



HOUSING AND LAND RIGHTS NETWORK

Habitat International Coalition **HIC - AFRIQUE**



Humanitas Solidaris
(Cameroun)

URGENT ACTION APPEAL

CAM-FE-060123

Cameroon : Demolition et Forced Eviction at Vallée Bessengue, Douala
Hundreds of families rendered homeless

I. Introduction

The year 2023 was off to a difficult start for the impoverished communities of Douala, Cameroon's commercial capital. Some 400–500 inhabitants of the Bessengue Valley quarter of Douala saw local authorities raze their houses **over 500m²** by the authorities of the Wouri District on 5 January. The families spent their next nights under the stars after the eviction of a hundred constructions deemed "illegal."

Already in 2022, the authorities had destroyed 5,000 houses in Bessengue Valley, at which point, the Sawa traditional chiefs of Wouri had appealed unsuccessfully to the authorities for mercy. In this second round of destruction, the police used tear gas to disperse angry young people, wounding one with live gunfire. The population's only recourse against the evictions is the denunciation of solidarity and human rights organizations, as well as the media that have reported the crime. Some inhabitants have organized a negotiation committee to appeal for government assistance.

Announced on 5 January 2023 at 6 a.m., the demolition operation finally began in the afternoon of that day. After the mass demolition, the Wouri District Prefect Guy Emmanuel Tchapnga **explained** that the eviction and demolition were not arbitrary and that the population had been forewarned. The inhabitants of Bessengue Valley had no place to go.

II. The victims

The victims are mostly street vendors, shopkeepers, hairdressers, low-and-middle-income workers and families with children still going to school, young people and even elderly people.

They had lived in that location since 1982 in both temporary and permanent dwellings made of local materials.

Armand Nouwe, of HIC Member [Caritas Douala](#) (CODAS), visited the Bessengue Valley quarter and reported that it appears to him that they were originally employees of the former REGIFERCAM, which became CAMRAIL, the railway company. CAMRAIL had housed its employees 30 meters from the railway line. Gradually, the populations moved closer to 15 meters from the rails, others sensing possible evictions sold their plots at a high price and left.

The Prefect justified the clearing for the pipes and drainage systems to be built on the site. "The pipelines will allow us to supply gas and fuel to the whole country," he [said](#). Thus, on 5 January of this year, and after months of negotiations, meetings and unkept promises, the demolition took place.

Victims [reported](#) that the Prefect had promised the inhabitants that they would be compensated upon their removal. Restrained by the forces of the riot police deployed, the victims of the demolition had implored the authorities to allocate them a site where they could shelter and protect what remained of their property. For the moment, these victims have had no assurance of obtaining alternative accommodation, let alone compensation. In the meantime, the authorities have remained evasive, if not silent, on the issue.

The demolition of the Bessengue Valley quarter in Douala was a decision taken by the Minister of Domains, Cadastre and Land Affairs, of the Minister of Territorial Administration in consultation with the Douala City Hall, the railway company CAMRAIL, subsidiary of [Bolloré Logistics](#) (USA) and the Cameroonian Petroleum Depots Company ([SCDP](#)), which intended to use the land for a pipeline project. The executors were the police under the supervision of the Prefect of the Department of Wouri Guy Emmanuel Tchapnga.

Since 5 January, the displaced populations have been forced to manage to find makeshift accommodation in another informal space, leaving them vulnerable to further eviction and dispossession. Since the authorities have not provided any resettlement, they promised to provide them with financial support in the coming days to hold on. But unfortunately, there is no more news related to this promise.



Figure 1 : Residents of the Berregue Valley in the process of eviction with the few belongings they can carry. Source: ACTU Cameroon.

III. The parties responsible for the violations

The demolition of the Bessengue Valley quarter in Douala was a decision taken by the Minister of Domains, Cadastre and Land Affairs, of the Minister of Territorial Administration in consultation with the Town Hall of Douala, the railway company CAMRAIL (subsidiary of Bolloré Logistics) and the Cameroonian Company of Petroleum Depots (SCDP). The executors were the police under the supervision of the Prefect of the Department of WOURI Guy Emmanuel Tchapnga. The authorities mentioned proceeded to the destruction of temporary and even permanent dwellings made of local materials.



Figure 2 : Map of the Republic of Cameroon. Source : Geographic Guide.

