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Cameroon Digital Rights and Inclusion Report

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CAMEROON DIGITAL RIGHTS AND INCLUSION 2021 REPORT

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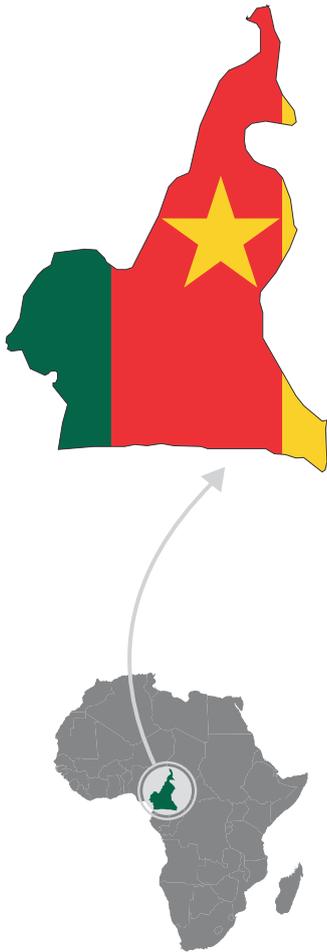
EXECUTIVE SUMMARY

This report presents the state of digital rights, internet freedoms and digital inclusion in Cameroon in 2021. Digital rights and inclusion are an important part of human rights. These rights deserve to be monitored in view of the level of recurring violations between Internet shutdown, arrest of journalists and activists, censorship of websites and social networks, disruptions of the Internet network, control, mass surveillance or the theft of personal data.

Various crises have accentuated the rise of hate speech and disinformation, in particular on the COVID-19 crisis during the year 2021. These various evils have contributed to a policy of digital exclusion, often for political reasons affecting human rights and ICT development. In Cameroon, despite efforts, the need remains visible with regard to ICT infrastructure. In 2021, Cameroon recorded no major digital rights violations. However, some actions contributed directly or indirectly to the recorded violations.

To improve the face of digital rights and digital inclusion, the government must urgently develop a law on the management of personal data; have an evaluation plan for projects in the ICT sector including all players in the ecosystem and develop a mechanism for transparency in the management of financing from the special ICT fund. Transparent digital governance is also necessary with a plan to promote artificial intelligence.





INTRODUCTION

DIGITAL RIGHTS AND INCLUSION IN CAMEROON

Cameroon is a bilingual country (French and English) located in Central Africa with an estimated population of over 27 million in 2020¹. The gross domestic product (GDP) is estimated at 479 billion FCFA over three years, including 180 billion in 2020.²

Over the past 20 years, Cameroon has adopted various laws in the ICT sector. But it is since 2016 that the development of digital is defined in the Strategy Document for the Growth of Digital called Strategic Plan Cameroon Digital 2020.³ Several areas of this strategic plan were not achieved for economic and structural reasons. The new digital plan for the next few years has been included in the National Development Strategy (SND) plan for 2030.⁴

69%
3G MOBILE COVERAGE

3G mobile coverage in Cameroon is estimated at a satisfactory rate of 69% with individual Internet use of 23% since 2018.⁵ The Internet market in Cameroon has four operators, namely MTN, Orange, Nexttel and Camtel, which provide different types of network coverage, 2G, 3G, 4G and even 5G. Alongside these telephone and Internet operators are around fifty Internet access supply companies. In Cameroon, the 5G network covers less than one million users on the national territory.⁶

1. Population of Cameroon, Countryeconomy.com (2022)

<https://fr.countryeconomy.com/pays/cameroun#:~:text=The%20Cameroon%2C%20with%20une%20population,currenc y%20est%20the%20franc%20CFA> . (accessed 2 January 2022).

2. Indicators and economic conditions, Treasury and Economy (2019)

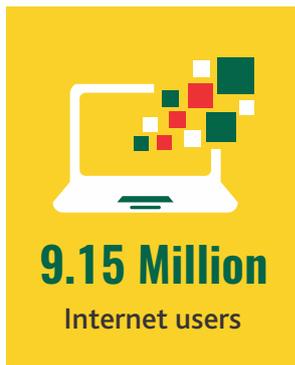
<https://www.tresor.economie.gouv.fr/Pays/CM/indicators-et-conjoncture#:~:text=Le%20Gouvernement%20a%20pr%C3%A9sent %C3%A9%20un,interm%C3%A9diaire%20de%20la%20tranche%20inf%C3%A9rieure> (accessed 23 January 2022).

