

**PROCEEDINGS OF THE “REGIONAL WORKSHOP
ON CAPACITY BUILDING FOR PENITENTIARY
STAFF ON HUMAN RIGHTS AND IMPROVEMENT
OF PRISON CONDITIONS IN CAMEROON” THAT
WAS HELD IN BUEA FROM 3TH TO 4TH APRIL 2013**

Organised by

FAAFNET and ICENECDEV

Sponsored by

AUSTRALIA

Introduction:

A two day workshop to strengthen the capacity of Penitentiary staff on “Human Rights and Improvement of Prison Conditions in Cameroon” was organized in Buea by FAAFNET and ICENECDEV with sponsorship from Australian Agency for International Development (AusAID). Participants were drawn from Prisons in the South West Region of Cameroon specifically from Buea Central and Upper Farms, Bavenga, Mamfe and Kumba. The participants consisted of Senior Administrative Officers, Medical Penitentiary Staff and Frontline Officers (Attendance list in Annex 1).

Programme:

The agenda for the two days focused on interactive presentations and group work after opening by the Regional Delegate of Penitentiary Administration for the South West. There were five presentations dealing with International law and the Penitentiary systems; Obligation of Prison health personnel; New Criminal Code and the Penitentiary System in Cameroon; Socio-cultural and sporting activities in Prisons and Resource Mobilization in Prisons. Group work was on topical issues such as Prison Policy, Behaviour Change for Prison Staff, and Legal Instruments in the Penitentiary. In the groups participants examined bottom – up approaches to influence prison policy improvement, impediments in the legal framework to performance of penitentiary staff and staff attitude to promote better prison conditions and elaborated recommendations and way forward (Detailed programme in Annex 2).

Participation:

The workshop was very interactive. The presentations were carried out in a participative manner. Participants intervened in the course of the presentations for clarity and for detailed explanation of certain issues. Comments, questions and answers characterized the discussions during and after each presentation. Opening the workshop, *the Regional Delegate urged her collaborators to take advantage of the opportunity offered by the organizers and participate actively. She emphasized that workshops of this nature are very important for penitentiary staff because it keeps them abreast with new developments in the exercise of their duty.*

Context and Justification:

The main challenges of prisons in Cameroon lie in the respect of the three missions assigned by government to the Penitentiary Administration, coordination among the various arms of this administration, setting up adequate infrastructure and personnel with the ever increasing inmate population and the putting in place of a policy on social reinsertion and upkeep of inmates.

Solutions could be found through the implementation of profound reforms of the penitentiary sector begun around the early 2000s and which enabled the modernization of prisons in Cameroon. Furthermore, the application of the new criminal procedure code, the capacity building of penitentiary personnel and a close collaboration among the justice system, the penitentiary administration and civil society organisations working with prisons are all areas to be exploited in order to improve upon the penitentiary landscape in Cameroon.

Detention conditions in Cameroon prisons have been undergoing a process of constant improvement which have resulted in the attachment of the penitentiary administration to the Ministry of Justice, the creation of a Directorate of Human Rights and International Cooperation within the said ministry with the mission of training and sensitizing judiciary and penitentiary personnel, the adoption of a new criminal procedure code in 2005, and the forth-coming ratification of the Protocol agreement on the United Nations Convention against Torture¹ (signed by Cameroon on 15 December 2009).

The prison population in Cameroon is estimated at 23.000 for a capacity of 15.000 people. More than 60% of these inmates are on pre-trial detention and detained in the same wards as condemned inmates. Over-population in prisons which is also as a result of a criminal-justice system bearing essentially on imprisonment, a poor state of prison infrastructure, food and medical insufficiency, cohabitation of young offenders with adult inmates, the practice of torture and inhuman and degrading treatment as well as many other acts contrary to international standards are among existing challenges.

The weak staff strength (magistrates, court registrars, judicial police officers and penitentiary personnel), their general training requirements particularly on issues of Human Rights and judicial bottle necks further compounds the plight of prisons and prisoners. Meanwhile, the respect of the rights of persons placed in detention constitutes an important factor in the evaluation of detention conditions. The need for respect of the rights of inmates is justified by the need to safeguard human dignity under all circumstances and the effective implementation of international treaties on Human Rights ratified by Cameroon including their integration into the constitution as well as into other internal legal instruments.

