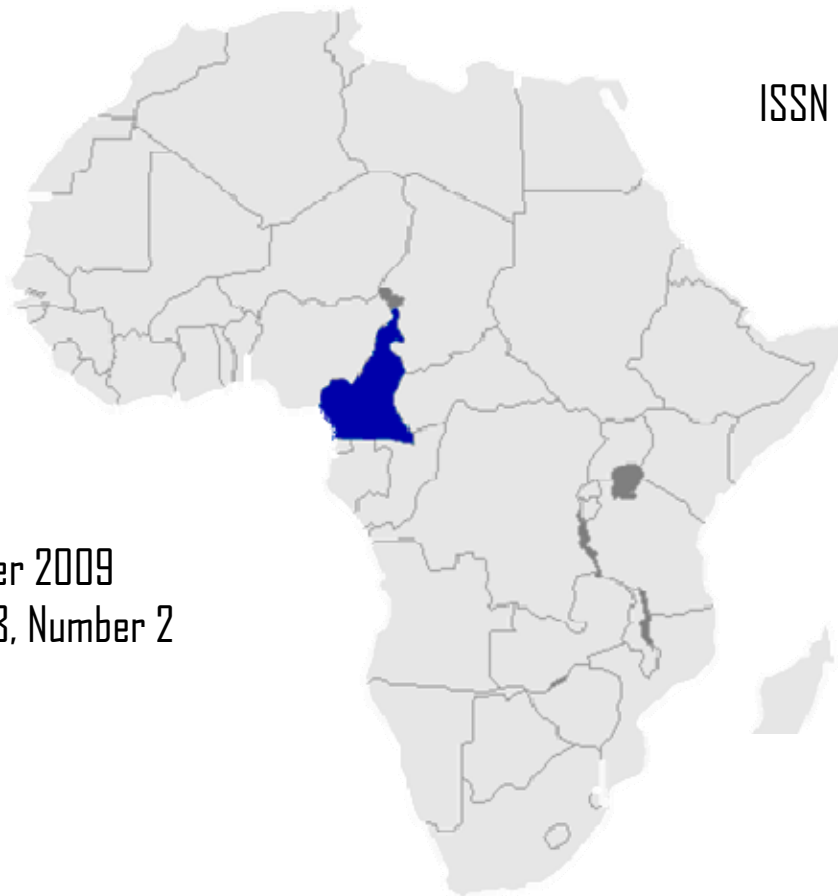


# Cameroon Journal on Democracy and Human Rights (CJDHR)

ISSN 1938-3584



December 2009  
Volume 3, Number 2

Journal of  
Cameroon Center for Democracy and Human Rights

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## CONSTITUTIONAL PROBLEMS IN THE CONSTRUCTION AND LEGALITY OF THE UNITARY STATE IN CAMEROON

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### Abstract

The unitary state in Cameroon, or the existence of a single governmental authority controlling or directing the affairs of all the people in that country, refer to the present kind of union of the peoples of the two former UN trusteeship territories of British Southern Cameroons and French Cameroon, separately administered by Britain and France, that was formed in October 1961. It concerns first and only the coming together of Anglophone and Francophone communities beginning in that year, not the numerous ethnic entities in Cameroon. The issue of its constitutional legality or illegality can only be determined by knowing the legitimacy and legality of the process of setting it up. This article assess the legality and legitimacy of the unification processes in Cameroon, and that further steps adopted to obscure the former nature of the two Cameroons. The author argues that there exist in Cameroon a fundamental problem known as the Anglophone Problem and there is a need for dialogue to resolve this longstanding situation.

**Keywords:** Cameroon, constitutionalism, federation, trusteeship, referendum, Southern Cameroons, British Cameroon, Anglophone Problem.

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## 1. Introduction

Prime Minister Ahmadou Ahidjo of the French Cameroon and Prime Minister John Ngu Foncha of the British Southern Cameroons began to seriously discuss the possibility of the reunification of their two territories in 1959 when Foncha was elected into office. At that time, British Southern Cameroons was still being administered as an integral part of the Nigerian Federation, while the French Cameroon was already assured of independence the following year on January 1, 1960. Earlier in October 1958, Prime Minister Ahidjo who was only a few months in office “unequivocally endorsed the reunification and independence” of the two Cameroons.” He pointed out that “ if reunification was the wish of the British Cameroons, he could not object it” and “tacitly insulated reunification from party politics in the French Cameroons by getting Parliament ‘to approve a motion accepting’ it “whenever the Anglophones were ready”.<sup>1</sup> In the Southern Cameroons, Foncha’s KNDP had insisted in the January 1959 election that brought his KNDP to power that the Southern Cameroons would first secede from Nigeria, remain under British administration for some time, achieve independence, and then enter into negotiation about reunification with French Cameroon after their own independence.<sup>2</sup> French Cameroon became independent as La Republique du Cameroun on January 1, 1960 and Ahmadou Ahidjo was soon raised to the office of the President of the Republic.

## 2. The United Nations and Self-Determination in the Southern Cameroons

For reunification to take place the Southern Cameroons had first to separate from Nigeria. This was easy because throughout the forty-four years of its close administrative association with Nigeria, Southern Cameroonians were “uncompromising on matters of (their) identity and personality, and doggedly refused integration into that country even though both shared a common

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<sup>1</sup> Nicodemus F Awasom, “The Reunification Question in Cameroon History: Was the Bride an Enthusiastic or Reluctant One?,” *Africa Today*, Vol 47, No. 2, Spring 2000, p. 107.

<sup>2</sup> *Ibid*, p. 106.

language, legal and educational system, culture, value system, administration and constitutional history”.<sup>3</sup> Because opinion was sharply divided in the territory between members in the Southern Cameroons House of Assembly who favoured continuous association with Nigeria and those who favoured reunification, it was soon decided that the matter be put to the vote in a plebiscite to hold not later than March 1961.

Earlier in March 1959, a Communiqué had been issued at the UN stating that the plebiscite issue in British Cameroon would be dealt with simultaneously in Northern and Southern Cameroons on February 11, 1961. There would be two questions, namely whether to **gain independence by joining** the Nigerian Federation or **by joining** the Cameroon Republic. The self-determination of the Southern Cameroons was therefore not recognised by the universal organisation.

The so-called plebiscite ‘choices’ were false and incomplete. False, because the UN misrepresented the process as one that was to lead to real independence and not, as it turned out to be, a mere transition from dependence to dependence. Incomplete, because the option of separate independence provided under the UN Charter and the 1960 Declaration on the Granting of Independence to Colonial Countries and Peoples, was unjustifiably withheld .... The Southern Cameroons was instead ordered by the UN to ‘join’ either Nigeria...or Republique du Cameroun.<sup>4</sup>

This decision taken with the connivance of the British to compel the inhabitants of an international trusteeship to gain independence **by voting to join** and not in their own right was the first illegal and unconstitutional act against Anglophone Cameroonians and a “betrayal of too trusting a people”.<sup>5</sup>

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<sup>3</sup> Calson Anyangwe, “A Trust Betrayed by the United Nations and Great Britain: The Transfer of the British Southern Cameroons to a Successor Colonialist,” MS, Lusaka, 2005, p. 22; Bernard Fonlon, “The Language Problem in Cameroon: A Historical Perspective”, in Comparative Education, Oxford, February 1969, p. 25; Verkijika G Fanson, “Anglophone and Francophone Nationalisms in Cameroon”, in The Round Table Commonwealth Journal of International Affairs (1999), Issue 350, p. 283.

<sup>4</sup> Carlson Anyangwe, *ibid*, p. 6.

<sup>5</sup> *Ibid*, pp.5-15.

Did and does Article 76 of the UN Charter not specifically require of the Administering Authority of a trusteeship territory to promote the advancement of the inhabitants and “their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and ... the freely expressed wishes of the peoples concerned, and as may be provided by the terms of each trusteeship agreement”? Was the plebiscite organized to decolonize the Southern Cameroons and grant it independence or to facilitate the territory’s annexation by a neighbouring country? In other words, did the British trusteeship agreement with the UN require of Britain to transfer the Trust Territory of Cameroon to a neighbouring country at independence? Any injustice done to a people deliberately or in ignorance requires correction when it is identified and pointed out.

The decision to pose only two questions was even taken without regard to the most popular opinion outside the House of Assembly **that the Southern Cameroons should be independent in its own right** without joining either country. As a matter of fact, during the Mamfe Conference of Southern Cameroons political and traditional leadership opinion was overwhelming, as expressed by the Fon of Bafut on behalf of all in this too-well-known quoted statement, that:

We rejected Dr. Endeley because he wanted to take us to Nigeria. If Mr. Foncha tries to take us to French Cameroon we shall also run away from him. French Cameroon is ‘fire’ and Nigeria is ‘water’. I support secession without unification.<sup>6</sup>

This was the declared wish of the people to be “independent or self-governing”. This declaration conformed to UN Resolution 1514 of 12 December 1960, barely three months before the Cameroon plebiscites, which proclaimed the rights of all trust territories and all non-self-governing peoples to end colonialism and declared the “transfer of all powers to the peoples of those territories without any

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<sup>6</sup> Bongfen Chem-Langhëë, *The Paradoxes of Self-Determination in the Cameroons Under United Kingdom Administration*, University Press of America, Inc., Lanham, 2004, pp. 119-120; Carlson Anyangwe, note 3 above, pp. 8-11.

condition or reservations ... in order to enable them enjoy complete independence and freedom.” But who cared about the fate of Southern Cameroonians? The number of registered voters for the plebiscite in the Southern Cameroons was 350,077. Of these the votes in favour of Integration with Nigeria were 97,741 and those in favour of Reunification were 233,571.

### 3. Ahidjo’s Assurances and the Vote

Before that vote, on October 1, 1960, British Cameroons as a whole had been separated from Nigeria to prepare for the plebiscites as that country gained independence as the Federal Republic of Nigeria. Any decision in British Cameroon to integrate with Nigeria or to reunify with the Republic of Cameroon would be to join a country that was already independent. The idea of achieving reunification through a plebiscite or a vote to join was neither the wish of Southern Cameroonians nor an imposition of French Cameroon. It was rather an imposition of the United Nations.

A little earlier on May 31, 1960 the UN Trusteeship Council had issued a resolution requesting Britain to take appropriate steps to ensure that the people of British Cameroon were fully informed about the constitutional arrangement that would follow after the plebiscite results for the implementation of the decision. **A clear statement about the form of reunification** was therefore required similar to what was already known about the place of the Southern Cameroons in Nigeria in the event of a vote in favour of integration.<sup>7</sup>

President Ahidjo during a visit to beef up Foncha’s reunification campaign effort assured Southern Cameroonians at Tiko on July 17, 1960 that ‘reunification’ would not mean the annexation of their territory; it would be achieved in an

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<sup>7</sup> For the status of Southern Cameroons in Nigeria in the event of a vote in favour of Integration, see Bongfen Chem-Langhëë, *ibid*, pp. 140-143.

atmosphere of equality between the representatives of the two territories.<sup>8</sup> The two territories would form a federal union of two states, **legally equal** in status. Ahidjo and Foncha soon issued a joint communiqué to the effect that **reunification would be on a federal basis** adaptable to conditions peculiar to all sections of Cameroon. In October the two leaders agreed that minimum powers would be allocated to the federal state and that no measure contrary to the interest of one state would be imposed upon it by the majority in the other state. Ahidjo's "speeches appealed to many who had had different opinions" on the reunification of the Southern Cameroons, and particularly overwhelmed Foncha with joy.<sup>9</sup>

Following the massive vote in favour of reunification, steps began to be taken towards drawing up a Federal Constitution that would ensure the functioning of the Cameroon State. From June 26 to 28, the Southern Cameroons representatives of political parties, Native Authorities and Members of the House of Assembly and House of Chiefs met at Bamenda to agree on proposals to be tabled at the forthcoming talks with the delegation from Cameroon Republic at Foumban. In spite of the undertaking given by the British at the UK-Southern Cameroons Talks in London from October 10 to 13, 1960 that the United Nations and the United Kingdom would be associated with constitutional talks between the Southern Cameroons and the Cameroon Republic after the plebiscite, "to the consternation and utter discomfiture" of Southern Cameroonians, neither the UN nor the UK bothered to show up at the Foumban Constitutional Conference. Both refused to give the inhabitants of the territory the much needed constitutional expertise, the UN pleading 'financial constraint' and the UK that it was not its responsibility to obtain for Southern Cameroonians the best terms possible from the Cameroon Republic.<sup>10</sup> This attitude of the British was not surprising because, from the time of the partition of German Cameroon in 1916 and throughout the

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<sup>8</sup> Joseph Ebune, "The Making of the Federal System," in Victor Julius Ngoh, ed., *Cameroon: From Federal to Unitary State 1961-1972*, Design House, Limbe, 2004, p.53.

<sup>9</sup> Ibid, p. 54.

<sup>10</sup> Carlson Anyangwe, note 3 above, p. 7.

forty-five years of their administration, British interest in Cameroon was tied to Nigeria.<sup>11</sup> The vote in favour of reunification was against their expectation and manoeuvres.<sup>12</sup>

The Fouban Constitutional Talks were held from July 17 to 21, 1961 between representatives of the Cameroon Republic and the Southern Cameroons. The outcome was a highly centralised Federal Constitution, as opposed to a loose type of con-federal constitution expected by Southern Cameroonians that would come into effect on October 1, 1961, the Independence Day for the Southern Cameroons and the Reunification Day for the two Federated States. La Republique du Cameroun would become the Federated State of East Cameroon and the Southern Cameroons would become the Federated State of West Cameroon.