IV. The events, developments and consequences

After having built on public land allotted to the railway, the population of this quarter were ordered to clear the area for the benefit of a pipeline project that the SCDP intends to carry out. Announced Thursday, 5 January 2023 at 6 A.M., the demolition operation finally began in

the afternoon of that day. Now 5 January 2023 will remain a dark and sad day for the inhabitants of Bessengue Valley: several families have seen their homes destroyed by the Cameroonian authorities. Announced for months, the destruction actually took place on 5 January under the supervision of the Prefect of Wouri.

The Prefect explained that the eviction was not arbitrary and that the population had been warned before: "we did not just get up and bring these bulldozers to raze these houses. Before this demolition, we organized a series of meetings with the population and the traditional chiefs. So, they knew about it."¹

Despite everything, the population feels mistreated: "We arrived here in 1982. Despite the marshy nature of the area, we decided to build our houses here. We had to invest a lot of money, especially for the construction of the foundations. We know that the government is aiming for [development plan] Emergence 2035, but then we should be compensated," commented an affected resident.²

"The Prefect had promised that we would be compensated. But to my surprise, nothing was given," continues the victim.³ Restrained by the forces of the riot police deployed, the victims of the demolition implored the authorities to allocate them a site where they could shelter and protect what remains of their property.

Armand Nouwe, member of **Caritas Douala** (CODAS), a International Coalition for Habitat (HIC) member organization, visited the Vallée Bessengue quarter. It appears to him that it was the employees of the former REGIFERCAM, which became CAMRAIL, the railway company which housed its employees 30 meters from the railway line. Gradually, the populations moved closer to 15 meters from the rails, others sensing possible evictions sold their plots at a high price and left. Since 5 January, the displaced populations have been forced to manage to find makeshift accommodation. Since the authorities have provided any resettlement, they promised to provide them with financial support in the coming days to hold on. But unfortunately, there is no more news related to this promise.

V. The official reasons

To justify the evictions in Vallée Bessengue, Prefect Guy Emmanuel Tchapnga explained that pipes and drainage systems will be built on the site: "the pipelines will allow us to supply gas and fuel to the whole country."⁴ Thus, on 5 January of this year, and after months of negotiations, meetings and unkept promises, the demolition took place.

To hear the many versions, there is not really a serious and solid thesis for this demolition operation.

¹ Theophile, « Douala-DÉGUERPISEMENT:UNE centaine de maisons détruites à la Vallée Bessengue », *Cameroun ACTU Online* (6 January 2023), <https://www.camerounactuonline.com/douaa-deguerpissementune-centaine-de-maisons-detruit-a-la-vallee-bessengue/>.

² « Douala : des familles sans abri après une opération de démolition à la Vallée Bessengué », *cameroun actuel* (6 January 2023), <https://camerounactuel.com/douala-des-familles-sans-abri-apres-une-operation-de-demolition-a-la-vallee-bessengue/>.

³ *Ibid.*

⁴ *Ibid.*

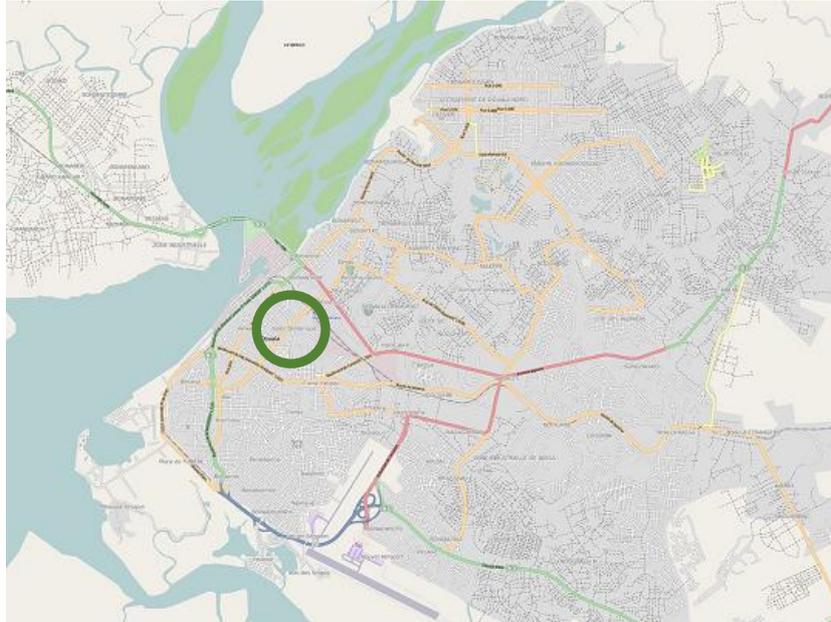


Figure 3 : Map of Douala with green circle showing the location of Berrengue Valley.