Penitentiary personnel who are the main actors in the application of inmates' rights should know these rights and master their areas and mechanisms of application. These personnel should act at all times in respect of Human Rights in general and inmates' rights in particular.

For some years now, Cameroon has undertaken a systematic reform of its penitentiary system through the implementation of a policy targeting on one hand the humanisation of detention conditions materialised through a progressive modernisation of infrastructure and various equipment, and on the other hand providing adequate initial training and capacity building of penitentiary personnel on Human Rights.

It is worthy to note that the National School of Penitentiary Administration (ENAP) Buea plays an important role in the training of actors involved in the application of prison sentences, given that it trains an average of 600 penitentiary personnel every year, both new recruits as well as personnel on refresher courses.

As for refresher courses, Decree N° of 2005 on the organisation of the Ministry of Justice which created regional delegations of penitentiary administration states amongst others that the latter shall be charged with organising training seminars for penitentiary personnel in their areas of jurisdiction.

It is therefore expedient for personnel of prisons within the South West region, including those of ENAP to acquire and master norms emanating from international, regional and national instruments on Human Rights which will enable

them to permanently ensure the upkeep of inmates on one hand and the training of personnel charged with this upkeep on the other hand.

The organisation of a training seminar on Human Rights for penitentiary personnel working in prisons within the South West region including those working in ENAP, falls within the framework of the respect of the rights of inmates. In order to realise this project, the National Commission on Human Rights and Freedoms was solicited and gave its approval for the training of the above-mentioned personnel in order to evaluate the implementation of the fallouts of the seminar in their respective posts of duty.

General Objectives:

This seminar aims at building the capacity of prison officials on issues of Human Rights in order to contribute to the improvement of detention conditions and protect the rights of inmates.

Specific Objectives:

This training is particularly aimed at:

- Familiarising participants with provisions of Human Rights instruments of persons placed in detention, including vulnerable groups;
- Familiarising participants with their daily obligations as prison officials and schooling them on measures to be taken in order to improve detention conditions;
- Identifying difficulties and good practices in the application of Human Rights in General and rights of inmates in general;
- Facilitating the respect of human rights in prisons by actors involved in the application of prison sentences.

Expected Results:

The following results are expected:

- Participants shall master instruments and norms relating to detention conditions and rights of inmates;
- Participants shall be able to elaborate and use manuals on Human Rights within the Penitentiary Administration;
- Participants shall identify and assimilate good practices in view of improving on national detention conditions;
- Participants shall acquire the practice of human rights.

Participants Expectations:

Participants expressed their expectations at the beginning of the workshop individually by writing and presenting in the plenary. Grouping of similar ideas resulted in the following expectations:

- Skills acquisition for better management inmates while respecting human rights.
- Partnership development with NGOs for more resources in the penitentiary
- How to improve detention conditions for inmates.
- Dealing with inmates with respect to human rights
- Increased knowledge on human rights for inmates

Excerpts of Presentations, Comments, Questions and Answers:

The detailed presentations are contained in a separate booklet that was distributed to participants at the beginning of the workshop.

The first presentation was on “New Development in the International Law and the Penitentiary Systems” by Dr. Ndefru Valentine.

He dueled more on Penitentiary and Human Rights, emphasizing that inmates require good prison standards and have a right to humanity. Humanity here refers to adequate food, potable water and appropriate shelter. This can be measured by supporting those that are needy.

The presentation challenged Prison Administrators to employ empathy in the discharge of their duty because any body can be a prisoner at any time. He

mentioned examples of prison conditions in Europe and the US, and asked the participants to draw inspiration from those examples.

Comments, Questions and Answers on the presentation

Here are the highlights after the presentation of the presentation:

- The republic of Cameroon has not abolished death penalty because it is still in the Penal Code.
- If prison conditions are good as in Europe and the US many inmate will not like to leave prison and they will always be involved in crimes that will always bring them back to prison.
- If US are a signatory to the abolition of death penalty why was Saddam Husain (Former President of Iraq) executed by hanging?
- There are lots of NGOs advocating for Human Rights in Europe and the US yet the US is violating human rights in most part of the world.
- The socio-cultural and infrastructural development policy in Cameroon does not give priority to prisons. There are more important issues than improving prisons standard.
- Improvement of prison standard should not rely on Government alone, Churches, NGOs, Families etc. must give their support.
- Some Penitentiary staff do not take the job as a vocation, to them it is just an employment. They should be like parents whilst discharging their duty.
- Is human right only for inmates? What about the rights of the Prison staff? How do we merge the two?
- Prison staff are trained, have power and are protected by law that is why the focus on the right of the prisoner.
- There is need for a workshop to sensitize the inmates on the limits of their rights because inmates behave as if Prison staff is responsible for their situation.