The Constitution produced at Fouban greatly favoured President Ahidjo's wish to work towards setting up a unitary state in the future. The power to initiate its revision lay in the hands of the President and proposals for a revision would be adopted by a simple majority of the Federal Assembly, which should comprise the majority of each State's representatives. Revenue allocation was not discussed and included in the Constitution, in spite of the fact that West Cameroon would give up its sources of customs and other revenue and be financed by federal subventions until a formula for allocation could be fixed.

#### **4. Undermining the Autonomy of the Federated States**

Immediately after reunification, President Ahidjo divided the Federation into six Federal Administrative Regions, with West Cameroon constituting a single region, and placed each under a Federal Inspector who represented and was directly accountable to him. The division of the country into administrative regions

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<sup>11</sup> Emmanuel Chiabi, *The Making of Modern Cameroon: A History of Sub state Nationalism and Disparate Union, 1914-1961*, University Press of America, Inc., Lanham, 1997, p. 25.

<sup>12</sup> Nicodemus F Awasom, note 1 above, p.91.

considerably undermined the powers and authority of the Federated States and of the Prime Ministers, especially that of West Cameroon. Of course, this could not “provide for equal partnership of both parties”, as was expected, “let alone for the preservation of the cultural heritage and identity of each”, but would turn out “to be merely a transitory phase to the total incorporation of the Anglophone region into a strongly centralised, unitary state.”<sup>13</sup> Ahidjo was to say later, in answer to West Cameroonians who were opposed to over centralisation that the people of Southern Cameroons had voted for reunification and not for federation. That was a great lie. How could he say that? He had personally and categorically promised the people a federation before the vote. Only he alone knew all along that the federation was a temporal arrangement that would in the nearest convenient future convert to a unitary state.

Soon after the Federal Constitution came into force, Ahidjo began moving rapidly towards setting up a unitary system. In 1962 the CFA franc was introduced into West Cameroon and the West African sterling squeezed out of the territory. In 1964 the metric system replaced the imperial system of weights and measures. In 1965 S. T. Muna’s newly formed political party, the Cameroon United Congress (CUC), pledged support for the Federal Constitution and at the same time advocated the creation of a single political party and a unitary system for the whole country. Muna thus singled himself out as the proper person that would satisfy Ahidjo and work with him as leader of West Cameroon, not Prime Minister A. N. Jua or Vice President John Ngu Foncha, both of whom were opposed to over centralisation and anything that threatened the federation.

In June 1966, Ahidjo took a giant and effective step to end political pluralism in West Cameroon where multi-partyism was vibrant. Following an apparently hurried meeting at the presidency of a few members of his party and the leaders of the three existing political parties in West Cameroon, they agreed to dissolve

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<sup>13</sup> Piet Konings and Francis Nyamnjoh, “The Anglophone Problem in Cameroon”, *The Journal of Modern African Studies*, Vol. 35, No. 2. (1997), p. 207.

all their political organisations in favour of a **unified party** to be known as the Cameroon National Union (CNU). By the end of August the four parties had been dissolved and on September 1, the CNU became the sole official party. On that day Ahidjo invited all Cameroonians to join the party in order to consolidate the country's unity. Ahidjo became head of the sole party in East and West Cameroon, in addition to being head of the federal government and head of state. He now had power to make his supporters and collaborators prominent and to unmake those who opposed his moves towards setting up a unitary state.

Under the CNU, elections to the Federated State Assemblies and to the Federal Assembly were single slated with no room for competition or choice. On January 11, 1968 Ahidjo, without consulting the State Assembly, appointed Muna who was not an elected member of the Assembly, to replace the popular pro-federalist Jua as Prime Minister of West Cameroon. In 1970 he over-rode the clause in the Federal Constitution, which barred one and the same person from simultaneously occupying the posts of Prime Minister in West Cameroon and Vice President of the Federal Republic, and appointed Muna to be his running mate. Foncha, the father of reunification, was thus elbowed out and the way made clear for the introduction of the unitary system in Cameroon.

##### **5. The Referendum: Violation of Constitution and Betrayal of Trust**

On May 6, 1972 President Ahidjo informed the Federal Assembly in Yaoundé that he would consult the sovereign people of Cameroon who were masters of their destiny through a referendum on the question of instituting a unitary state. He explained that the Cameroon Federation with four assemblies, three governments and duplication of posts in East and West Cameroon was too expensive to run and was draining the country of huge sums that could be used for its development. He cited Article 2, which empowered the Members of the Federal Assembly and the people to revise the Federal Constitution, without mentioning Article 47, which warned against any threat to the continuation of the federation. While Article 2 favoured the revision of the Federal Constitution,

Article 47 was against any revision that would abrogate the federal system: **“No proposal for the revision of the constitution which impairs the unity and integrity of the Federation shall be admissible.”**

The referendum campaign was short and one-sided in favour of the “Yes” choice that Ahidjo wanted. There was no debate and no time to explain the implications of the decision the people were about to make. The referendum was to hold on May 20 at which the people would cast their votes for or against the draft constitution instituting the one and indivisible United Republic of Cameroon. The referendum was flawed. No one in Cameroon openly opposed Ahidjo’s moves after the CNU was formed, when the President had become the ‘all powerful’. “There was no published list of voters or list of polling stations. The exact number of registered voters and percentage of actual voters could not be determined. La Republique du Cameroun made it an offence of subversion for anyone to campaign for a negative vote. Intimidation was rife”.<sup>14</sup> It was, as Chem-Langhëë confirms, politically unwise and even suicidal to try to express views contrary to those of the President on any issue. No wonder that those who were forcefully silenced in the process are now agitating as SCNC or whatever against the annexation and for the autonomy of their territory. When the vote was counted, if at all it was in many places, the result was a landslide, a massive 99.99 per cent in favour of the United Republic.

The Federation was immediately dismantled by the same Ahidjo who had assured the UN on February 25, 1959 that French Cameroonians would never “impose a unitary system” on the inhabitants of Southern Cameroons if they voted in favour of Reunification.<sup>15</sup> In 1984, President Paul Biya consolidated Ahidjo’s handiwork by changing the name of the country from United Republic to simply La Republique du Cameroun, the name French Cameroon had adopted at independence in 1960. Thus, the former Southern Cameroons, the actual

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<sup>14</sup> Carlson Anyangwe, note 3 above, p. 24.

<sup>15</sup> Bongfen Chem-Langhëë, note 6 above, p. 136.

autonomous Federated State of West Cameroon, was completely annexed in the process of setting up the unitary state. Some Anglophones have interpreted the 1984 act as the secession from the federal union of La Republique du Cameroun, which should not drag their dear state of Southern Cameroons along.

The legal basis of the unitary state of Cameroon as it exists today is therefore seriously in question. This is because every major step towards setting it up was either a violation of a solemn declaration that the people of Southern Cameroons were made to accept and believe as a matter of faith, a violation of the Constitution, or a lone application of a hidden agenda and “betrayal of trust”. If people are deceived or fooled by their leader or leaders to take a major decision for life on a false premise, that decision is illegal for as long as the situation lasts. If husband and wife make public declarations that they love each other and get married when deep in their hearts there is no love, that marriage is null and void, even if there are children in it. So is the unitary state in Cameroon.

## **6. Legal Basis of Unitary State**

There have been a number of major decisions, each of which was a violation of the sacred trust of the people of Southern Cameroons, the only component that was used in setting up the unitary state in Cameroon. On March 13 and October 16, 1959 the UN passed illegal Resolutions 1350 and 1352 against the UN Charter or Constitution, imposing plebiscites and the plebiscite questions respectively on the people of British Cameroon as the way for them to determine their future **of joining** to gain independence. On December 24, 1960 President Ahidjo of La Republique du Cameroun and Prime Minister Foncha of Southern Cameroons agreed in an official “Note” to the Administering Authority (the British), which they requested to be considered as their final position, in the event the plebiscite vote favoured reunification, that the two territories would unite as equals in a new Federal United Cameroon Republic, each continuing to conduct its affairs consistently with its inherited state culture, with only a limited number of

subject matters conceded to the central government.<sup>16</sup> The British publicised this agreement, which Foncha's party used in the campaign before the vote. Ahidjo's subsequent moves showed that he never ever believed in that Joint Communiqué, which he and Foncha had issued. He had deceived the UN, the British, Foncha and, worse of all, the people of Southern Cameroons. They were deceived to vote for a federation that was not going to last.

Whatever, in 1961 at Foumban, Ahidjo again manipulated the Southern Cameroons delegation and issued a highly, instead of a loose federation he and Foncha had promised the people of that state in 1960 would be the basis of Reunification. In spite of that that Federal Constitution still had in it Article 47, as already mentioned, that contained an important safeguard against revision. When Ahidjo announced the referendum on May 20, 1972 he should have known that he was violating the Federal Constitution and imposing an illegal unitary system on the people of West Cameroon. They alone voted to bring about the reunification of the two territories, and only they alone could vote to change it. Keeping away many other important facts and arguments against the UN organised plebiscite, which violated the UN Charter by asking the autonomous people of Southern Cameroons to gain independence **by joining**, the referendum, which violated the Fouban Constitution, and the dismantling of the Federation, which violated Article 47, we can say in our right senses and in all honesty and truthfulness that the unitary state of Cameroon does not exist in legality.

It may be necessary to clarify the misunderstanding that many Francophone Cameroonians have been made to believe about **the Anglophone Problem** by some scholars and politicians. The Anglophone Problem is easily dismissed as a minority problem. It is not. Those who say so say it is the same as the Bamileke or Kotoko or any other ethnic problem. This is ridiculous; it is reducing the

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<sup>16</sup> Carlson Anyangwe, note 3 above, p. 4.

Anglophones of the North West and South West Regions into an ethnic group. Which other ethnic group came into the Cameroon union by voting in a plebiscite? The **Anglophone Problem is a constitutional and self-determination problem**. When Southern Cameroonians voted to reunite, they knew they would constitute a minority in the federation. That is why they demanded and received categorical assurances before casting their votes that Reunification would be on no other basis, but a federation of two equal states.

## **7. Conclusion: The Way Forward**

The solution to this constitutional and self-determination problem that is bound to affect the development of Cameroon negatively forever is a round table discussion by Anglophone and Francophone experts and a return to constitutional legality in a federation. The UN should take its responsibility seriously, revisit the Anglophone problem in Cameroon, and respect its own Charter. Anglophones have to use either or both of these pathways as they seek a solution to their problem.

## **A DESCRIPTIVE ANALYSIS OF THE RIGHTS OF WORKERS IN THE INFORMAL SECTOR IN CAMEROON**

Joseph KIJEM YUH\*

### **Abstract**

Cameroon's economy is increasingly being dominated by the informal sector, which for a long time had been uncoordinated. At the practical level, despite the setting up of a structure (the Integrated Support Project for Informal Sector Actors) which is out to protect and promote the rights of informal sector workers in Cameroon, the said rights have not experienced any significant or substantial improvement. It is against this bleak background that this article proposes some solutions aimed at remedying the situation so as to upgrade the status, integrity and welfare of informal sector operators in Cameroon. The said proposed solutions or recommendations will not only improve the economic and financial capacity of informal sector operators, it will also promote the creation of decent jobs in the informal sector as well as boost the economy of Cameroon, since most of the workers of this economy are in the private sector.

**Keywords:** Rights of workers, Informal sector, Cameroon, job creation, Integrated Support Project for Informal Sector Actors.

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## 1. Introduction

Considering that Cameroon is experiencing serious economic crisis which has severely affected the labour market, many Cameroonians have resorted to survival means in the informal sector. Initially, this endeavour was not coordinated and streamlined because of the contemptuous impression Cameroonians, especially public authorities, had about the informal sector. Recently, there has been an increasing interest in the activities of this sector by the Cameroonian Government and informal sector actors themselves. To this end, the contractual, organizational, training and social security rights of these actors have been brought to the limelight especially at the theoretical level or the level of publications.

## 2. Definition of the Informal Sector

The economic fabric of a country's economy comprises the formal and informal sectors. In principle, the former is that section of the economy whose activities are regulated by the government whereas the latter is that part of the economy which operates clandestinely or on the fringes of the law. The aforementioned description of the informal sector is corroborated by a specialist in informal sector issues. He states that the concept of informality deals with the nature of informal activities, that is, activities which cannot be controlled and registered or which are not controlled by labour inspection laws.<sup>1</sup>

However, this definition of the informal sector has been substantially watered down by recent developments in many economies due to the huge contribution made by the informal sector to the progress of the economies concerned. To this end, the informal sector in Cameroon can now be ascribed formal attributes since it is gradually being formalized by the conspicuous presence of the State through institutions such as the Integrated Support Project for Informal Sector Actors

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<sup>1</sup> Jonas Tchakoa, "The Role of the Informal Economic Sector (IES) in African Urban Economics During Economic Crisis and Liberalisation: The Case of Yaounde City" in Kengne Fodouop and Alain Metton (eds), *Economie Informelle et Développement dans les Pays du Sud à l'Ere de la Mondialisation* (2000), p. 82. Yaoundé: Presses Universitaires de Yaoundé.

(PIAASI) and the National Employment Fund (NEF). Furthermore, at the international level, the International Labour Organization (ILO) is also seriously involved in the formalization of the informal sector for the benefit of the world economy and the protection of the rights of the informal sector workers. In a nutshell, this formalization process of the informal sector involves, *inter alia*, its removal from the confines of clandestine activities by granting it formal sector characteristics such as the promotion and protection of the rights of workers, the rational organization of the sector, etc.