3. Localhost Kmer(2020) <https://localhostkmer.xyz/2020/08/18/plan-4-strategie-numerique-du-cameroun-2020/> (accessed 2 January 2022).

4. National Development Strategy, Scribd(2021) <https://fr.scribd.com/document/492181621/SND30-Strategie-Nationale-de-Developpement-2020-2030>(accessed 22 January 2022).

5. Nperf() <https://www.nperf.com/fr/map/CM/-/-./signal/> (accessed 3 January 2022).

6. <https://www.nperf.com/fr/map/CM/-/449.MTN/signal/?ll=4.71877751249867&lg=9.953613281250002&zoom=6>



According to the report published by Hootsuite and We Are Social, Cameroon had approximately 9.15 million Internet users as of January 31, 2021.⁷ A figure has increased by 1.3 million (+ 16%) between 2020 and 2021. Based on this growth, the Internet penetration rate in Cameroon stands at 34.0% in January 2021, indicating the same report. Among these Internet users, 4.3 million are users of social networks. This out of a global population estimated at 26.88 million inhabitants in January 2021, therefore an increase of 672 thousand (+ 2.6%) between January 2020 and January 2021.⁸

ICT POLICIES AND REGULATORY FRAMEWORK IN CAMEROON

For nearly two decades, Cameroon has implemented laws that govern certain digital sectors in the country. Regulatory bodies are at the center of digital policy in Cameroon. This is the Ministry of Posts and Telecommunications which coordinates all activities in the sector, and is the main government institution responsible for ICT in the country. The Telecommunications Regulatory Agency (ART) is the regulator of the mobile telephony sector and Internet connections. The National Agency for Information and Communication Technologies (ANTIC) is an institution responsible for promoting ICT and the fight against cybercrime on the national territory.

The specific digital legislation of the ICT sector is described in Law No. 2010/013 of December 21, 2010, governing electronic communications in Cameroon and supplemented by the law of 2015.

This law establishes the procedures for establishing and operating communications networks.⁹

Other laws were adopted in the same period, including Law No. 2010/021 of December 21, 2010 governing electronic commerce in Cameroon.¹⁰ Law No. 2010/012 of December 21, 2010 on cybersecurity and cybercrime in Cameroon sets the security framework for electronic communications networks.¹¹



Framework Law No. 2011/012 of 6 May 2011 on consumer protection in Cameroon applies to all transactions relating to communication services in relation to consumers.¹²

7. Hootsuite and We are social, datareportal(2021) <https://datareportal.com/reports/digital-2021-cameroon?rq=Cameroon> (accessed 23 January 2022).

8. Population du Cameroon, countryeconomy(2021) <https://fr.countryeconomy.com/pays/cameroun#:~:text=Le%20Cameroun%2C%20avec%20une%20population,monnaie%20est%20le%20franc%20CFA> (accessed 23 January 2022).

9. Minpostel, law on electronic communications (2010) https://www.minpostel.gov.cm/images/Les_textes/Lois/Loi_2013-013_communications_electroniques.pdf (accessed 6 January 2022).

10. ART, telecommunications law (2010) <http://www.art.cm/sites/default/files/documents/Loi-commerce-electronique-N-2010-021-du-21-12-2010.pdf> (accessed 6 January 2022).

11. Minpostel, cybercrime law (2010) https://www.minpostel.gov.cm/images/Les_textes/Lois/Loi_2010-012_cybersecurite_cybercriminalite.pdf (accessed 6 January 2022).

12. Minpostel, consumer protection framework law (2011) http://165.73.158.31:81/case_study/loi-cadre-n-2011-012/ (accessed 23 January 2022).

COMPLIANCE WITH REGIONAL AND INTERNATIONAL FRAMEWORKS

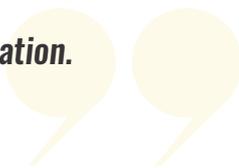
Cameroon's digital legislation draws its sources from regional and international legal instruments in this area. For example, the declaration of principles on the freedoms of expression establishes the principles of anchoring the rights to freedom of expression and access to information.¹³

The principles govern freedom of expression, which extends to social media and the internet. Principle 1 outlines the importance of the rights to freedom of expression and access to information. Principle 5 of the declaration establishes the protection of the rights to freedom of expression and access to information online.