The second presentation by Mme. Clara Manga was on Socio-Cultural and Sporting activities in Prisons.

The presentation enumerated some socio-cultural activities necessary for inmates like educative talks, Counseling, Institutional visits (from families), Religious and moral studies, Vocational Training. The principal question to participants was 'What are you doing in your prisons with respect to socio-cultural activities'? It was analyzed that, these activities are being done in the prisons but are not adequate. The presentation highlighted that the management of prison today is multidisciplinary involving, Doctors, social animators and others. The lack of psychological training in the training center is a limiting factor. It was also noticed that the contribution of other discipline in prison management is small. There is a general lack of resources. Mixing of inmates with different offences in the same environment makes social life in prison very uncomfortable. There is need for a common platform for all those involved in prison management to discuss prison problems.

Comments, Questions and Answers on the presentation

Participants wanted to understand the difference between re-habilitation and re-inception. Re-inception is to accepting inmate back into the society after prison and re-habilitation is adaptation in prison. As a result there is need for psychiatrists in prisons to facilitate re-habilitation.

The third presentation was on the new criminal code and the penitentiary systems in Cameroon by Barrister Comas Lifange.

The presenter highlighted the fact that the criminal procedure, gives inmates the right to justice and this has been manifested by the fact that the Bar association has been assisting by forwarding cases of people in detention to be heard before the competent courts as provided by the law. He however, accepted that the text is arbitrary as far as management of prisoners is concerned, thereby giving a large limit to faults. Interventions from participants revealed that the Prisoners Know and are aware of their human rights to the extent that, they even inform the prison staff arrogantly that they are protected by human rights for their crimes (irritating). The Big Question from the participants was '*Has human rights done more good than harm in combating crimes?*' The participants mentioned that penitentiary staff does not have enough protection from their hierarchy when their action is at

variance with the law due to the realities and practical situations they encounter in the discharge of their duty. The rights and obligations of prisoners were highlighted and that Civil Society Organisations (CSO) can ask for permission and discuss this topic directly with prisoners.

The presentation on Health Care in Prisons by Dr. Akam centered on Common and Frequent Diseases in Inmates and their Prevention.

He mentioned that the penitentiary staff is equally exposed to the same diseases as the prisoners because they are in regular contact with them. Sexuality and poor feeding habits have been identified as means of disease outbreak in inmates. The presentation equally pointed out poor institutional framework for prison sick people as well as weak institutional collaboration as issues that result in poor health care for prisoners. One of the main recommendations of the presentation was that Prisoners should be provided with ***'Good Food in order to avoid diseases and also protect Prison Staff'***. The presentation also called for joint efforts from all the stakeholders in prison management to reduce incidence.

The final presentation was on Resource Mobilization and Record Keeping in Prisons by Mr. Lyonga William.

He outlined possible funding sources and formats to access the funds for inmate Socio-cultural activities. He emphasized that donors are keen on transparent use of resources with clear records for continuous support.

Topical Issues:

Presentations and discussions in the plenary resulted in three topical issues; Prison Policy, Behaviour Change and Legal Framework for improvement of Prison conditions in Cameroon. Participants were divided into three groups for in-depth discussion on these topics and to elaborate recommendations and way forward.

Group 1: They worked on Prison Policy by discussing ways of influencing the improving of the policy through a Bottom – Up approach. This group came up with the following results;

- The new criminal code outlines the right of inmates such as health, shelter, education, food, bedding and water and all of these are respected.
- Prisons should be lighted at all times especially in the night.
- Water supply should be regular.
- Seminars should be organized where different service can be together and solve local problems before Government action.
- Regular information to the hierarchy in cases of difficulties encountered in the discharge of duty.
- Create local platform for deliberations.
- Sanctions matted to inmates must follow the text.
- The defense to prisoners must be guaranteed.
- Creation of quarters for all category of inmates; AJM, Convict, Female, Minor.
- Construction of new prisons for decongestion.