### **3. Historical Considerations**

Historically, the Cameroon Government started taking the informal sector very seriously at the end of the 1980s when many State-owned and private corporations were closed down because of mismanagement and an acute economic crisis. In this connection, structures such as the National Employment Fund, Women Empowerment Centres (WECs), the Support Programme for Rural and Urban Youths (PAJER-U) have been set up. This institutional breakthrough at the public level culminated in the creation of the Integrated Support Project for Informal-Sector Actors which is the only State institution responsible solely for informal sector issues. At the private level, bodies such as the National Street Vendors' Association (ANESCAM) and the National Association of Operators of the Informal Sector and of the Fight Against Poverty in Cameroon (ANOSILP) were set up. All these structures are an epitome of the importance of the informal sector and by extension, the rights of its actors or workers. They operate within the confines of a well-defined legal and institutional framework.

### **4. Framework of Informal Sector in Cameroon**

#### **4.1. Legal Framework**

In Cameroon, there are some laws and decrees which govern the informal sector. These laws and decrees grant formal characteristics to the informal sector. They deal with a variety of domains such as the motorbike business, gambling activities, and the bar business. As concerns gambling activities, the

Cameroonian Government thought it wise to regulate them through a decree.<sup>2</sup> This decree deprived these activities of a very significant part of their clandestine or informal nature. It went a long way to protect the rights of the stakeholders involved thereby granting them some recognition.

As regards the bar business, the Cameroonian Government protected it by issuing a decree.<sup>3</sup> To some extent, it indirectly and directly provided legal recognition to especially the proprietors of small drinking spots which do not have any streamlined management techniques and a well defined framework for the protection of the rights of their workers. Lastly, one of the landmark formalization processes in the informal sector in Cameroon is that of the motorbike business. This formalization process is governed by an elaborate decree.<sup>4</sup> This decree grants a very formal nature to motorbike business by *inter alia*, providing the terms and conditions to be fulfilled in order to become a commercial motor biker and the sanctions to be meted out to defaulting commercial motor bikers.

#### **4.2. Institutional Framework**

Recognizing the invaluable contribution of the informal sector to Cameroon's economy, a series of institutions, as aforementioned have been set up to promote and protect the sector. At the Government level, they are, among others, the National Employment Fund, Women Empowerment Centres, the Support Programme for Rural and Urban Youths and the Integrated Support Project for Informal-Sector Actors. At the private level, they include the National Street Vendors' Association, the National Association of Operators of the Informal Sector, and of the Fight against Poverty in Cameroon.

The National Employment Fund provides training to jobseekers in both the formal and informal sectors. It funds projects in these two sectors. In this connection,

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<sup>2</sup> Decree No. 81/497 of 23 November 1969.

<sup>3</sup> Decree No. 73/659 of 22 October 1973.

<sup>4</sup> Decree No. 2008/3447/PM of 31 December 2008.

informal-sector activities such as the weaving of baskets and the mending of shoes are financed by the said fund. Women Empowerment Centres provide training and job opportunities to Cameroonian Women in the informal sector. These centres are of paramount importance since the informal sector in Cameroon is mainly manned by women. The Support Programme for Rural and Urban Youths is one of the structures set up by the Cameroonian Government to alleviate poverty. It deals with the self-employment of youths by providing funds for self-employment projects.

Contrary to the above-mentioned State institutions handling informal sector issues in Cameroon, the Integrated Support Project for Informal Sector Actors (PIAASI) was set up to handle the said issues in specialized and rational way. PIAASI has set up regional branches all over Cameroon for the purpose of realizing the aforementioned objectives. Its objectives are, namely:

- To develop the potentialities for job creation in the informal sector;
- To take social-protection measures as well as design appropriate rules and regulations to guide informal-sector activities;
- To set up a revolving system for funding micro-projects;
- To organize the poor to be involved in income-generating activities;
- To enable informal-sector stakeholders to form common initiative groups.

Lastly, there are non-governmental institutions which defend the rights of informal sector operators. One of these institutions is the National Street Vendors' Association which is out to ensure that street vendors operate on the basis of decent working conditions. Furthermore there is the National Association of Operators of the Informal Sector, and of the Fight Against Poverty in Cameroon. This body came into the limelight in the wake of the recent wanton destruction of informal sector businesses in Yaounde by the Yaounde Government Delegate. It defends the rights of informal sector workers in a vocal and radical way.

## **5. Assessment of the State of the Informal Sector in Cameroon**

### **5.1. Contractual Rights**

Most informal sector workers in Cameroon do not work on the basis of a contract. This situation is quite evident in family businesses and other small businesses. For instance, most of the proprietors of these businesses do not acknowledge, especially at the contractual level, the payment of the minimum guaranteed salary (28.416XAF) which is obtainable in Cameroon's private sector, thereby contravening the provisions of the Minimum Wage Fixing Convention.<sup>5</sup> Furthermore, other vital contractual aspects such as social security rights are completely discarded by most owners of informal sector businesses.

### **5.2. Organizational Rights**

For any structure or business to succeed, it needs streamlined and rational organization. Despite some laudable endeavours from ANESCAM, ANOSILP, PIAASI, WECs, NEF, etc, a lot still has to be done in the informal sector in Cameroon. Most informal sector operators or workers are not members of informal sector associations and are not provided with organizational skills. This state of affairs partially justifies the disorder prevailing in the informal sector in Cameroon and the frequent harassment of the stakeholders concerned. To crown it all, the Cameroon Government has done very little in ensuring that necessary and appropriate measures are taken so that workers and employers of the informal sector may freely exercise their right to organize themselves.<sup>6</sup>

### **5.3. Social Security Rights**

The informal sector in Cameroon makes a mockery of these rights. Social security benefits such as old-age benefits, family benefits, etc, are not part of the informal sector vocabulary in Cameroon. This situation flouts the provisions of the International Social Security Association (ISSA) Constitution especially as

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<sup>5</sup> Article 1 (1) of the Minimum Wage Fixing Convention [(C131) /1970].

<sup>6</sup> Article 11 of the Convention on the Freedom of Association and Protection of the Right to Organize [(87)/1948].

regards old-age benefits.<sup>7</sup> In other words, the said situation places informal sector workers in a precarious state since they cannot benefit from the social security rights enjoyed by their counterparts in the formal sector.

#### **5.4. Training Rights**

These rights are very important in vocational circles, especially in the informal sector, a sector in which they enable both the employer and employee to update their skills through pre-employment training, on-the-job training, and post-employment training. These trainings include various aspects of skills development such as sensitization campaigns, in-services, seminars, conferences, etc, which are aimed at stepping up the financial and managerial empowerment in the informal sector.

Beside a few structures like PIAASI and NEF which have been organizing a few sensitization campaigns, seminars, and training sessions in some regions in Cameroon at the level of the informal sector, most of the actors of this sector are deprived of training opportunities. They operate or work in a less streamlined and an unprofessional manner because of a conspicuous lack of adequate vocational training. This situation grossly violates the convention on Human Resources Development, a convention which highlights, *inter alia*, vocational training and guidance.<sup>8</sup>

### **6. Recommendations**

#### **6.1. Short Term Recommendations**

In the short term, the rights of informal sector actors could be improved in several ways. This could be done by the State, informal sector associations, and informal sector actors themselves. Informal sector institutions and workers have a major role to play in improving on their current situation. They could devise short term coping strategies so as to brave the hurdles they are now experiencing. To this

<sup>7</sup> Constitution of the International Social Security Association (ISSA), <http://www.issa.int/aiss>, accessed November 2009.

<sup>8</sup> Article 3 (2) of the Convention on Human Resources Development [(C142) /1975]

end, the example of Swazi domestic workers could be emulated. These workers, who, in practical terms, are not protected by legal systems of labour, have adopted many coping strategies in the cities in which they work in order to take care of their families and protect their dignity.

The State could ensure that the contractual rights of those working in the informal sector as guaranteed by the 1992 Labour Code are enforced.<sup>9</sup> It could also ensure that seminars, sensitization campaigns, etc, involving informal sector actors are regularly organized by its institutions working in the informal sector so as to continuously empower these actors both financially and economically. Lastly, it could ensure that the social security rights of actors in this sector are respected. This could be done by State Inspectors who must be in constant touch with the sector for inspection purposes.

## **6.2. Long Term Recommendations**

In the long term, the rights of informal sector operators could be better protected and promoted through the setting up of effective institutions and the restructuring of some existing ones, including the protection of the rights of informal sector workers in their agenda. These structures could exist both at the public and private levels.

At the public level, the State could restructure the National Social Insurance Fund (NSIF) to enable it to take into consideration the social security rights of informal sector workers. Furthermore, new institutions such as an institution for informal sector training, implementing a programme similar to the Joint Initiative on Priority Skills Acquisition (JIPSA) Programme in South Africa could be created. Lastly, a Department for Informal Sector Activities could be set up in municipal councils for the organization of the informal sector and skills development training for its workers.

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<sup>9</sup> Cameroon Labour Code (1992)

At the private level, employers and employees of the informal sector could ensure that it is well organized through the setting up or restructuring of viable and resourceful associations which could better organize and streamline activities in the sector. In this connection, the capacity of bodies such as ANESCAM and ANOSILP as well as any future informal sector body should be built substantially by international non-governmental institutions such as Women in Informal Sector: Mobilizing and Organizing (WIEGO). This institution is a global network of activists, researchers, and policy makers concerned with the improvement of the status of women in the informal sector. Informal sector associations with a well-built capacity would have the ability to set up the viable and resourceful associations needed to energize the informal sector in Cameroon.

## **A CRITICAL APPRAISAL OF NATURAL RESOURCES, GOVERNANCE, AND HUMAN DEVELOPMENT IN THE COUNTRIES OF THE GULF OF GUINEA**

Durrel N. HALLESON\*

### **Abstract**

This article provides a succinct analysis of the relationship between natural (extractive) resources and the level of development in the countries of the Gulf of Guinea. The development level of these countries despite being richly endowed with natural resources is dismal. Their performance is contrasted with that of other resource and non resource rich countries in Africa such as Ghana, Botswana, Namibia, Seychelles, Cape Verde and Mauritius in terms of human development, governance, and human rights.

**Keywords:** Natural resources, Gulf of Guinea, governance, human development.

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## 1. Introduction

The Gulf of Guinea which is an area of nearly 3,500 miles of coastline encompasses a dozen of African nations. From the north it includes Ghana, Cote d'Ivoire, Liberia, Sierra Leone, Togo, Benin, and Nigeria. To the south it includes Cameroon, Equatorial Guinea, Gabon, Equatorial Guinea, Democratic Republic of Congo, Republic of Congo, and Angola. The focus of this article is on the countries south of the gulf of Guinea from Nigeria to Angola and also includes Chad and Central African Republic. Chad and CAR are not countries with any direct connection to the Gulf of Guinea considering that these two are landlocked, however access to these countries has to be through one of countries of the Gulf of Guinea. Also these two countries are also richly endowed with natural resources and share the same security challenges with the countries of the gulf of Guinea.

## 2. Strategic importance of the Gulf of Guinea

The Gulf of Guinea region total a population of more than 300 million inhabitants and enjoys a wide geographical, geological and cultural diversity grouping countries of Anglophone, Francophone and Lausophone backgrounds. It is estimated that the region according to figures for 2002 generates a gross domestic product (GDP) of USD 112 billion, exports of about USD 45.5 billion and imports of about USD 31.63 billion.<sup>1</sup>

For economic and geopolitical reasons, the Gulf of Guinea has emerged to occupy a salient position in world politics. The Gulf of Guinea is fast becoming one of the most promising oil exploration areas in the world. The region is richly endowed with natural resources ranging from oil, gas, and diverse minerals. For instance the energy potential of the region is predicted will surpass the total production of the Persian Gulf nations by 2020 with 25% of global production

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<sup>1</sup> Damian Ondo Mane, "The Emergence of the Gulf of Guinea in the Global Economy: Prospects and Challenges". Plenary Session presentation on the Corporate Council for Africa 2005 African Oil & Gas Reform (2005), [http://www.africacncl.org/downloads/IMF\\_Manue\\_Remarks.pdf](http://www.africacncl.org/downloads/IMF_Manue_Remarks.pdf), accessed October 2009.

against 22% for the Persian Gulf.<sup>2</sup> The region has become a very important strategic area for countries such as the United States, China, and India for the sourcing of crude oil to fuel their economies. By 2000 it is estimated that western oil companies alone had invested about USD 50 billion in oil infrastructures (rigs and refineries).<sup>3</sup> The Gulf of Guinea is a nexus of vital US foreign policy priorities.

The region has also witnessed an increasing Chinese presence especially in the oil and mining sectors. China receives about one third (1/3) of its oil imports from Africa representing 9% of the continent's total exports in 2006.<sup>4</sup> Chinese interests in the oil and mining sectors in the Gulf of Guinea are very much evident in countries such as Angola where in 2004 it secured major stake in future oil production following a USD 2 billion package of loans and aid, and Gabon where in 2004 during the official visit of Chinese President to Gabon three onshore licenses for the exploration of oil were awarded to a Chinese oil company, UNIPEC a subsidiary of SINOPEC. Though still marginal compared to the interests of western oil companies, Chinese companies are making in route into the Gulf of Guinea.<sup>5</sup>

### 3. Dependence on Natural Resources Revenues

With increasing world demand of natural resources and with world attention focusing more and more on Africa, it is expected that over the next decade, governments in sub-Saharan Africa are expected to receive over USD 200 billion as revenues from oil.<sup>6</sup> While this new influx may be considered as the largest concentrated influx in Africa's history, African countries especially those richly

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<sup>2</sup> Patrick J Paterson, "Maritime Security in the Gulf", JFQ Forum (2007), [http://www.ndu.edu/inss/Press/jfq\\_pages/editions/i45/9.pdf](http://www.ndu.edu/inss/Press/jfq_pages/editions/i45/9.pdf), accessed August 2009.