The digital regulatory framework has also been structured through the principles of the African Commission on Human and Peoples' Rights as well as non-binding and relevant standards,¹⁴ such as the model law on access to information for Africa of 2013 and the Guidelines on Access to Information and Elections in Africa of 2017 as well as the adoption of the African Union Convention on Cybersecurity and Personal Data Protection.



The declaration of principles on the freedoms of expression establishes the principles of anchoring the rights to freedom of expression and access to information.



COVID-19 AND IMPACT ON DIGITAL RIGHTS REGULATION AND INCLUSION

In 2021, Cameroon did not record any cases of major digital rights violations related to COVID-19. The shock of the health crisis encouraged the State in the implementation of projects for the development of innovation, digital and technological tools in the health field. Cameroon does not have a law on the protection of personal data. Some applications designed by the state or the private sector during the Coronavirus do not have terms of services or privacy policies. For example, the platform of the Ministry of Public Health of Cameroon, 3MS which is responsible for collecting and publishing the test results of COVID-19 for travelers does not have information on the conditions of use and confidentiality.¹⁵

This app like others contains personal and sensitive data including phone and passport numbers, birth dates, location and many more. However, users have no information about the fate of the data available on these platforms.

13. Declaration of Principles on Freedom of Expression and Access to Information in Africa 2019(2019) <https://www.achpr.org/legalinstruments/detail?id=69> (accessed 5 January 2022).

14. ACHPR, Model Law on Access to Information for Africa https://www.achpr.org/en_legalinstruments/detail?id=32#:~:text=2(accessed 23 January 2022).

15. Minsanté, 3ms (2021) <https://3msminsante.com/> (accessed 9 January 2022).

Under these conditions or no indication has been given, user data may be used for inappropriate purposes, particularly in the context of health campaigns, electoral operations, or in hacking operations.

To limit contact between people, the General Delegation for National Security (DGSN) launched in 2021 the first digital platform for enrolling passports online, the passcam portal, with the aim of facilitating the rapid obtaining of passports.¹⁶ Although the platform has the terms of use, unfortunately, it does not indicate the details on the confidentiality of the data collected, nor on the sharing of information with third-party entities.

FREEDOM OF EXPRESSION ONLINE IN 2021

Freedom of expression in Cameroon is often very threatened due to the regularly tense political context. Journalists, activists and bloggers were intimidated directly or indirectly by their opinion online during the year. The Coronavirus crisis has impacted the level of freedom of expression in Cameroon. The management and access to information on the disease are not fluid.

Cameroon does not have a national information center on the Coronavirus. Access to information on other areas remains limited, in violation of the model law on access to information for Africa which specifies in article 12 on the right of access to information that *“subject to the conditions provided for in this law, any person has the right of access to information held by: (a) the public entities and the private entities referred to; and (b) other private entities...”*

Journalists and Internet users are often obliged to content themselves in most cases with the information available on the sites of international organizations, often with delays in updating.

INTERNET NETWORK DISRUPTIONS

During the year 2021, Cameroon did not record any major Internet cuts from the various operators and Internet service providers. However, the Internet networks of the operators MTN and Orange recorded several network disruptions, causing enormous harm to users. Cameroon recorded on average more than 2 network disruptions per month with a total of approximately 60 disruptions per year. These disturbances last between 30 minutes and 2 hours and are rarely reported or notified by network operators.

During these disruptions, mobile money services are also affected, and transactions are impossible. Telephone operators generally blame the break in the optical fibre linking Cameroon to Brazil, or ongoing maintenance work. Notification of these cases of network disruptions to customers is rarely done, while the contract between customers and Internet network operators provides for the opposite. Optical fibre in Cameroon is offered under contract by Camtel, a public mobile phone company, also an Internet service provider.

Since 2021, certain taxes on electronic transactions have been considered as a brake on innovation and technological development. In the 2021 finance law, the government announced the charging of 19.25% tax for all electronic operations. Thus, all purchases of products and services are subject to this imputation.



MTN and Orange

**recorded several network
disruptions, causing enormous
harm to users.**

16. DGSN, Cameroon passport (2020) <https://portal.passcam.cm/> (accessed 10 January 2022).



HATE SPEECH AND MISINFORMATION

Law No. 2010/013 of December 21, 2010 on electronic communications provides a regulatory framework for the use of platforms and electronic communications. Law No. 2014/028 of 23 December 2014 on the Suppression of Acts of Terrorism is legal provisions generally used to convict certain political actors on the basis of their online and offline communication and offenses related to hate speech or hate speech contempt of ethnicity.

