

# **H*i*s R**<sup>CMR</sup> **HUMAN IS RIGHT**

**Project Title:** Advocate and Promote Awareness around the protection of human rights of pretrial detainees in the South West Region.

**Project Funder:** United States Embassy in Cameroon – Democracy and Human Rights Fund.



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**A Report of the Workshop  
on “Facilitating Access to  
Justice Through Legal Aid –  
Educating Local  
Communities on the  
Possibilities for Obtaining  
Legal Aid”**

**Organised by Human IS  
Right Cameroon**

**With Support from the  
United States Embassy in  
Cameroon**

**On the 19<sup>th</sup> of April 2018**

**At**

**Boana Village, Fako Division  
South West region**

Avenues for seeking assistance in case of need.  
Human is Right head office: Beside SOWEDA, Buea -Town.

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National Commission on Human Rights and Freedom

with the support of the US Embassy Cameroon

**H*is*R** HUMAN IS RIGHT  
HUMAN IS RIGHT CAMEROON

Facilitating Access To Justice Through  
Legal Aid- Educating Local  
Communities On The Possibilities For  
Obtaining Legal Aid

**What is the law on legal aid?**  
Law NO 2009/004 of 14 April 2009 to organise legal aid in Cameroon.

**What is legal aid?**  
Legal aid is the provision of assistance to people otherwise unable to afford legal representation and access to the court system.

**Who is eligible for legal aid?**

- Needy persons
- Privates of all ranks during the term of their service.
- Persons subject to the flat-tax rate
- A spouse with minor dependent children in the divorce process with no source of income
- Work accident victim seeking compensation from his or her employer
- Unemployed person without resources deserted by their spouse and seeking to be granted alimony and child support by court

order

- A person under death sentence making an appeal.

**what is the procedure for obtaining legal aid?**

- A certificate of lack of means issued by the mayor of his local council
- A copy of the tax roll or certificate of exemption from tax, or a certificate from the administrative unit specifying, if they are liable to discharge tax
- An attestation of residence obtained at the Sub-divisional Office
- A psycho-social report gotten from the delegation of social affairs

**How to apply for legal aid?**

- To apply for legal aid you need the help of a lawyer or someone who masters the law.

## Background



Legal Aid is an established alternative to the regular course of obtaining justice in Cameroon backed by law. However, prisons and cells in Cameroon are overflowing with persons who do not know of other alternatives to obtain justice from the legal

system. In the Buea Central Prison for example, as noticed by recent visit made by some Human Is Right staff, a great number of inmates are either locked up beyond their sentences, imprisoned for offenses which do not warrant imprisonment or simply awaiting trials for periods exceedingly longer than necessary. Ignorance on their parts and on the part of their families is the most important factor keeping them in prison unjustly, causing these persons to suffer in silence. Aside from the prison system, people also face injustices in society without redress which can be attributed to the fact that they are not informed of other avenues which they could use to obtain justice hence the need for activities such as workshops , seminars and training sessions to inform persons about their rights and means available to them.

In line with the Human Is Right advocacy objective, to promote and protect human rights and to ensure that human rights violations are redressed, Human Is Right Cameroon organised a workshop entitled “Facilitating Access to Justice Through Legal Aid – Educating Local Communities on the Possibilities for Obtaining Legal Aid” at Boana village which is a small rural locality in Fako Division, South West Region of Cameroon made up mostly of farmers. Boana was chosen to begin the advocacy campaign to sensitise persons about legal aid and other human rights issues based on the composition of their population.

## Workshop Purpose

The overall purpose of the workshop organised by Human Is Right was to inform and educate the people of Mile Boana community on the possibility and availability of Legal Aid in the Cameroonian Legal system and to educate them on the process for obtaining such Legal Aid.

## Workshop Objectives

The workshop had three main objectives:

- Teach the participants about Law No 2009/004 of 14 April 2009 to organise Legal Aid in Cameroon
- Teach the participants about eligibility for legal aid as well as the process for obtaining legal aid
- Establish contact and a system of follow up which will ensure that participants were well informed and put the acquired information to use.