<sup>3</sup> Ibid.

<sup>4</sup> Stephanie Hanson, "China, Africa, and Oil" Council on Foreign Relations, *Backgrounder*, (2008), <http://www.cfr.org/publication/9557>, accessed August 2009.

<sup>5</sup> Bates Gill, Chin H Huang & Stephen J Morrison, "China's Expanding Role in Africa: Implications for the United States", A Report of the CSIS Delegation to China on China-Africa-U.S. Relations (2006), <http://csis.org/files/media/csis/pubs/chinainafrika.pdf>, accessed July 2009.

<sup>6</sup> Ian Gary & Terry L Karl, "Bottom of the Barrel: Africa's Oil Boom and the Poor" Catholic Relief Services, <http://advocacydays.org/tracks/economic/ead-africas-oil-boom.pdf>, (2003), accessed August 2009.

endowed with natural resources have in the past depended on natural resources for the survival of their economies. It should be recalled that African countries in the years following independence enjoyed a growth-driven commodity boom but regrettably the proceeds from this boom never triggered a growth capable of sustaining the economies of these countries. Most African countries especially those that were extensively depended on natural resources in the mid 1980s and 1990s became entangled in an unprecedented economic crisis.

As noted above, Africa's share in total FDI flow to developing countries in recent years is increasing estimated at about USD 30 billion with a significant concentration in the extractive industry. However, as the proceeding sections illustrate, the estimated revenues earned by countries of the Gulf of Guinea during the last years do not correlate to an increase in level of development and economic performance.

#### **4. Country Analysis of Natural Resource Revenues in the Gulf of Guinea: The Old Guards**

##### **4.1. Angola**

Angola earned much revenue from the extractive industries than most of the countries of the Gulf of Guinea. Angola is richly endowed notably with oil and diamonds; second largest oil producer in the region after Nigeria with proven oil reserves of about 9.0 billion barrels<sup>7</sup> and the fourth world's largest diamond producer with an estimated reserve of about 180 million carats. Despite its huge potential to be one of Africa's richest economy, its natural resources and revenue earned from their exploitation was at the core of the country's more than three decades of civil war with serious implications on the welfare of its population.

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<sup>7</sup> Energy Information Administration: Official Energy Statistics of the US Government, Country Analysis Brief for Angola, <http://www.eia.doe.gov/emeu/cabs/Angola/Oil.html>, accessed August 2009.

The following figures depict the extent to which Angola depends on the extractive industries. For instance between 1998 and 2004 the oil sector is estimated to have contributed about USD 19,027 million (80.40 %) to Angola's total budget of about USD 23,663 million.<sup>8</sup> Between 2005 and 2006 oil contributed an estimated 2,212 billion kwanzas to Angola's total revenue of 2,770 billion kwanzas representing 79.86% of the total budget. Diamond represents a huge portion of Angola's non-oil exports. In 2003 for instance Angola's diamond production stood at 6 million carats valued at USD 788 million representing about 95% of Angola's non-oil exports in terms of its contribution to government revenue and 10% of non-oil GDP.<sup>9</sup> While these figures remain low compared to revenue from the oil sector, the potential of contribution from the diamond sector to the country's total revenue should not be underestimated.

#### **4.2. Cameroon**

Unlike Angola and many of the other countries, Cameroon is a marginal oil producing country with a relative low level of dependence on revenues from this sector. The country proven oil reserve is estimated at 1000 million barrels. Cameroon since the late 1980s and through the 1990s and currently has witnessed a stable decline in oil production after reaching its peak in 1986 of 182 000 barrels per day production. Apart from oil, the mining sector in Cameroon offers a huge potential that may definitely augment the contribution of the extractive industries to the country's revenue with intensification in exploration activities by foreign companies. There is one exploitation permit attributed to a US based company, GEOVIC Cameroon SA for the exploitation of cobalt and

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<sup>8</sup> These figures are addition by the author from various IMF Staff Country Reports on "Selected Issues and Statistical Appendix" available online at <http://www.imf.org/> last accessed 26 August 2009. The percentage of oil revenue which was not part of the IMF reports was calculated on the basis of the total revenue and oil sector revenue.

<sup>9</sup> International Monetary Fund, "Angola: Selected Issues and Statistical Appendix", *IMF Country Report No. 05/125* (2005), <http://www.imf.org/external/pubs/ft/scr/2005/cr05125.pdf>, accessed July 2009.

nickel in the East region. Oil accounts for about 4.9% of the country's GDP, 60% of exports and 20% of government revenue.<sup>10</sup>

Comparatively, Cameroon seems to be the only country in the Gulf of Guinea without a heavy dependence on revenues from the oil sector with less than 50% dependence. It is the sixth largest oil exporter in Africa and this demonstrates that the contributions of the oil sector to the government's revenue streams remain significant. Between 1994 and 2009, Cameroon received as revenues from the oil sector an estimated CFA 5378.4 billion from total government revenues of CFA 18.452 billion. The oil sector represented during this period 29.14% of government revenues. In 2006 the oil sector contributed 35.56% representing CFA 643 billion to the total government revenue of CFA 1,808 billion. Revenue from the oil sector in general represents an estimated 20% of government revenue and constitutes 83.10% of Cameroon's non fiscal revenues in the state budgets.<sup>11</sup>

The oil sector for instance was expected to contribute about 22.57% to the 2009 budget voted by the National Assembly which stood at CFA 2,301 billion. This budget was adopted at a time when oil prices were soaring at an unprecedented rate reaching about USD 150 per barrel in the latter half of 2008. By December 2008 the prices plummeted at about 75% making Cameroon's budget then unrealistic. This analysis is important as it brings to the fore the problems of countries whose economies are commodity driven and fail to understand the volatility of global oil prices. With a declining oil production it remains unclear whether the oil sector would continue to remain one of the cornerstones for

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<sup>10</sup> Chrysantus Ayangafac, "The Political Economy of Oil booms in the Central Africa Region" in Chrysantus Ayangafac (ed) *Political Economy of Regionalisation in Central Africa, Institute for Security Studies Monograph 155* (2008), pp. 43-64.

<sup>11</sup> Commission Macro-Economique de Dynamique Citoyenne, "Budget 2009: faut-il parler d'incertitude ou d'irréalisme" (2009), <http://beaugasorain.blogspot.com/2009/04/budget-2009-dynamique-citoyenne.html>, accessed August 2009.

Cameroon's economic growth. According to Stéphane Cossé,<sup>12</sup> the resources generated by the oil sector will remain of macroeconomic relevance in the years ahead.

### 4.3. Nigeria

Nigeria, one of Africa's most populated countries is the continent's largest producer of crude oil. As of January 2009 Nigeria's proven oil reserve was 36.2 billion barrels and a daily production of 2.4 million barrels. If production continues at this current production rate then Nigeria's proven reserves could last for almost 32 to 43 years. Apart from the large oil reserves, Nigeria also has huge reserves of natural gas estimated at about 184 trillion cubic feet as of January 2009. However despite this huge endowment, oil remains the overriding contributor to the sustenance of the economy. For instance oil alone accounts for more than 90% of total exports and approximately fourth-fifths (4/5) of total government revenues. It is estimated that Nigeria has earned more than USD 400 billion as revenues from both the oil and gas sectors.

Over a period of ten years (1993–2003), the oil sector in Nigeria contributed approximately 6,661,180 naira to the country's total revenue of 9,157,626 naira representing about 72.73%.<sup>13</sup> In 2000 for instance it received 99.6% of its export income from oil<sup>14</sup> and in 2005 it accounted for about half of Nigeria's GDP, and more than 90% of total exports. Generally between 1970 and 1999 the oil sector generated approximately USD 231 billion in rents constituting 21% and 48% of GDP. Like the other countries of the region, Nigeria's oil sector is one that is rife with the problems of transparency and accountability. Hence it faces several

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<sup>12</sup> Stéphane Cossé, "Strengthening Transparency in the Oil Sector in Cameroon: Why Does It Matter?" IMF Discussion Paper PDP/06/2 (2006), <http://www.imf.org/external/pubs/ft/pdp/2006/pdp02.pdf>, accessed July 2009.

<sup>13</sup> Ibid, p. 9.

<sup>14</sup> Micheal L Ross, "Nigeria's Oil Sector and the Poor", *Prepared for the UK Department for International Development "Nigeria: Drivers of Change" program.* (2003), <http://www.sscnet.ucla.edu/polisci/faculty/ross/NigeriaOil.pdf>, accessed August 2009.

development and governance challenges on how the revenues from these resources could be used for the welfare of the general population.

#### **4.4. Republic of Congo**

Oil is the mainstay of the economy of the Republic of Congo and it is the fifth largest oil producer in sub Saharan Africa. As of January 2008 the Republic of Congo's proven oil reserves were estimated at 1.6 billion barrels and undiscovered reserves estimated at 5.8 billion barrels. It is expected that at the 2004 production rate of nearly 85 million barrels per annum, the proven oil reserves may last 18 years.<sup>15</sup> The dependence of Congo on revenues from the oil sector like that of the other countries could not be undermined. According to the World Bank, in 2008 the oil sector accounted for approximately 65% of the GDP of Congo, more than 92% of its exports and 85% of state revenue. From 1995 to 2005 the oil sector contribute an estimated CFA 4,258.4 billion to a total estimated revenue of CFA 6,023.4 billion which is approximately 70.69%.

In 2008 alone, oil output was estimated at 86.6 million barrels indicating an increase from 81.7 million barrels in 2005 and there are prospects that oil output will continue to increase with the exploitation of new oil fields. This prospect may however be short-lived as output is expected to decline in 2011 as the oil fields get depleted. Congo like the other countries to be considered in this study has had limited success in utilizing its oil resources to significantly advance the welfare of its people making governance and the management of the oil wealth a major problem for Congo.

#### **4.5. Gabon (Gabonese Republic)**

Gabon is amongst sub Saharan Africa's biggest oil producers with proven oil reserves of 1.8 billion barrels and a daily production of 266,000 barrels. Like all the other countries of the region, Gabon's economy is very much depended on

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<sup>15</sup> Rina Bhattacharya and Dhaneshwar Ghura, "Oil and Growth in the Republic of Congo", *IMF Working Paper*, August 2006.

oil production. The following figures depict clearly the extent to which Gabon's economy is depended on the oil sector. Oil tax revenues constitute nearly 60% of total fiscal revenue on average between 1999 and 2001, and oil exports made up close to 80% of total exports during the same period. From 1995 to 2004 the oil sector contributed a total of CFA 5760.3 billion to the global revenue of approximately CFA 9887 representing 58.26%.<sup>16</sup>

With a decline in its production, it is difficult to ascertain how much long Gabon would continue to depend on the oil sector revenues considering that its dependence on this sector has been a big hurdle towards the development of a broad-based tax system which weakens discipline in overall budgetary management and governance.<sup>17</sup> Furthermore the decline in oil production means a decline in Gabon's revenue especially as significant financing needs remain to tackle poverty and social and infrastructure needs.<sup>18</sup> The oil sector according to IMF findings is an enclave that serves the non-oil sector essentially by financing a large savings-investment deficit. To avoid a ratchet effect in future, there is need for Gabon to link its spending to a "sustainable" income stream which will enable it avoid the ratchet effect.

#### **4.6. Democratic Republic of Congo**

Despite its potentiality as one of Africa's richest countries in terms of its underground wealth, the Democratic Republic of Congo has not benefited much from the presence of these resources. The dependence of the DRC on revenues from the exploitation of its mineral resources unlike the other countries cannot be ascertained but it could be underscored here that the mining sector accounts for about 90% of DRC export earnings. In 1989 for instance the minerals sector contributed as follows; copper 45% of DRC total earnings representing USD

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<sup>16</sup> Ibid, p. 9.

<sup>17</sup> "Gabon: Selected Issues and Statistical Appendix", *IMF Country Report No 05/147 May 2005*.

<sup>18</sup> Ludvig Soderling, "Escaping the Curse of Oil? The Case of Gabon", *IMF Working Paper WP/02/93 May 2002*.

1,200 million; diamonds 25% which represents USD 600 million, and cobalt and crude oil represent 10% each of the country's total export earnings.

In 2000, diamond became the main source of DRC export earnings representing 57% (USD 435 million), crude oil contributed 19% (USD 141 million), cobalt 13 per cent (USD 97 million), while copper which in 1989 contributed almost half of DRC export earnings gave in only 6 per cent (USD 45 million). Unlike the other countries of the sub region considered in this study that depend much on crude oil, the DRC in the 1990s depended much on copper and cobalt which was responsible for 50% to 60% of all export earnings. The diamond sector remains an important sector as well though it witnessed a decline between 1998 and 2000 in terms of its contributions to DRC's export earnings. In 1998 the diamond export earnings were over USD 700 million and in 2000 it declined to USD 440 million representing a fall in export volumes by 35%, while in 2000 oil export revenue was USD 140 million.

## **5. Country Analysis of Natural Resource Revenues in the Gulf of Guinea: The New Comers**

It may take another century before we talk of the end of the oil era especially in sub Saharan Africa where exploration for black gold is intensifying. In recent years we have seen the emergence of hitherto poor countries in the Gulf of Guinea and the Central Africa emerging as the newest petro-states, notably Chad, Equatorial Guinea, Sao Tome e Principe and to an extend the Central Africa Republic. In the analysis that follows we shall look at these newest petro-states and whether they are efforts to depart from the practices of the old guards of the region.