The following recommendations were elaborated;

- Prison infrastructure must be modernized.
- There should be standby generators and storage tanks for water in prisons.
- Security in prisons should be re-enforced with lighting projectors for long viewing.
- The penitentiary text should be revised so as to be in conformity with international norms.

Group 2: They discussed behaviour change and examined attitude change in prison administrators to promote better conditions for inmates. The following points were suggested;

- Penitentiary staff needs to hold health talks with inmates on the management of diseases like malaria, tuberculosis, scabies and other

contagious diseases. Donate prices to the cleanest prisoners, cleanest prison cells etc.

- Frequently organize cultural and sporting activities to reduce stress in prisoners.
- Prison staff with technical knowhow should volunteer to train inmates in various fields to facilitate reformation process.
- Encourage agricultural activities in prisons to solve the problem of inadequate feeding.
- Prison staff should encourage minors to write exams such as FSLC, 'O' level.
- Assist in linking prisoner to their relatives.

The group recommended that;

- The capacity of penitentiary staff should be strengthened in health and socio-cultural aspects by regular organization of seminars and workshops on the need for better detention conditions. This will go a long way to affect the behavior of prison staff towards prisoners.
- Attestations should be issued to participant after each workshop to serve as a reminder and instill confidence and competence to the staff to carry out similar talks in prisons.
- The civil society should be volunteers in prison to assist in changing the behaviors of prison staff.
- The Government should recruit or train specialized staff in the domain of social action. Organize refresher courses, sign partnership with NGOs and put in place a budget for socio-cultural activities in prisons.
- Specialists like psychiatrist, counselors should be invited to sensitize prison staff and inmates on behavior change.
- To sum it up the prison staff need to understand the character of the people they are dealing with, for it is said that, if you know why some people behave the way they do, we will have no problem dealing with them, so there great need for psycho-social training for prison staff.

Group 3: They examined the legal framework of the penitentiary

- The legal text and its practical application of the context are not in conformity.
- The system of imprisonment does not take into account the norms of separation of people in detention.
- The requisition process from the State Counsel for the use of fire arms in case of recalcitrance in the prisons is cumbersome.
- Provisional detentions that are unnecessarily prolonged reduce the efficacy of penitentiary actions.
- None respect of legal dispositions relatives to inmates by Magistrates.

Recommendations:

- Penitentiary staff should be trained as OPJ and also have external training from institutions like ENAM and INJS.
- The hierarchy relation between the penitentiary and the magistracy should be clarified.
- There should be forums amongst actors of Justice to meet and discuss.
- Training of penitentiary staff should be modified and updated by including modules adapted to practical realities that meet norms for the improvement of Prison conditions in Cameroon.
- Associate the de-facto and de-jury actions in the implementation of the legal frame.
- Moral investigation should be a pre-requisite for the recruitment of penitentiary administration corps.

Participants' perceptions:

At the end of the workshop some participants expressed their perceptions.

According to Madam Djokoun Kuate Angeline, the theme of the workshop goes in line with the nature of their work. The presentations were good but all was done in English, so it was a bit difficult for the Francophones to follow up completely.

For Mr. Fonken Moise, the workshop was very practical in terms of topics. The workshop highlighted what they already know but have forgotten. It was a refresher course for him and he thinks that this kind of initiative should be repeated regularly.

Mr. Fongoh Divine said it was a great success and that he has learned a lot. Subsequent workshop should chose presenters from the penitentiary so as to challenge the penitentiary staff to carry out research on current trends in better conditions for prisons. He will need a certificate of participation.

Closing Remarks:

The representative of the Regional Delegate gave the closing remarks. In his own words, “for two days participants have brainstormed and challenged ideas. I hope that, we are leaving with something more than when we started as a result of the knowledge we have acquired. I take this occasion to thank FAAFNET and ICENEDEV for the workshop. I thank them again fro the work they have been doing for the central Prison in Buea. They should extend to other prisons in the region. We hope that the recommendations should be translated into actions. Parties involved in prison management should not act in isolation. We should build a synergy. The approach is multi-sector so we are calling all the partners on board to attain our mission”.