But specifically, Law No. 2019/020 of December 24, 2019, supplementing certain provisions of Law No. 2016/007 of July 12, 2016 on the Penal Code, punishes the proliferation of hate speech as indicated in article 241 -1 relating to contempt and ethnicity:¹⁷

“(1) Is punished by imprisonment for one (01) to two (02) years and a fine from three hundred thousand (300,000) to three million (3,000,000) francs, anyone who, by any means whatsoever, holds hate speech or incites violence against people because of their tribal affiliation or ethnic.”

Since 2019, no specific convictions for hate speech have been recorded in Cameroon, although hate speech is very often spread on social networks by identifiable people.

DIGITAL INFRASTRUCTURE AND ICT PRIORITIZATION

Cameroon has taken a big step in the development of its digital infrastructure over the past 5 years, through the construction of database centres, data centres, the improvement of the Internet connection by optical fibre between Cameroon and Brazil by cables submarines, the deployment of two Internet exchange points (IXPs) in Douala and Yaoundé. The latest generation of technological equipment has been acquired for health centres or national police services for the production of biometric passports and in certain research laboratories.

Unlike countries that have used COVID-19 to develop Artificial Intelligence, Cameroon has not taken any policy or strategy for the development of AI. Also, Cameroon has no legal and regulatory provision on Artificial Intelligence while the interactions between Internet users in Cameroon face the processes of artificial intelligence. Although these infrastructures exist, the gap is still visible with regard to mobile networks and Internet coverage throughout the territory.

17. Law n°2019/020 of December 24, 2019 (2019)
<https://www.prc.cm/files/e4/df/69/d0803e347719aa9263eff2afe4c8c158.pdf> (accessed January 9, 2022)



CONCLUSION

Cameroon recorded little news on violations related to digital rights and internet freedoms in 2021. However, slight cases of digital rights violations were recorded through disruptions of the internet network and networks of financial operations by mobile.

Some Data Breach Cases of a personal nature in the management of the covid crisis are also to be deplored. Online freedoms of expression and freedoms of protest have also been curtailed due to Covid, which has also heightened self-censorship of freedom of expression.

The COVID-19 crisis has enabled Cameroon to take a step forward in the development of ICT. Some infrastructure was built during the crisis and the quality of the Internet network has improved.

In the face of violations, the role of local and international organizations has remained dynamic and constant in the face of non-compliance with digital rights and freedoms through various actions and advocacy campaigns.



***Cameroon recorded little
news on violations related to digital
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in 2021.***

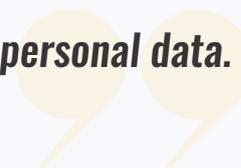


RECOMMENDATIONS

- For access to information on the COVID-19 pandemic, Cameroon must have a national information centre on the impact of COVID-19 and strengthen the mechanisms for accessing information offline and online for quality and up-to-date content.
- For freedom of expression online, Cameroon must strengthen the freedom of expression and association online and respect the national and international legal provisions in this area.
- To strengthen data security and the protection of privacy, Cameroon must adopt a law on personal data. The creation of an independent agency for the collection and management of personal data could better protect users.
- To limit the disturbances of the Internet network, Cameroon must create an independent agency for the management of the Internet network and the transparent management of optical fibre.
- To limit the spread of hate speech and its consequences, the government must enforce the law in this area. Also, the government must create an agency responsible for triggering sanctions against the authors of hateful and dangerous remarks and on the excesses linked to new technologies.
- As part of the development of technology infrastructure, the government must prioritize the development of infrastructure and the expansion of ICT Internet coverage in all regions of Cameroon.
- To promote artificial intelligence, the government should develop a national artificial intelligence strategy.



To strengthen data security and the protection of privacy, Cameroon must adopt a law on personal data.



Londa 2021 expands on last year's report with findings from 22 countries, examining themes of privacy, freedom of expression, access to information, segmentation and exclusion, digital transformation, affordability, gender and others within existing legislative frameworks, and against the backdrop of a widening digital divide. This edition captures the gaps and proffers recommendations to achieve a digitally inclusive and rights - respecting Africa.



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