### **5.1. The Republic of Chad**

The discovery of oil in Chad and the construction of a 1070 km pipeline from Chad through Cameroon generated a lot of public interest. Chad before the discovery of oil in its southern part was one of the world's poorest countries and

its major primary export commodity was cotton. The dependence of Chad on agriculture and especially cotton is evident by the fact that this sector contributed an estimated 46.3% of Chad's GDP in 1986. The plummeting of prices on primary commodities in the world market by the mid 1980s saw a dwindling of contribution of cotton to the sustenance of the economy of Chad. The discovery of oil in Chad and the construction of the Chad-Cameroon Oil Pipeline between 2002 and 2004 to transport Chad's crude oil from the southern region of Doba to the coastal town of Kribi in Cameroon brought Chad to global limelight as an oil producing nation.

Despite being a relatively new oil state, since 2004 when Chad's oil began selling in the world market, Chad has received a total of USD 1.3 billion.<sup>19</sup> Unlike Cameroon for instance where revenues from the oil sector until recently were not included in the national budget, in Chad the trend was different when in December 2004 following the first sale of crude oil, the Chadian government incorporated revenue from the sector in its national budget and submitted it to the Revenue Management College established to supervise and monitor the use of such revenues. During the period 2004 and 2006 revenues from the oil sector incorporated in the national budgets stood at an approximately 28.56% and 45.01% respectively.

Increasingly, oil has emerged as Chad's number one primary export accounting for 90% of the country's exports. In the years to come, Chad would depend largely on revenues from oil considering that its proven reserves are estimated at about 600 million barrels and are expected to be depleted by 2032. This will pose a new set of challenges for Chad such as managing volatile and unpredictable oil revenue flows to prevent pronounced fluctuations in economic exchange rate; addressing the exhaustible nature of oil resources with prudent inter-temporal

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<sup>19</sup> Update: Chad's oil Revenue Section 13 in *Chad/Cameroon Development Project*, Project Update No. 22 – Mid-Year Report 2007, p. 69; also available at [http://www.esso Chad-English/PA/Files/22\\_allchapters.pdf](http://www.esso Chad-English/PA/Files/22_allchapters.pdf) and [http://www.esso.com/Chad-English/PA/Files/22\\_ch13.pdf](http://www.esso.com/Chad-English/PA/Files/22_ch13.pdf), accessed April, 28 2009.

decisions on consumption and saving and ensuring a high return to public spending through absorptive capacity and a sustainable fiscal deficit.<sup>20</sup>

## **5.2. Republic of Equatorial Guinea**

Like Chad, Equatorial Guinea entered the list of oil production just recently. In effect, oil production began in this small island country at about 1996 with a daily production of just 17,000 barrels. Since then, production has been astronomical with a production of 396,100 barrels per day in 2005. Equatorial Guinea has now become the third largest oil producer in sub Saharan Africa after Nigeria and Angola. According to a January 2008 estimate, Equatorial Guinea has an oil-proven reserve of 1.1 billion bbl and natural gas proven reserve of 36.81 billion cu m.<sup>21</sup> In terms of the contribution of the oil sector to the economy of Equatorial Guinea, it remained a dominating sector contributing a total of CFA 3871.7 billion between 2001 and 2006. As from 2005 Equatorial witnessed an astronomical increase in the amount of revenue earned from the oil sector. While oil revenues in 2004 stood at CFA 580.9 billion, in 2005 there was an almost 50% increase in revenues at CFA 1089.3 billion and since then there have been a steady increase in both revenues earned and production.

## **5.3. Central Africa Republic**

The Central Africa Republic (CAR) is the only country in this region which as of now is not an oil producing country. However, there are ongoing oil exploration activities along its frontier with Chad. CAR remains a primary dependent economy with diamonds being the dominant exploited mineral. The importance of this sector cannot be underestimated considering that the CAR is Africa's seventh largest producer and the world's ten largest producer for rough diamonds with estimated annual production of about 450,000 carats. This sector contributes about 7% to the country's GDP and about 40% of its export earnings.

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<sup>20</sup> International Monetary Fund, "Chad: Selected Issues" IMF Country Report No 09/67 February 2009.

<sup>21</sup> CIA The World Factbook.

According to the IMF, in spite of the potentiality of this sector, the government has not been able to reap much of the revenues from diamonds providing less than 5% as revenues to the government. Despite its potentiality the CAR is the one country that has a negligible dependence on revenues from the extraction of its resources especially diamonds largely because this sector is still very much under developed and rife with other problems such as lack of transparency and the trafficking in “blood diamonds”. However, the adherence of CAR to the Kimberley Process it is expected, will bring sanity to the diamond sector.

#### **5.4. Democratic Republic of Sao Tome and Principe**

Sao Tome and Principe (STP) may be Africa’s newest petro state as the era of this small island country’s dependence on cocoa may soon come to an end. Potential of STP to become a petro-state is determined largely by the fact that oil exploration in the 1990s in territorial waters of its neighbors especially in Nigeria and Equatorial were highly successful and the geological structures of the Niger Delta extend into STP’s territorial waters. It may be difficult to ascertain the extent to which this country may be depended on oil considering that oil has not yet started flowing. However, there is widespread hope in view of the benefits it would present for the people. Looking at the performance of the economy before oil starts flowing may give us an opportunity to forecast on the role of oil in this archipelago.

STP first revenues from the oil sector estimated at about US \$15-20 million<sup>22</sup> came mainly from signature bonuses signed in the Joint Development Zone (JDZ) with Nigeria in the last 1990s and through the first years of 2000. However, with unclear indications when actual oil exploitation would start revenues from oil signature bonuses that have supported the economy is running out and the country need to mobilize revenues from other sectors to fill the gap such as increasing the tax burden. In anticipation of the start of the oil exploitation which

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<sup>22</sup> George J Frynas, Geoffrey Wood, and Soares De Oliveira, “Business and Politics in Sao Tome e Principe: From Cocoa Monoculture to Petro-State”, *African Affairs* No. 102 (2003), pp. 51-80.

some critics say may not start even after 2014, STP shall continue to depend on revenues from cocoa and tourism.

## **6. National Resource, Human Development, and Governance Deficit**

Natural resources according to the World Bank can contribute significantly to a country's economic development and often offer the first opportunities for foreign investment and private sector development.<sup>23</sup> As seen above these resources generate enormous revenues for the government, foreign exchange earnings and to a limited extent employment. Unfortunately revenues from the exploitation of these natural (extractive) resources rather than fueling growth and development, these resources have become the cause of economic stagnation, corruption, poor governance, human rights abuses and civil war. The analysis below would help to understand the development paradox of the countries of the Gulf of Guinea.

### **6.1. Governance**

According to the Freedom House Index for 2008 which measures freedom in the world based on political rights and civil liberties, almost 80% of the countries of the Gulf of Guinea are not free. The possibility of people to participate freely in the political process in these countries is limited and it is very difficult for people in these countries to freely exercise any of their freedoms without government interference. In sub Saharan according to the 2009 Freedom in the world statistics released by Freedom House there are 15 countries which are classified as "Not Free" of which the Gulf of Guinea has 7 of these countries (Angola, Cameroon, Central Africa Republic, Chad, DRC, Republic of Congo and Equatorial). Nigeria and Gabon are "partly free" while the only free country is Sao Tome and Principe.

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<sup>23</sup> Andres Liebenthal, Roland Michelitsch, and Ethel Tarazona, "Extractive Industries and Sustainable Development: An Evaluation of World Bank Group Experience" (2003), World Bank.

The dismal performance of these countries could be contrasted other African countries also rich in resources but with a good performance. For instance Botswana, Ghana and Mali rich in minerals such as diamonds, gold and oil are rated above the oil rich countries of Central Africa/Gulf of Guinea region. Meanwhile, Cape Verde, Mauritius, Benin and Lesotho not endowed with neither oil nor minerals and depend mostly on tourism remains the best performing countries on the scale of the Freedom House 2009 classification.

The countries of the Gulf of Guinea tail the Transparency International Corruption Perception Index (CPI) which measures the perceived levels of public-sector corruption on a scale from zero (0) being highly corrupt to ten (10) being highly clean. Apart from Gabon, all these countries according to the 2008 CPI scored below 3 on the scale of 10. Chad, Equatorial Guinea, the DRC and Angola are most corrupt countries in the region with scores of less than 2 while CAR, Cameroon, Nigeria, and Sao Tome and Principe all have scores of less than 3. Gabon with a score of 3.1 could be considered as the least corrupt country in the region. However, the fact that none of these countries is even above the average on the CPI scale means that they are all highly corrupt. The performance of these countries could be contrasted with that of Botswana with a CPI score of 5.8 making it the least corrupt country in sub Sahara Africa followed by Mauritius, and Cape Verde.

Lack of transparency seriously underpins the extractive sector in all of the countries of the Gulf of Guinea and this has deepened corruption in these countries. According to proponents of the resource curse or the paradox of plenty theory, countries that depend heavily on revenue from natural resources are usually less transparent or accountable to their populations. They claim that the lack of transparency and accountability by these governments is largely due to the fact that they depend less on domestic taxation and that revenue from the exploitation of these resources is centrally controlled. These revenues provides opportunity for the government and its governing elites to entrench themselves

without any corresponding accountability.<sup>24</sup> In all these countries an increase in oil revenues is marked with an increase in its external debt, a phenomenon that may be difficult to explain within the current regional socio-political and economic situation.

The Fund for Peace Failed States Index (FSI) is a barometer designed to measure whether a country could be considered as either a failed state or not. It is based on twelve indicators grouped into three categories; social, economic and political indicators. According to the 2008 FSI, seven of the countries in the Gulf of Guinea are classified within the danger (red) zone considered as failed states (Chad, DRC, Central Africa Republic, Nigeria, Republic of Congo, and Cameroon). Equatorial Guinea, Sao Tome and Principe and Gabon though not in the danger zone are not far from being considered as failed states. Comparatively countries such as Mauritius and to an extent Ghana could be considered as free looking at their performance in the FSI.

## **6.2. Human Development**

The performance of the countries of the Gulf of Guinea while dismal on the governance front as seen above is not different with their performance on human development as reported in the UNDP Human Development Report (HDR). Ranking on the 2009 UNDP Human Development Index (HDI),<sup>25</sup> all the countries of the Gulf of Guinea are among the least on the world classification with the following rankings - Angola No. 143, Cameroon No. 153, Central African Republic No. 179, Chad No. 175, Democratic Republic of Congo No. 176, Republic of Congo No. 136, Equatorial Guinea No. 118, Gabon No. 103, Nigeria No. 158 and Sao Tome and Principe No. 131. The performance of these countries are in contrast with the performance of countries such as Libya,

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<sup>24</sup> Human Rights Watch "Some Transparency, No Accountability: The Use of Oil Revenues in Angola and its Impact on Human Rights" (January 2004), Vol. 16 No. 1 (A).

<sup>25</sup> UNDP Human Development Report, "Human Development Report 2009 – HDI Ranking", The UNDP notes that this 2009 HDI represents statistical values for the year 2007, <http://hdr.undp.org/en/statistics/>, accessed December 2009.

Seychelles, Mauritius, and Tunisia that are ranked in the number 55, 57, 81, and 98 positions respectively, making them the only African countries among the first one hundred countries on the HDI.<sup>26</sup>

The poor ranking of the countries of the Gulf of Guinea is reflective of their performance in several of the indicators considered in measuring the level of human development. For instance life expectancy at birth on average in all of these countries is approximately 45 years. According to the 2009 UNDP HDR, life expectancy in Angola is 36 years, Cameroon 43 years, Chad 39 years, Democratic Republic of Congo 38 years, Gabon 58 years, Equatorial Guinea 42 years, Nigeria 38 years, Republic of Congo 47 years, and Sao Tome and Principe 67 years (the only Gulf of Guinea country to have a life expectancy above 60 years).<sup>27</sup> This is a stark contrast to what obtains in other African countries with higher life expectancies such as Algeria 79 years, Cape Verde 77 years, Egypt 77 years, Libya 81 years, Mauritius 79 years, Seychelles 80 years, and Tunisia 81 years.<sup>28</sup>

It is imperative to note that the most performing countries in Africa are not endowed with natural resources like countries of the Gulf of Guinea that are hugely endowed with resources. These countries according to the HDI perform very well on indicators such as the enrolment ratio for primary, secondary and tertiary education. If take for instance the situation of Seychelles, Mauritius and Botswana which is a rich diamond producing country percentage ratio of school enrolment ranges from 82.2, 76.9 and 70.6% respectively. On the performance of the countries of the Gulf of Guinea on the same indicator on school enrolment, it is an appalling performance. Gabon has the highest combined enrolment ratio with 80.7 per cent followed by Angola with 65.3%. The worst performing

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<sup>26</sup> Ibid.

<sup>27</sup> UNDP Human Development Report, "Human Development Index and its Components – Life expectancy", <http://hdrstats.undp.org/en/indicators/92.html>, accessed December 2009. The UNDP notes that this 2009 HDI represents statistical values for the year 2007.

<sup>28</sup> Ibid.

countries are Cameroon, CAR, the DRC and Chad with 52.3, 28.6, 48.2 and 36.5% respectively. The performances of the other countries such as Nigeria are slightly above 50%.