VI. Violations of the Human Right to Adequate Housing

Regardless of the official reasons for evicting residents from their location, their treatment under eviction can be considered lawful only with certain safeguards and preconditions. Forced eviction without prior consultation with residents; their consent; due process; protection from abuse, including the condition of being homeless; other state-guaranteed protections would be a violation of human rights. A lawful eviction must not render individuals homeless or vulnerable to the violation of other human rights, and the State must ensure adequate alternative housing, resettlement, or access to productive land, as appropriate.⁵

These evictions also have an impact on rights related to the human right to adequate housing, such as the right to food, water, health, education and livelihood. Cameroon remains obliged respect, protect and fulfill the human right to adequate housing, having ratified the International Covenant on Economic, Social and Cultural Rights (ICESCR) on 27 September 1984.⁶

In the national sphere, the Constitution of Cameroon of 18 January 1996, in its preamble, guarantees the right to development to each individual, and to settle in any place and to move freely within the state, subject to the legal prescriptions relating to public order, security and peace. However, the Cameroonian land code does not provide for compensation in the event of demolitions for the development of State property and risk areas. So far, no measures have been taken for families to clear out.

At the international level, the State has violated articles 8, 12, 13, 17, 19, 23 and 25 of the Universal Declaration of Human Rights, articles 2, 4, 11, 15 of the ICESCR, ratified by Cameroon

⁵ General Comment No 7: right to adequate housing (Article 11, para. 1 of the Covenant): forced eviction, E/C.12/GC/7, 16 May 1997), paras. 15–16, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FICESCR%2FGEC%2F6430&Lang=fr.

⁶ International Covenant on Economic, Social and Cultural Rights (ICESCR), 16 December 1966, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>.

in 1984, and General Comments nos. 4,⁷ 7 and 26,⁸ as well as articles 1, 2, 17, 19, 21, 22, 25 of the International Covenant on Civil and Political Rights (ICCPR) and other legal instruments. Specifically, Article 11 of the ICESCR states 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.”⁹

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

In addition to violating all these international standards, Cameroon's current evictions in this neighborhood reflect a continuing pattern of violations of the human right to adequate housing. In its 1999 Concluding Observations, the Committee on Economic, Social and Cultural Rights (CESCR) recorded its concern at “the reportedly high incidence of forced evictions in the rural areas of Cameroon, which have not been addressed in the written replies by the State party,” and urged Cameroon “to implement laws and policies to combat the problem of forced evictions, in accordance with General Comments Nos. 4 and 7.”¹⁰ Furthermore, Cameroon's use of violence and torture as instruments of intimidation and fear have been recognized by the Committee against Torture as matters of deep concern.¹¹

After examining the periodic report of Cameroon in 2012, the Committee noted:

“with concern the high number of reported cases of forced eviction and demolition of houses conducted without sufficient notice, and without provision of adequate compensation or alternative accommodation. The Committee regrets that the State party has failed to provide details of Decree No. 2008/0738/PM of 23 April 2008 on land management procedures and requirements, or information on access to remedies for the persons concerned (art. 11).”¹²

And the Committee urged the State party to:

“to ensure that the legal framework regulating urban development projects guarantees the provision of appropriate compensation or alternative accommodation in case of eviction, as well as access to remedies for the persons concerned. In addition, the Committee urges the State

⁷ General Comment No. 4: the right to adequate housing (article 11, para. 1 of the Covenant), E/1992/23, 13 December 1991, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FICESCR%2FGECC%2F4759&Lang=en.

⁸ General Comment No. 26 (4 January 2023) on land and economic, social and cultural rights, E/C.12/GC/26, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2FC.12%2FGC%2F26&Lang=en.

⁹ ICESCR, *op. cit.*, Article 11.

¹⁰ *Ibid.*, para. 41.

¹¹ Committee against Torture, Concluding observations on the fifth periodic report of Cameroon, CAT/C/CMR/CO/5, 18 December 2017, <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsv07kjiQy53lGYOi8v5hl4glpg%2Bj3mTf%2BmFhpzMF7yqFQ5aFlI6sXg4fs7Oaa4VUuieXJ%2BbRu9n4Ht07elVFzD%2BsOngfZtKe6uZliJYBn36>.

