The Ministers of Housing and Urban Development, Land Registries and Land Affairs, the

ministry in charge of regional and local authorities, together with the Prefect of Douala and the central government's appointee to the Douala City Council concluded that the cause of the flooding was housing built on culverts and swamps, which prevents water from draining properly and causes flooding. Fearing that Yaoundé would find itself in the same situation, authorities hastily classified certain neighborhoods as "risk areas," in order to demolish them. The government's stated goals were to optimize the flow of runoff water and stop the uncontrolled building that leads to flooding.

This happened even after several concerned resident presented land titles that they had obtained over more than 25 years, as well as building permits issued by the competent authorities. Not to mention the issue of the indigenous residents whose rights are violated and who now do not know where to go since the State has neglected to provide for any resettlement or compensation.

VI. Violations of the Right to Housing

Regardless of the official reasons to evict residents, the eviction can be considered legal only with prior safeguards and provisions. Without advance consultation with the affected locals; their consent; due process; protection against abuse, including homelessness; and other protections of the state, forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing.¹ These expulsions also violate other rights related to adequate housing, such as the human right to food, the human right to water, the human rights to health, education and livelihood. Cameroon has the obligation to respect, protect and fulfill the right to adequate housing and these other rights by virtue of its ratification of the International Covenant on Economic, Social and Cultural Rights (ICESCR), on 27 September 1984.

On national level, the Constitution of Cameroon, dated 18 January 1996, in its preamble, promises that the state is "Resolved to harness our natural resources in order to ensure the well-being of every citizen without discrimination, by raising living standards, proclaim our right to development as well as our determination to devote all our efforts to that end..." The preamble to the Constitution also promises that "The State shall guarantee all its citizens with [sic] the conditions necessary for their development" and that "The home is inviolate. No search may be conducted except by virtue of the law." Nonetheless, the Cameroonian Land Code does not foresee compensation in the case of demolition in cases of housing built on state land or "risk zones."

Internationally, the state has violated Articles 8, 12, 13, 17, 19, 23 and 25 of the Universal Declaration of Human Rights; Articles 2, 4, 11 and 15 of ICESCR and General Comments Nos. 4 and 7; Articles 1, 2, 17, 19, 21, 22, 25 of the International Covenant on Civil and Political Rights (ICCPR) and other instruments legal. Specifically, Article 11 of ICESCR stipulates that "The States Parties to the present Covenant recognize the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions."

¹ Commission des Droits de l'Homme de l'ONU, résolution 1993/77, 10 mars 1993, para. 1, à : <http://www.hlrn.org/img/documents/ECN4199377%20en.pdf>.

ICCPR, which Cameroon ratified on 27 September 1984, prohibits cruel, inhuman and degrading treatment and/or punishment (Article 7) and the arbitrary use of force (Article 17). Cameroon also ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDaW), 22 September 1994, and acceded to its Optional Protocol on 7 January 2005. The Convention on the Rights of the Child, which Cameroon ratified 10 February 1993, specifically requires states to protect the right of children to adequate housing (Article 27.3).

Besides violating these international standards, current evictions in Cameroon reflect a continuous trend of housing rights violations. In its 1999 Concluding Observations, the CESCR registered its concern over “the high incidence of forced evictions in rural areas of Cameroon, an issue that the State party did not refer in its written replies,” and advised the Cameroon government “to implement laws and policies to combat the problem of forced evictions, in accordance with General Comments Nos. 4 and 7 of the Committee.”² Furthermore, the state’s use of violence and torture as instruments of intimidation and fear was recognized by the Committee against Torture as matters of deep concern.³

Regionally, the African Commission on Human and Peoples’ Rights also has established that authorities must explore alternatives and options before the eviction with the affected community, provide adequate notice and information, ensure the availability of alternative accommodation, as well as an opportunity to appeal an eviction order. As in General Comment No. 7 of CESCR, African jurisprudence affirms the prohibition that no one shall be rendered homeless as a result of eviction.⁴

While the Cameroon authorities have claimed that the expulsions are based on requirements of law enforcement, the cruel use of force also has violated the UN Code of Conduct for Law Enforcement Officials (Article 3), adopted in UN General Assembly resolution 34/169, 17 December 1979, and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials (1990).⁵ The African Charter on Human and Peoples’ Rights affirms these principles, in particular under Article 6.⁶ In the case of Cameroon, the state has not only violated its commitments to the treaty, but the responsible authorities have not consulted the affected population, provide sufficient advance warning, did not provide any sustainable alternative, nor any compensation or alternative housing.

VII. Actions already Taken

Until the present, the families evicted and about to be evicted have not taken up any countermeasures. The only actions at present against the home demolitions of the people

² Committee on Economic, Social and Cultural Rights, “Concluding Observations: Cameroon,” E/C.12/1/Add.40, 8 December 1999, paras. 24, 41.

³ Committee against Torture, “Concluding Observations: Cameroon,” CAT/C/CMR/CO/4, 19 May 2010, para. 20, at: <http://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsvo7kjjQy53lGYOi8v5h14iPn7l9lY1nExcKTp%2fN5KadpS86vHpRPEYS5pHKHQssN9JgPjFGCeUTJhWfT359dlhNZodnc%2b57Ph167S4NOMI>.

⁴ *Social and Economic Rights Action Centre (SERAC) and The Centre for Economic and Social Rights (CESR) v. Nigeria*, 200, Communication N° 155/96, Commission africaine des droit de l’homme et des peuples, 6 juin 2001.

⁵ Adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990.

⁶ *SERAC and CESR v. Nigeria*, op. cit.

of *Fanta Citron* are the media (newspapers, private radio and television, websites) which have relayed ample information to draw the attention of the domestic and international community.

Your Action!

We ask you to write to the authorities in Cameroon, asking them to:

- Cease immediately the mass evictions and demolitions occurring in this area;
- Provide reparations for the people already evicted from neighborhood and who find themselves homeless;
- Proceed to compensate persons holding land titles and building permits;
- Take urgent steps to guarantee adequate alternative housing;
- Engage an open dialogue with affected communities in accordance with human rights principles, especially CESCR General Comment No. 7;
- Respect their obligations under international law and respect the right of all citizens to legal security of tenure and other elements of the human right to adequate housing, the human rights to participation and self-expression, and integration.

What You Can Do!

Join this call for responsible development and respect for the right to adequate housing, immediately sending your letter of protest to be sent below, or send your letter automatically by the HLRN website: <http://www.hlrn.org/English/cases.asp>

Please inform HIC-HLRN of any action you take to at: urgentactions@hlrn.org and franck01kouame@yahoo.fr.

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