Most of the countries of the Gulf of Guinea do not have many physicians attending to persons. For instance for number of physicians per 100,000 people; Chad has the least with just 4 physicians followed by Angola with 8 physicians. Sao Tome e Principe, Equatorial Guinea, Gabon and Nigeria have 49, 30, 29 and 28 respectively. Most of the children born in these countries are not very sure to survive by the time they reach five years. For instance, in Angola there are 260 deaths for every 1000 live births, in Chad the number of deaths under five is 208, Nigeria 194, DRC 205, Cameroon registered 149 deaths for every 1000 live births and Equatorial Guinea 205.<sup>29</sup>

These figures could be justified if we look at the percentage of births attended by skilled health personnel. In Chad only 14% of births are attended by skilled health personnel, 35% in Nigeria and 45% in Angola. Gabon, Republic of Congo and Sao Tome e Principe have the highest attendance rate of 86 for both Gabon and Republic of Congo and 76 for Sao Tome e Principe. The percentage of HIV prevalence rate for the ages of 15 to 49 is highest in Chad with 10.7 per cent and Gabon with 7.9 per cent. On maternal mortality rate per 100,000 births Chad had the highest number of deaths of 1,500 deaths followed by Angola 1,400 deaths, DRC and Nigeria 1,100 deaths each and Cameroon 1,000 deaths.<sup>30</sup>

These performances are not surprising if we look at the amount of government revenue committed to the health sector per capita (USD) remain very negligible. Equatorial and Gabon for instance according to 2009 Human Development Report have the highest expenditure per capita on the health sector - \$219 and \$

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<sup>29</sup> The figures here are culled from the 2007/2008 UNDP Human Development Report representing statistical values for the year 2005.

<sup>30</sup> Ibid

198 respectively. The DRC has the least health expenditure per capita - \$7 closely followed by CAR and Chad at \$13 and \$ 14 respectively. In the Gulf of Guinea, the highest access rate of the population to improved water source is Gabon with 88 per cent, STP 79%, CAR 75% and Cameroon 66%.<sup>31</sup>

On public expenditure as percentage of total government expenditure on education, the performance of the countries of the Gulf of Guinea is dismal and this could be compared with how much expenditure these same countries commit to military expenditure as percentage of GDP. Angola's public expenditure on education is 6.4% while its military expenditure stood at 5.7% of its GDP. Cameroon has the highest percentage of public expenditure on education which stood at 19.6% and its military expenditure was 1.3%. This performance cannot be compared favorably with a country such as Cape Verde with 25.4% expenditure on education and a mere 0.7% of GDP as military expenditure.<sup>32</sup>

Despite being hugely endowed with varied natural resources and with huge revenues earned from the exploitation of resources such as oil the countries of the Gulf of Guinea tend to depend much on official development assistance (ODA). Paradoxically Nigeria which has earned more than USD 400 billion as revenues from both the oil and gas sectors has the largest dependency on ODA as of 2005 statistics. Nigeria has received USD 6,437.3 million as ODA, followed by DRC USD 1,827.6 million and Republic of Congo has received USD 1,448.9 million as ODA. The country with the least dependence on ODA is Sao Tome e Principe with just USD 31.9 million as ODA, followed by Equatorial Guinea with USD 39 million and Gabon with USD 53.9 million. If we compare this with the dependence on ODA of other African countries which in most cases are even

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<sup>31</sup> *ibid*

<sup>32</sup> Military expenditures used here are culled from the SIPRI Military Expenditure Database <http://milexdata.sipri.org/result.php4> accessed December 2009 while the data used on expenditure on education is culled from the 2008 UNDP Human Development Report – HDI

rich in natural (extractive) resources, there is a stark contrast. Seychelles receive just USD 18.8 million as ODA, Mauritius USD 31.9 million.<sup>33</sup>

## **7. Conclusion**

From the above analysis, one will not hesitate to mention that though hugely endowed with natural (extractive) resources, the countries of the Gulf of Guinea continue to have a negative governance balance sheet. Other characteristics of these countries include a cluster of state failure, poor governance, and emergence of kleptocratic regimes that use revenues from the extractive sector to suppress its people. It is difficult looking at both the political and socio-economic indicators to say these countries have really moved forward in terms of development. Without being a pessimist, I should say these countries have not benefited from their natural endowments and like existing literature, the resources are “rather a curse than a blessing”. Can we expect things to change in the future? This may be difficult considering that these resources are all non-renewable and the utilization of benefits from them is one life time opportunity.

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<sup>33</sup> The figures used here are culled from the 2008 UNDP Human Development Report on the Official Development Assistance and on IMF Statistical report on oil revenues.

## **CITIZENSHIP IN CAMEROON: REASSESSING CAMEROON'S RESTRICTIVE NATIONALITY LAW AND THE NEED TO RECOGNIZE DUAL NATIONALITY**

Eric NGONJI NJUNGWE\* and Gregory THORNE\*

### **Abstract**

In light of global trend towards more open nationality laws, this article aims to examine the societal impact of the nationality law in the Republic of Cameroon, which currently prohibits the holding of dual nationality. In this article, detailed tenets of current Cameroonian nationality law are assessed to provide context of what limitations do and do not exist. The direct and indirect impacts of these limitations are also examined with regards to the legal, economic, social, political, and cultural spheres of the Cameroonian society. It must be mentioned that this article is the outcome of a research undertaking by the authors as part of PICAM's work and an upcoming "Campaign for Dual Nationality in Cameroon" to be launched by Progressive Initiative for Cameroon (PICAM).

**Keywords:** Citizenship in Cameroon, dual nationality, globalization, democratization, human rights, economic integration, naturalization.

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## 1. Introduction

In an era when international trade, economic integration and large-scale migration are all on dramatically upward long-term trends, many of the traditional constrictions governing the idea of citizenship are weakening. Especially considering the comparative ease of international travel to that of decades previous, the prospect of individuals possessing multiple, simultaneous homelands has become increasingly prominent. Globalization, some argue, has created the possibility of “global citizens”. While by most accounts this concept remains an overstatement, modern migration statistics demonstrate the undeniable presence of individuals who may call two countries home. This, in turn, has led to renewed interest in the possibility of such immigrants holding dual nationality and, where a country’s policy currently prohibits such dual citizenships, a renewed push to make nationality law reflect the new global reality. As a consequence, the general world trend is towards a more open citizenship regime in which increasing numbers of countries allow their citizens to possess the citizenship of another country.<sup>1</sup>

## 2. Existing Cameroon Nationality Laws

Cameroon nationality law is laid forth primarily in Law No. 1968-LF-3 of June 11th 1968, “To Set up the Cameroon Nationality Code”, with supplementary procedural detail provided in Decree No. 1968 DF-478 of the 16th December 1968, “To Establish Rules of Procedure Under the Nationality Code”. Based on Law No. 1968-LF-3, Cameroon nationality is conveyed primarily by descent (*jus sanguis*), while nationality conferred by location of birth (*jus soli*) is restricted to cases in which the nationality of one or both parents is unknown. Cameroonian nationality may also, at the discretion of the state, be acquired through marriage or naturalization. Notably, Cameroonian nationality is exclusive, in that acquiring a foreign citizenship is automatic cause for loss of Cameroonian nationality.

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<sup>1</sup> Adrienne Millbank, “Dual Citizenship in Australia”, presented on behalf of the Social Policy Group, *Current Issues Brief 5 2000-01*, (November 2000), <http://www.apf.gov.au/library/pubs/cib/2000-01/01cib05.htm#arguments>, accessed June 2009.

## 2.1. Definition of Citizenship

As defined in both Law No. 1968-LF-3 and Decree No. 1968 DF-478, Cameroonian citizenship is defined solely as “nationality”. While the term “citizenship” is not used in either document, the terms of discussion are similar to those associated with “citizenship” in other countries and consequently “nationality” is considered equivalent to citizenship for the purposes of this paper. Notably, the law and decree make no mention of the explicit rights or obligations associated with being a Cameroon national, other than Section 30 (1) of Law 1968-LF-3 which dictates that naturalized citizens shall share all rights associated with nationality from date of naturalization (though with caveat).

## 2.2. How Citizenship is Obtained

There are three primary methods for attaining Cameroon nationality: birth, marriage, and naturalization. Of these, the foremost is birth, which follows primarily a *jus sanguis*, descent-based definition of nationality. For determining nationality through birth, Cameroonian law places a clear distinction between children born “in marriage” (legitimate child) and those born “out of marriage” (illegitimate child). In all cases, majority for purposes of nationality is not attained until the individual has reached 21 years.<sup>2</sup>

### 2.2.a. Nationality by Birth

The most straightforward method of becoming a Cameroon national is to be born to two parents, both of whom are Cameroon nationals.<sup>3</sup> Similarly, a child born legitimately to at least one parent of Cameroon nationality is also eligible to claim Cameroon nationality.<sup>4</sup> For a child born illegitimately, Cameroon nationality is provided if the parent to whom connection is first established is a Cameroon national, or, in the case that the first-established parent has no or unknown nationality if the second-established parent has Cameroon nationality.<sup>5</sup>

<sup>2</sup> Law No. 1968-LF-3, section 4.

<sup>3</sup> Law No. 1968-LF-3, section 6.

<sup>4</sup> Law No. 1968-LF-3, section 7(a).

<sup>5</sup> Law No. 1968-LF-3, section 7(b).

Nationality based upon being born in Cameroon is limited to a select few cases - if the child has unknown parents or can claim no other nationality.<sup>6</sup> A legitimate child is also eligible for Cameroon nationality if born in Cameroon with at least one of the child's parents, though of foreign nationality, also born in Cameroon<sup>7</sup>, while an illegitimate child born in Cameroon can claim nationality only if the first-established, foreign national parent was born in Cameroon.<sup>8</sup> Because the occurrence of these cases is fairly limited, nationality by birth is thus predominantly determined by descent rather than location of birth.

### **2.2.b. Nationality by Marriage**

At the time of marriage, a foreign woman may request and acquire Cameroon nationality if marrying a Cameroonian man.<sup>9</sup> However, this acquisition is subject to government approval as the government may by decree prevent the acquisition of Cameroon nationality.

### **2.2.c. Nationality by Naturalization**

Cameroon nationality may be acquired by foreign citizens who have met minimum residency requirements within Cameroon (5 consecutive years), are judged to meet character and health standards and whose "main interests" are based in Cameroon.<sup>10</sup> This acquisition is provided by government decree and as such is ultimately subject to government approval.

The naturalization process may be simplified for foreign individuals that have married a Cameroon national woman, were born in Cameroon, have "rendered exceptional service to Cameroon" or whose naturalization would be "highly advantageous" for the state.<sup>11</sup> Similarly, children born in Cameroon to foreign

<sup>6</sup> Law No. 1968-LF-3, section 9.

<sup>7</sup> Law No. 1968-LF-3, section 11(a).

<sup>8</sup> Law No. 1968-LF-3, section 11(b).

<sup>9</sup> Law No. 1968-LF-3, section 17.

<sup>10</sup> Law No. 1968-LF-3, section 25.

<sup>11</sup> Law No. 1968-LF-3, section 26.

parents, or adopted by Cameroon parents, may adopt Cameroon nationality at majority if residency requirements are met. In all such cases, the government may prevent acquisition of Cameroon nationality by decree.<sup>12</sup>

### **2.3. Categories of Citizenship**

No formal categories of citizenship are defined by the applicable law and decree. Section 30(1) of Law 1968-LF-3 explicitly states that nationality by naturalization shall be equivalent in rights to that obtained by birth. However, an unofficial division exists between naturalized and born nationalities, in that naturalized citizens may not hold elected office for a period of five years after the date of naturalization.<sup>13</sup> This limitation, however, may be annulled by government decree for exceptional service or state interest.<sup>14</sup>

### **2.4. Loss and Forfeiture of Cameroonian Citizenship**

There are three main ways by which Cameroon nationality can be lost or forfeited - acquisition or retention of a foreign nationality, voluntary renunciation or Cameroonian nationality, and government decree.

#### **2.4.a. Acquisition of a Foreign Nationality**

Cameroon nationality law leaves no ambiguity on this point. Any individual who willingly acquires the citizenship of another nation shall automatically lose their Cameroonian nationality.<sup>15</sup> Perhaps most prominently, this dictates that any Cameroonian immigrant who becomes a naturalized citizen of a foreign country automatically loses their Cameroonian nationality.

More subtly, it also requires that children of parents with different nationalities must choose to adopt either one nationality or the other upon reaching majority. Note, however, that only willful retention of foreign citizenship is prohibited by

<sup>12</sup> Law No. 1968-LF-3, sections 20, 21, 23.

<sup>13</sup> Law No. 1968-LF-3, section 30(2).

<sup>14</sup> Law No. 1968-LF-3, section 30(3).

<sup>15</sup> Law No. 1968-LF-3, section 31(a).

Law 1968-LF-3 in order to prevent bi-national children whose foreign parent's country does not allow renunciation of citizenship (ex: Greece) from forcibly losing Cameroonian nationality.

#### **2.4.b. Renunciation of Nationality**

Cameroon nationality law also allows for an individual of Cameroon nationality to willfully renounce that nationality. The example provided in Law 1968-LF-3 is that of an individual marrying a foreign person and so renouncing Cameroon citizenship in order to acquire foreign citizenship through that marriage.<sup>16</sup> Note though, that this instance of renunciation is effectively dictated by the previous requirement that no other nationality be willfully acquired. Though potential situations may exist in which an individual could renounce Cameroonian nationality without regard to the exclusion of holding foreign nationalities, they are obscure and consequently likely to play only a minute role in total numbers of individuals forfeiting Cameroonian nationality.