¹² CESCR, Concluding Observations of the Committee on Economic, Social and Cultural Rights: Cameroon, E/C.12/CMR/CO/2-3, 23 January 2012, para. 23, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/437/50/PDF/G1243750.pdf?OpenElement>.

party to ensure that, in practice, no one is left homeless as a result of eviction. In this regard, the Committee refers the State party to its general comment No. 7 (1997) on forced evictions.”¹³

In the context of the fourth review of Cameroon's implementation of the ICESCR, the Committee further urged the State party to:

to take the necessary steps to provide protection against forced eviction, including the adoption and implementation of an appropriate legal framework which guarantees the provision of compensation or the option of adequate alternative housing for persons who have been forcibly evicted. The Committee draws the State party's attention to its general comment No. 7 (1997) on forced evictions.¹⁴

At the regional level, the African Commission on Human and Peoples' Rights (ACHPR) has also established that authorities should explore alternatives and options before eviction with the affected community, provide adequate notice and information, ensuring the availability of alternative housing, as well as an opportunity to appeal an eviction order. As in General Comment no. 7 of CESCR, African jurisprudence affirms that no one will be made homeless as a result of eviction.¹⁵

While authorities in Cameroon have claimed that these evictions are based on law enforcement requirements; however, through the cruel use of force, they also so violated the Code of Conduct for Law Enforcement Officers (Article 3),¹⁶ as well as the UN Basic Principles on the Use of Force and Firearms under Law Enforcement Officials.¹⁷

The African Charter on Human and Peoples' Rights affirms these same principles, in particular under Article 6. In the case of Cameroon, the State not only violated its obligations under this treaty, but also failed to inform the affected population and did not provide any sustainable alternative, neither monetary compensation, nor alternative accommodation, nor reparation¹⁸ for forced eviction as a gross violation of human rights.¹⁹

VII. Actions already undertaken:

The only actions at present against the evictions of the populations of the Vallée BESSENGUE quarter are the denunciations of organizations for the defense of human rights and the media

¹³ *Ibid.*

¹⁴ CESCR, Concluding Observations of the Committee on Economic, Social and Cultural Rights: Cameroun, E/C.12/CMR/CO/4, 25 March 2019, para. 54, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/437/50/PDF/G1243750.pdf?OpenElement>.

¹⁵ African Commission on Human and Peoples Rights, *Social and Economic Rights Action Centre (SERAC) and The Centre for Economic and Social Rights (CESR) v. Nigeria*, Communication No. 155/96, 6 June 2001.

¹⁶ General Assembly, A/RES/34/169, 17 December 1979, <https://documents-dds-ny.un.org/doc/RESOLUTION/GEN/NR0/377/96/IMG/NR037796.pdf?OpenElement>.

¹⁷ Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 7 September 1990, <https://www.ohchr.org/en/instruments-mechanisms/instruments/basic-principles-use-force-and-firearms-law-enforcement#:~:text=Law%20enforcement%20officials%2C%20in%20carrying,of%20achieving%20the%20intended%20result.>

¹⁸ General Assembly, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,” A/RES/60/147, 21 March 2006, A/RES/60/147, http://www.hlrn.org/img/documents/A_RES_60_147%20remedy%20reparation%20en.pdf.

¹⁹ Commission of Human Rights (CHR), “forced eviction,” resolution 1883/77, 10 March 1993, http://www.hlrn.org/img/documents/E-CN.4-1993-77_EN.pdf; CHR, “prohibition against forced evictions,” resolution 2004/28, E/2004/23-E/CN.4/2004/127, https://digitallibrary.un.org/record/537775/files/E_2004_23--E_CN.4_2004_127-EN.pdf?In=en.

(printed press, private radio and television, websites) and of the populations who are organized into a negotiation committee to ask the State for human measures.

Your Action

We suggest that you please write to the authorities in Cameroon, urging that they:

- Immediately cease mass evictions and demolitions occurring in this neighborhood;
- Proceed with the compensation and resettlement of populations who have already left the neighborhood and who find themselves homeless.
- Proceed with the compensation of persons holding land titles and building permits.
- Take urgent action to ensure adequate alternative housing;
- Engage in frank dialogue with affected communities in accordance with human rights principles, especially CESCR General Comment No. 7;
- Uphold their obligations under international law and respect the right of all its citizens to legal protection of their human rights, including adequate housing, participation and expression; and full reparations grant them reparations for gross violations such as forced evictions.

What You Can Do

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

 Please inform HIC-HLRN and Humanitas Solidaris (Cameroon) of any action you take at:
urgentactions@hlrn.org, franck01kouame@yahoo.fr

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Cité Chardy Street

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Tel : +237 233 40 54 45 | 233 40 38 32
Email: courrier@scdp.cm
www : <http://www.scdp.cm/en/contact-us-2/>

Sample letter to the authorities and duty holders:

Cher Madame/Monsieur:

Nous avons appris des organisations de la société civile locale au Cameroun les violentes expulsions récemment commises contre les habitants de la vallée de la Bessengue à Douala. Nous écrivons avec grâce et inquiétude face à la violation résultante des multiples obligations de l'État du Cameroun dans le processus et à l'appauvrissement et à la misère de quelque 500 victimes.