## Workshop Impacts/Outcome

- Participant ability to understand the concept of legal aid
- Participant ability to understand alternatives to the regular justice system like pro bono legal work
- Participant ability to understand avenues available to persons victim of human rights violations

## Event Proper

The event which was attended by more than 100 participants excluding Human Is Right Staff and Volunteers began at 4 pm took place at the Boana village community Hall. The chief of the village and council were also in attendance. The



programme was moderated by Mr Blaise Chamango Human Rights Director, Mr Njome Ekeke, Rapporteur for the south west branch at the National Commission for Human Rights and Freedoms (NCHRF) and Barrister Wirba Janette, Human Rights Associate with Human Is Right. The event was by popular agreement conducted in pidgin English which is the local language understood by everyone. Brochures were provided to participants which included basic

information about the law on legal aid and contact information for Human Is Right which would assist persons when they need it

The event began with a word of prayer and brief introduction of the Human Is Right Staff and volunteers by Mr Chamango who welcomed the participants and presented a rundown of the activities of the day. Mr Chamango proceeded to tell the participants briefly about the work of Human Is Right and acknowledged the support of the United States embassy that provided the funds to run the project. He stated a brief history of Human Is Right, their advocacy plan and interests especially the setting up of the Legal Aid Clinic in Buea. He acknowledged the contributions of the various staff members who planned the workshop and appreciated the villagers of Boana for the impressive turnout and urged them to take seriously the information they were about to receive as it could be useful to them or someone they knew.

Next, Barrister Jane Wirba, practicing lawyer at Ekontang Elad Law Chambers in Buea and Human Rights associate with Human Is Right, gave a brief presentation about pro bono work done by lawyers and how participants could benefit from these services provided by most, if not all law firms. She explained in very simple terms how pro bono work was beneficial to the protection and promotion of human rights and she encouraged participants to always speak out and ask for help when they need it so that they could benefit from the pro bono work which some if not all lawyers are inclined to do. She also told them not to have hard



feelings towards any lawyers who refused to help them or take on their cases for free as they are not under the obligation to do so but do so out of a personal sense of giving back to their communities, which is the basis of pro bono legal work.

The next presentation was given by Mr Ekeke, the Special Rapporteur for the NCHRF to tell the participants about the law regulating legal aid in Cameroon. He explained the *raison d'être* of the law and its application. Participants were told of the process employed to apply and obtain legal aid, the procedures and criteria followed by the Legal aid committees found in each court to grant this service to those who deserve it. To assure the participants that Legal aid was a reality, he went on to share some of his experiences with actual cases and the successes registered by his office by helping people who approached them for help. He went further to encourage the people to always speak up in the face of imminent violation, be courageous and confident about their rights to protect themselves from injustice and violations. Mr Chamango also told the participants about the NCHRF and its address where persons could also bring complaints about their rights being violated and be sure to receive assistance.



At the end of the Special Rapporteur's presentation, The Chief of Boana appreciated and lauded the efforts of Human Is Right to come and talk with the people of Boana and bring them good and useful information. He said his subjects were much in need of these kinds of educative sessions and extended an open

invitation to Human Is Right, imploring them to come any Thursday evening of their choice which was when his council had a meeting at their village hall to discuss important issues affecting the community.



A question session followed the intervention of the Chief where the villagers shared some of their experiences and asked questions about possible solutions. Questions were also asked about the newly learned information and how to employ this in their daily experiences. Questions ranged from what to do during interactions with the forces of law and order to land matters in the village. Among the pertinent questions asked were what to do when arrested for non-possession of National Identification Cards. The Special Rapporteur encouraged the villagers to always have their Identification Cards as to travel without it is a crime punishable by law. He also clearly told the villagers to avoid putting themselves in contravention of the law which could make it hard for their rights to be protected. The participants shared personal stories and experiences with various instances of arrest and some of the villagers intervened to appreciate the initiative of the workshop and all that they had learned in that short period of time.

The workshop was participative, with many questions asked, several interventions made, and several comments made as well, which attests to the fact that the participants understood the information which was brought to them and by the end of the workshop they were in the position to use this information to help

themselves. The Chairman of the village council said of the event that he was very impressed by the commitment of Human Is Right and urged them to come back with such good information any time. Overall the participants were satisfied with the knowledge they gained and considered the workshop as time well spent. One of the participants even said he was in turn going to organise an informative session at his church community and small neighbourhood in the village to tell the people about legal aid and how to benefit from it.

The workshop ended with a group photo and some light refreshments. The general agreement was that Human Is Right was welcome to come back any time with some more training and educative activities which would benefit the population of Boana.

## Conclusion and follow up



The pilot advocacy project of Human Is Right registered a huge success due to the hard work of the Human Is Right Team and its volunteers. One of the disappointments registered was that some volunteers could

not participate due to security concerns caused by the current crisis the region is facing. This goes further to show the need for projects and activities such as these, which aim to provide people with the tools which they will need when faced with human rights violations, to know the course of action to take and to stand up for their rights. A person who doesn't know their rights is like a person who plans to have their rights trampled upon. Two weeks after the event, Human Is Right has already received more than 50 telephone calls from participants of the workshop seeking assistance. In the future Human Is Right plans to undertake

more initiatives such as this to ensure that persons who suffer prejudices can obtain justice.