#### **2.4.c. Government Decision**

Any Cameroonian may lose their nationality if he or she continues to work in an international or foreign body despite an injunction by the Cameroonian Government to resign it.<sup>17</sup> For Cameroonian nationals who have gained that nationality through marriage or naturalization within the previous 10 years, the government may revoke that nationality by decree if the individual has either committed a criminal act against state security, or committed the even more broadly defined charge of "acts harmful to the interest of the State".<sup>18</sup>

### **2.5. Discriminatory Aspects of Cameroon Nationality Law**

The use of the words 'legitimate' and 'illegitimate' is not only old-fashioned, but also offensive to the dignity of children. Whether a child is born of married or unmarried children should have no consequence in determining nationality

<sup>16</sup> Law No. 1968-LF-3, sections 32 & 36.

<sup>17</sup> Law No. 1968-LF-3, section 31(c).

<sup>18</sup> Law No. 1968-LF-3, section 34.

issues. Children have no choice in determining which homes they are born into, and as innocent creatures of humankind, should not be labeled and categorized differently, with separate rights and privileges.

Also, because of the emphasis on which parental connection is established first in the case of 'illegitimate' children, the nationality law clearly discriminates against children born to Cameroonian fathers and foreign mothers. In cases in which the mother and father may be estranged, the connection of a child to its mother is almost certain to take place prior to a connection to the father.

The nationality law can also be seen as discriminatory to bi-national children in general. This is because when one of the parents is a Cameroonian, the law forces them to choose between the nationality of their father and the nationality of their mother, even in instances in which the child is born legitimately and in Cameroon.

The ability of the government to waive naturalization requirements for individuals who have done great service to the state or would notably benefit the state naturally encourages a disproportionate favor to be placed upon individuals friendly with the regime in power. Similarly, the government's power to veto naturalizations or revoke naturalized nationalities based upon rather broad criteria provides opportunity for an unscrupulous regime to selectively target individuals who displease the existing administration.

## **2.6. Other Relevant Considerations: Dual Nationality of Convenience**

Though not strictly a consideration based upon the contents of either Law 1968-LF-3 or decree 1968 DF-478, it should be noted that reports exist of inequitable application of the Cameroonian nationality law contained within those documents. To take a prominent, if largely benign example, the Cameroonian government largely turns a blind eye to the sections of Law 1968-LF-3 dictating the exclusivity of Cameroon nationality in favor of players on the national soccer

team who may also hold nationality of European Union countries where they play professionally. In the same regard, children of Cameroonian diplomats born in foreign countries acquire the nationality of their countries of birth, while still remaining Cameroonians by virtue of their parent(s) being Cameroonians.

Though the detriment such action may have on Cameroon as whole is comparatively minor, it demonstrates a willingness to selectively apply the country's nationality law that could indicate more severe transgressions in situations of political, social, or economic unrest.

### **3. Consequences of Restricting Dual Citizenship**

The negative ramifications of prohibiting Cameroonian nationals from acquiring and retaining foreign citizenship span a broad and deep set of quandaries which take form across a spectrum of scales stretching from personal, family trauma to macroeconomic trends of the country as a whole. For the purposes of this paper, the consequences of maintaining strict singular nationality have been broken into economic, social, political, legal, and cultural categories. Many ramifications have complicated and interdependent effects which may span multiple of these categories. However, there are two recurrent themes that appear repeatedly across the categories. In the first, the opportunities for Cameroonian nationals who have immigrated to a foreign country, but do not want to lose their native nationality, are limited by their inability to adopt a second nationality. In the second, Cameroonian immigrants to foreign countries who embrace the benefits of taking their adopted homes nationality are inhibited in their ability to return to Cameroon with the skills and prosperity they have accumulated while abroad due to the loss of their original, Cameroonian nationality.

#### **3.1. Legal Ramifications**

The legal ramifications of prohibiting dual nationality are among the most explicit consequences and primarily act as the basis for other, more severe but also more amorphous detriments. As a result, the legal impacts of restricting

individuals to a single nationality will be discussed in this paper within the context of the larger problems they create. For instance, limitations on Cameroonian immigrants who choose not to become naturalized citizens of their destination country will be addressed with regards to the effect those restrictions have on hindering economic and educational success in the destination country. Similarly the legal complications that forfeiting Cameroonian nationality has on voting and domestic property holdings will be addressed as part of discussions on political ramifications and reduced reinvestment. While there undoubtedly exist unique legal quandaries created by current Cameroonian nationality law's prohibition on dual citizenship, obscure legal consequences will be deliberately passed over in order to better emphasize the bulk effects which have the greatest impact on the population as a whole.

### **3.2. Economic Ramifications**

In today's increasingly interconnected world economic environment, each country's citizens must operate within an international marketplace that is characterized by heightened levels of trade, manufacturing and service sectors that span countries and continents at a time, and large-scale migration, both to developed countries and between developing ones. Given this progression, the ability of each such citizen to thrive is directly contingent upon their ability to integrate into the global economy, including their ability to follow the demand for skills to whichever geographical location offers them the most robust opportunity.

The importance of increasing globalization, and the economically motivated migration that helps underpin it, is a common argument for allowing dual citizenship. For example, this theme plays a primary role in the major Australian Parliamentary assessment of permitting native Australians to acquire a second nationality.<sup>19</sup> However, such a perspective – that of a developed economy looking to facilitate expanded exports – will tend to understate many issues which are even more prominent, and essential, in the case of a comparatively poor country

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<sup>19</sup> Adrienne Millbank (note 1 above).

such as Cameroon. In this case, the role of immigration – for education and employment – affects not just individual opportunity, but the macroeconomic success of the homeland through remittances, investment, and increased integration with the destination country. Thus, factors which inhibit the ability of immigrants to succeed in their destination country, or which discourage their continued links to their homeland once there, will have a profound economic impact on the homeland. Prohibiting dual citizenship is exactly at the pinnacle of such detrimental factor.

### **3.2.a. Immigration and Remittances**

The Cameroonian economy does not fulfill its potential for providing employment, especially to young, recently graduated individuals, or for elevating the standard of living for the population as a whole. Given this situation, many native Cameroon nationals have turned to immigration to more developed economies as a means to achieve individual economic elevation and potentially, long-term personally prosperity. In addition to the individual benefit derived from such immigration, the increased prosperity associated with successful migration can produce a significant monetary flow back to the immigrant's family. Accumulated over the large numbers of immigrants mentioned above, these remittances can provide a valuable source of foreign currency for the home country's economy.

The influx of additional funds from these remittances can play a vital role in improving living conditions and stimulating economic development in the home country. As Wagh and Pattillo discuss in their report on remittances to sub-Saharan Africa,<sup>20</sup> remittances play a direct role in reducing poverty and can be a more stable source of funds than either foreign aid or direct investment. Given the significant benefits that remittances can provide in improving the lives of a nation's poor and in stimulating macroeconomic growth, it thus seems especially

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<sup>20</sup> Smita Wagh & Catherine Pattillo, "Impact of Remittances on Poverty and Financial Development in Sub-Saharan Africa", *IMF Working Paper No. 07/38*, (Last Revised March 4, 2007), pp. 6 & 11, [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=967879#](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=967879#), accessed May 2008).

relevant for developing nations to encourage and facilitate the immigration and foreign employment necessary for such remittances.

Considering the difficulty of obtaining immigration to a developed nation, retaining such residency stands as a high priority. Perhaps more importantly, obtaining naturalized citizenship in a destination country can enable or speed the ability to support immigration of family members to share in the enhanced economic opportunities. Naturalization thus enables a snowball effect whereby increasingly large numbers of immigrants may enjoy the economic benefits of developed economies, and potentially also expand the remittance flow to the home country. Obtaining citizenship in their destination country also enables immigrants to pursue expanded employment opportunities. The United States again offers a good example of this trend, as federal government positions are generally restricted to US citizens while other non-governmental jobs in fields such as aerospace, composites or electronics that are related to defense technologies are also restricted to US citizens due to security concerns. Failure to obtain naturalized citizenship in a destination country can thus create serious obstacles towards employment, or professional advancement, depending on the field of employment.

However, for native Cameroonian nationals, taking this pragmatic and largely beneficial step comes with the severe, and currently unavoidable, drawback of having to forfeit their original, Cameroonian nationality. This tradeoff can carry a sizable degree of sociopolitical detriment, a price that many immigrants are unwilling to pay. For them, the added prosperity, security and stability that come with naturalized citizenship in their destination country are consequently unavailable, forcing them to work at a distinct disadvantage in the global marketplace. Given sufficient numbers, this can have a significant, detrimental impact on the resulting flow of remittances back to Cameroon, where those remittances not only improve the standard of living for the individual recipients, but can help stimulate the Cameroonian economy as a whole. Of course, the

other option for native Cameroonians facing this quandary is to forfeit their Cameroonian nationality in favor of their destination country's nationality.

### **3.2.b. Restrictions on Reinvestment**

As with the remittances born of immigration, the impact of prohibiting dual citizenship on reinvestment in the Cameroonian economy is felt in two stages. First, Cameroonian immigrants to developed nations who wish to keep their native nationality are placed at a strategic disadvantage in their destination nations' economies. This disadvantage can translate directly to a hindered ability to succeed professionally, meaning that Cameroonian immigrants are likely to have not just reduced incomes, but less of the advanced expertise and capital accumulation that they could then bring back to Cameroon.

Second, and potentially more severe, Cameroonian immigrants who assume the nationality of their destination country face significantly increased difficulties in reinvesting their foreign economic gains into the Cameroonian economy. Though foreign property ownership is technically recognized in Cameroon, the dysfunctional judiciary and administration which handle property matters make such investment precarious. As the US State Department report on the Cameroon investment climate advises, "Cameroonian courts and administrative agencies often grant preferential treatment to domestic firms and have been accused of corrupt practices".<sup>21</sup> Moreover, a loss of Cameroonian political rights makes it more difficult for such expatriate investors to financially or legally protect their property or investment as they no longer possess a right to vote in elections which, at least in aggregate (and in theory) will dictate the course of government policy. Though these deterrents do not fully prevent reinvestment, they certainly discourage it and as such, fail to take advantage of the economic resources and business expertise which immigrants may gain in their destination country.

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<sup>21</sup> US Department of State, 2008 Investment Climate Statement - Cameroon: Openness to Foreign Investment, (2008), <http://www.state.gov/e/eeb/ifd/2008/100834.htm>, accessed May 2009.

Should a native Cameroonian who has enjoyed financial success via naturalization in their destination country wish to reinvest their economic gains and honed skills in Cameroon by returning to their homeland (despite its depressed economy and current corruption), they face a mirror image of the dilemma faced at naturalization. They may either reside in Cameroon absent political rights and subject to the aforementioned prejudices of foreign bodies, or forfeit the nationality of their destination country and, by doing so, reimpose the same limitations the immigrant Cameroonian experienced prior to naturalization and potentially jeopardize their professional accomplishments and remaining holdings in the destination country. Thus, rather than building on the successes in the destination country in Cameroon, the restriction on dual citizenship effectively requires those foreign successes to be sacrificed. Facing such deterrents, it should be of little surprise that Cameroonian immigrants would instead prefer to simply remain in their destination country.

While the continuing residence of Cameroonian immigrants in developed economies can provide a beneficial stream of remittances, the repatriation of native Cameroonians who have gained valuable skills and financial resources abroad represents a far greater opportunity for achieving significant economic development gains. At an estimated 232,000 people, the Cameroonian diaspora represents a startling 1.4% of the national population; to actively discourage the reengagement of such a large group through dual citizenship limitations is startling.<sup>22</sup> Besides sheer numbers, a failure to encourage the eventual repatriation of such individuals carries a severe loss of human capital, for the emigrant population is disproportionately well-educated. According to World Bank estimates, nearly 15% of the Cameroonian diaspora possess tertiary degrees.<sup>23</sup> Such highly qualified individuals are key elements of thriving economies and to

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<sup>22</sup> Dilip Ratha, Sanket Mohapatra, & Zhimei Xu, Outlook for Remittance Flows 2008 - 2010: Growth Expected to Moderate Significantly, But Flows to Remain Resilient, Migration and Development Brief (November 2008),

[http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1110315015165/MD\\_Brief8.pdf](http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1110315015165/MD_Brief8.pdf), accessed April 2009.

<sup>23</sup> Ibid.

discourage their return through stifling citizenship laws represents a gravely missed opportunity to stoke the competitiveness of Cameroon in the global economy and other fields such as technology, health, and enterprise.

### **3.2.c. Constrained Movement in Global Economy**

In an era of increasingly cross-border supply and production lines, a company's ability to successfully bridge the economies of two nations plays a key role in its ability to benefit from the emerging opportunities in the global marketplace. As corporations based in developed nations look to reduce costs in their supply chain, markets with low labor costs, such as Cameroon, offer enticing incentives for outsourcing. For such outsourcing to prove an efficiency-inducing benefit rather than a complexity-carrying detriment, a close degree of integration of main companies and their subsidiaries is necessary. Even given the ever-escalating capabilities of global telecommunications, successful integration still requires supplier liaisons who can provide a physical link between the two companies.

Such supplier liaisons must be able to operate seamlessly in the nations on either side of the trade link. This, in essence, is a role that is tailor-made for dual citizenship, as such dual nationality allows unfettered travel in and out of each country. In contrast, those without such dual nationality must gain visas to simply complete the execution of their job. Cameroonian nationals require a visa for business travel to EU countries and the United States. Allowing Cameroonians to maintain dual nationalities would eliminate visa restrictions and time wasted for such processes, uncertainties, and enhances business efficiency.

Beyond allowing such individuals to become expedited conduits to corporations within the primary developed nation, the increasing flexibility that the destination country's nationality affords can also make such Cameroonian nationals a natural expeditionary to other developed nations. For example, a Cameroonian national who obtains French citizenship while acting as a liaison between a Cameroonian supplier and a French corporation may then become a natural focal point for

expansion into business not just with other French corporations, but with corporations in other EU nations as well.