Cette agression contre les habitants de la vallée de Bessengue fait partie d'un schéma inquiétant de violations que le Comité des droits économiques, sociaux et culturels des Nations Unies a noté dans des observations en série au cours des deux dernières décennies. Cependant, l'État persiste à poursuivre ce comportement violent malgré ses obligations en matière de droits de l'homme en vertu du traité et au vu et au su de la communauté internationale.

Il faut noter qu'en 2022, les autorités ont détruit 5000 maisons au quartier BESSENGUE. A cet effet, les chefs traditionnels SAWA du WOURI avaient demandé en vain aux autorités des mesures d'accompagnement. Et même déjà en novembre 2011, au quartier BESSENGUE, une trentaine de familles avaient été menacées de déguerpissement.

Une fois de plus, les multiples observations et recommandations du Comité des Nations Unies pour les Droits Economiques, Sociaux et Culturels, lors de ses différentes sessions n'ont pas dissuadé la vague des déguerpissements qui continue au Cameroun, et c'est encore Douala, la capitale économique qui se trouve être sous les feux de la rampe.

Pour ce deuxième round de destruction à la Vallée de Bessengue, les forces de l'ordre ont dû user de gaz lacrymogène pour disperser des jeunes en furie. Un jeune a été blessé après avoir reçu une balle. Les victimes sont une centaine de familles qui s'est retrouvée sans abris à la suite de cette opération de démolition du 5 janvier 2023. Ils sont pour la plupart des vendeurs à la sauvette, des commerçants, des coiffeurs, des travailleurs aux revenus insignifiants et moyens, des familles avec des enfants allant encore à l'école, des jeunes et même des personnes de troisième âge.

Pour le moment, ces victimes n'ont eu aucune assurance d'obtenir un autre logement, encore moins une compensation alternative.

Selon l'information disponible, les auteurs de ces violations sont la Mairie de Douala, la société ferroviaire CAMRAIL (subsidaire de Bolloré Logistics) et la Société camerounaise des dépôts pétroliers (SCDP). Les exécuteurs étaient les forces de l'ordre sous la supervision du Préfet du Département du WOURI Guy Emmanuel TCHAPNGA en exécution d'une décision prise par le Ministre des domaines, des cadastres et des affaires foncières.

Indépendamment des raisons officielles d'expulser les résidents de leur emplacement, leur traitement sous l'expulsion peut être considéré légal seulement au regard de certaines sauvegardes et dispositions comme conditions préalables. L'expulsion forcée sans la consultation en avance avec les habitants; leur consentement ; processus dû ; protection contre l'abus, y compris la condition d'être sans-abri ; d'autres protections garanties par l'État serait une violation des droits de l'homme. De plus, ces violations enfreignent les obligations conventionnelles internationales de l'État, y compris le Pacte international relatif aux droits économiques, sociaux et culturels (ratifié depuis 1984). Une expulsion légale ne doit pas rendre les individus sans abri ou vulnérables à la violation d'autres droits de l'homme, et l'État doit garantir un logement alternatif adéquat, la réinstallation ou l'accès à des terres productives, selon le cas.

Dans votre rôle de responsable de cette violation flagrante des droits de l'homme commise à la Vallée de Bessengue, nous vous rappelons votre devoir de :

- cesser immédiatement les expulsions de masse et les démolitions survenant dans ce quartier ;
- procéder à l'indemnisation et au recasement des populations déjà parties du quartier et qui se retrouvent sans abris.
- procéder à l'indemnisation des personnes détentrices de titres fonciers et de permis de bâtir.
- prendre des mesures urgentes pour garantir l'habitation alternative adéquate ;
- engager un dialogue franc avec les communautés affectées conformément aux principes de droits de l'homme, surtout CDESC Commentaire général no 7 ;
- respecter vos obligations conformément à la loi internationale et respecter le droit de tous ses citoyens de la protection juridique à leurs droits humains, incluant au logement adéquat, la participation et l'expression; et la pleine réparation et accorder des réparations en cas de violations flagrantes telles que les expulsions forcées.

Nous attendons impatiemment de recevoir des nouvelles de vos efforts pour satisfaire les exigences de la situation comme recommandé ci-dessus.

Respectueusement,

{votre signature}