### **3.3. Social Ramifications**

Beyond the purely financial impacts of prohibiting dual nationality, Cameroonian nationality law also carries numerous consequences for the functioning of Cameroonian society. Mandating singular possession of Cameroonian nationality can limit the ability of native Cameroonians to obtain world-class education, or, for those who do, it can discourage their return, resulting in a brain drain that deprives Cameroon society of essential professionals. Current, single-citizenship nationality law also creates crises at the individual level. Children born of parents from different nationalities must choose an allegiance through one parent over that of another. Similarly, the need for immigrants to choose between their native Cameroon and the potential prosperity of their destination country can create misperceptions of having forsaken their homeland and generate a division of isolation despite deep and continued feelings of loyalty.

#### **3.3.a. Advanced Education**

While Cameroon certainly does maintain institutions of higher learning, there is little argument that can be made for the quality of Cameroon's universities being equivalent to the world-class elite institutions. As a simple demonstration of this, note that no Cameroonian universities are among the top 500 in the Shanghai rankings for top world universities.<sup>24</sup> Thus, for talented Cameroon students aspiring to the highest peaks of academic excellence, the prospect of immigration becomes a necessity.

As with the limitations born of foreign citizenship discussed with regard to occupation, being a foreign national carries additional restrictions for pursuing higher education in nations with elite institutions. Though these limitations may

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<sup>24</sup> Center for World-Class Universities, Shanghai Jiao Tong University, *Academic Ranking of World Universities* (2008), [http://www.arwu.org/rank2008/Top500\\_EN\(by%20rank\).pdf](http://www.arwu.org/rank2008/Top500_EN(by%20rank).pdf), accessed May 2009.

generally be less severe for students, they nonetheless do exist. Elite academic institutions may have strict quotas on the number of international students that may be admitted, resulting in disproportionately competitive admission processes. International standing also plays a crucial role in the relative ability of students to finance their education. In the US, where college tuition costs tend to greatly exceed those of other western nations,<sup>25</sup> international students are not eligible for federal or state financial aid, nor are they eligible for federal education loan programs. International students in the US also face limitations in their ability to obtain alternative, private loans to finance their education. Additionally, US immigration law requires that foreign students attend classes full-time, meaning that it is far more difficult for students to help fund their education by holding full-time jobs and attending school part time.

Especially in cases where Cameroonian immigrants want to pursue multiple advanced degrees - be they PhD's or pursuit of professional degrees such as in medicine or law - the prospective advantages of obtaining citizenship are even greater given the total devotion of time and money to the educational venture. Yet the necessity of forfeiting their native nationality may deter Cameroonian immigrants from seeking their destination country's nationality, and so force them to pursue education at a distinct disadvantage - potentially driving them to lower caliber universities or wholly deterring them from pursuing additional higher education.

### **3.3.b. Brain Drain**

Therefore, many native Cameroonians pursuing higher education abroad may view the advantages of becoming naturalized citizens of their destination country as significant enough to warrant the sacrifice of their native Cameroonian

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<sup>25</sup> As a vivid demonstration of the increased financial burden for international students, UK universities chief, Ivor Crew has publicly defended accepting lower-quality international students as a way to compensate for underfunded domestic students since those international students can be charged more . See "Non-EU students 'needed for cash", *BBC News*, Wednesday, 14 July, 2004, [http://news.bbc.co.uk/2/hi/uk\\_news/education/3893179.stm](http://news.bbc.co.uk/2/hi/uk_news/education/3893179.stm), accessed April 2009.

nationality. Similarly, the loss of their native nationality creates a serious obstacle to returning to Cameroon following the completion of their education. Countries with elite educational institutions clearly perceive the value of such highly-qualified immigrant graduates and in general, seek to retain them following completion of their education. This is clearly reflected in US immigration policy, as immigrants with advanced education are given preference in obtaining permanent residency.<sup>26</sup> Moreover, there is an increasingly large acknowledgment of the essential role that such well-educated immigrants play in US economic success, and a growing push to provide further incentives for their migration to or retention in the US.<sup>27</sup>

With destination countries increasingly recognizing the value that highly-educated immigrants can provide to their countries, native homelands must provide incentive for such qualified individuals to return home and contribute to development of their native country. Instead, the policy of single-nationality currently required by Cameroonian nationality law directly discourages such return. Besides the aforementioned economic impacts of this constrained nationality law, it can also prove seriously detrimental to the strength of civil society in the homeland by depriving that society of the doctors, lawyers, scientists, and engineers needed to stimulate growth and improve living conditions. The reality of such a “brain drain” taking place is clear, with expatriation rates of educated individuals from sub-Saharan Africa occurring at ten times the expatriation rate of the populous as a whole.<sup>28</sup>

Cameroon too offers a vivid demonstration of this, with 19% of Cameroon-trained nurses and up to 45% of Cameroon-trained physicians emigrating to other

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<sup>26</sup> Randall Monger & Nancy Rytina, “U.S. Legal Permanent Residents: 2008”, *Annual Flow Report*, March 2009, [http://www.dhs.gov/xlibrary/assets/statistics/publications/lpr\\_fr\\_2008.pdf](http://www.dhs.gov/xlibrary/assets/statistics/publications/lpr_fr_2008.pdf), accessed May 2009.

<sup>27</sup> Thomas L Friedman, “The Open-Door Bailout”, *The New York Times*, Tuesday 10 February 2009, India, <http://www.nytimes.com/2009/02/11/opinion/11friedman.html>, accessed April 2009.

<sup>28</sup> Smita Wagh & Catherine Pattillo (note 21 above), p. 10.

nations.<sup>29</sup> The problem of a brain drain of the nation's most qualified individuals is thus quite real, and distressingly encouraged by restrictions on dual citizenship that effectively encourage the most talented and qualified elements of Cameroonian society to remain abroad. In consequence, not only are economic growth and public health potentially affected, but the decreased presence of the educated population so vital to robust democracy can indirectly enable political corruption, suppression of human rights, and perpetual underdevelopment.

### **3.3.c. Bi-National Dilemma**

While the "brain drain" effect of prohibiting dual citizenship showcases the macroscopic effects on Cameroon, the current Cameroonian nationality law also generates problems on a more personal level. For Cameroonian children born to parents of both Cameroonian and foreign nationality - especially when such birth occurs within marriage - such bi-national birth carries with it the oppressive dilemma of assuming a single nationality at majority. Except for the rare cases where foreign nationality cannot be renounced (Greece being the prime example), children who cannot claim more than one nationality face the difficult and unavoidable choice of siding with one parent's nationality and rejecting the other's. Though such a choice may be fairly simple in some situations, in many, it generates a dilemma of self-identification that can damage familial bonds. Instead of looking to such individuals as a natural source for the economic envoys, current Cameroonian citizenship law thus subjects them to a potentially painful decision regarding which part of their heritage to abandon.

### **3.3.d. Perception of Forsaken Homeland**

Though the reasons for which Cameroonian immigrants forfeit their native citizenship in favor of their destination countries' may be purely economic or educational, the impact of such forfeiture on their perceived relationship with their

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<sup>29</sup> Dilip Ratha & Zhimei Xu, "Migration and Remittances Factbook", Migration and Remittances Team, Development Prospects Group, World Bank. <http://siteresources.worldbank.org/INTPROSPECTS/Resources/334934-1199807908806/Cameroon.pdf>, accessed May 2009.

homeland can be significant. For those remaining in Cameroon, an immigrants' forfeit of Cameroon nationality can appear as if that immigrant is forsaking their homeland, and by extension, the people of that homeland. This can create an emotional and relational rift between immigrants and their families that mirrors and exacerbates the inherent physical separation. In their survey of feelings on dual citizenship among German immigrants, Carroll and Vollhardt offer an illustrative example of this thought: "A first generation immigrant from Poland emphasized the social bonds citizenship represents: Giving up citizenship is like officially stating that you do not want to belong to the people you grew up with...others might think you are drawing a line between them and yourself".<sup>30</sup>

On the converse side, the requirement to forfeit Cameroonian nationality to become a naturalized citizen in their destination countries can provoke a sense of emotional and intellectual isolation from their homeland. With restricted legal rights, and no longer able to vote in the country of their birth, Cameroonian immigrants may resign themselves to the imposed isolation from their homeland. As Carroll and Vollhardt chronicle in an interview with an immigrant student who expressed their belief that "the citizenship of the country of my origin means family, friends, culture, my past".<sup>31</sup> Hence, to discard citizenship would carry the emotional weight of discarding all the links to one's homeland that the citizenship represented. This sense of mental and emotional disconnection to one's homeland thus makes the likelihood of attempted return far lower and can have a serious impact on the extent to which those same immigrants may continue to send remittances home. In such a situation of alienation, any resentment from those remaining in Cameroon based on perceptions of forsaking the homeland simply exacerbate the situation and reinforce the divide created by prohibitive nationality laws.

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<sup>30</sup> Megan Carroll & Johanna Vollhardt, "If People Want to Have Dual Citizenship, What's Wrong With That?: Examining the Legal and Emotional Aspects of Dual Citizenship in Germany", [http://www.humanityinaction.org/docs/Carroll\\_Vollhardt\\_2002.pdf](http://www.humanityinaction.org/docs/Carroll_Vollhardt_2002.pdf), p. 128, accessed April 2009.

<sup>31</sup> Ibid, p. 128.

### **3.4. Political Ramifications**

While the potential social detriment from sacrificing Cameroonian nationality may be hard for immigrants to accurately gauge while weighing the pro's and con's of becoming naturalized citizens of their destination country, the political impact is certain: a loss of all participatory political privileges, most specifically, the right to vote. For a society in which political apathy runs rampant and the validity of elections is routinely questionable, such a sacrifice may appear minor to anyone contemplating naturalization. However, for some Cameroonians, such a prospect holds foremost prominence in the costs of forfeiting Cameroon citizenship. Immigrants who feel that such a sacrifice is too dear are thus subjected to the strategic economic and educational disadvantages already discussed.

However, can a desire to retain political rights in their homeland inspire Cameroonian immigrants to avoid naturalization? This merely subjects them to the potentially more fraught prospect of retaining the nationality of a homeland where they have no ability to participate in the democratic process. As a result, such Cameroonian expatriates would not be able to influence items with potentially far greater immediate impact to their lives, such as the tax rates, local administration, transportation plans, education policies, and a host of other matters settled by, or at least subject to, the ballot box of their destination country. Especially when contrasted to the relative lack of responsiveness present in the Cameroonian democratic process, this marks a grave sacrifice for an immigrant who desires to retain their native nationality.

As with other ramifications, the second phase of political consequences from the prohibition on dual nationality comes from those individuals who choose to forfeit their Cameroonian nationality for the advantages associated with naturalization. The impact of this effect is felt more at the macroscopic level, as it can help to deprive Cameroonian society of vital demographic elements necessary to support a robust democracy. This is especially true given that those Cameroonian immigrants who become naturalized citizens in their destination

country are likely to be disproportionately well-educated. These well-educated professionals are often considered to be among the strongest counterpoints to malfeasance by the governmental elite and their diminished presence may enable increased corruption and infringements on human rights and the democratic process. As one somewhat extreme, but illustrative example, consider the public demands which eventually led to Pervez Musharraf relinquishing his illegitimate control of the Pakistani presidency. Though the protest movement that forced his eventual abdication eventually bridged much of the population, the originators of the movement were overwhelmingly lawyers.<sup>32</sup> Had Pakistanis trained in the law emigrated at the rates seen for some professions in sub-Saharan Africa, the numbers to instigate such a change may not have been present in Pakistani society.

Given the scales of corruption, bureaucratic inefficiency and opacity, and human rights violations present in Cameroon, it could thus be argued that the policy of prohibiting dual-citizenships contribute to such ills. By extension, the decision to retain the single nationality policy despite a strong international trend towards permitting dual nationality may even be seen by some as an attempt by the current regime to limit the influence of a well-educated Cameroonian Diaspora who may challenge the government's influence.<sup>33</sup>

### 3.5. Cultural Ramifications

Unlike most socioeconomic consequences of prohibiting dual citizenship, the cultural impact of such restrictive nationality law appears primarily in the second phase, when immigrants have chosen to forfeit their Cameroonian nationality in favor of naturalized citizenship in their destination country. Besides the emotional and relational divide this choice can create between immigrants and those remaining at home as above discussed, in bulk it can cause a general isolation

<sup>32</sup> Aamir Latif & Kevin Whitelaw, "Pakistan's [Lawyers](http://www.usnews.com/blogs/news-desk/2007/11/07/pakistans-lawyers-take-on-musharraf.html) Take On Musharraf", *US News and World Report*, 07 November 2007, United States, <http://www.usnews.com/blogs/news-desk/2007/11/07/pakistans-lawyers-take-on-musharraf.html>, accessed in April 2009.

<sup>33</sup> Dibussi Tande, "Dual Citizenship (I): Time for a Long Overdue National Debate" (2006), [http://www.dibussi.com/2006/05/dual\\_citizenshi.html](http://www.dibussi.com/2006/05/dual_citizenshi.html), accessed March 2009.

between Cameroon and the world at large. That is, if the native population comes to feel isolated from the Diaspora, it can breed a sense of resentment towards both the Diaspora and, by extension, the foreign populations the members of that Diaspora reside in. Though unlikely to take place on the same scale in Cameroon, such a scenario operating on even a minor level risks directing Cameroon down a path of insular nativism and xenophobia when global trends point strongly towards ever greater integration.

Additionally, current nationality law's potential for encouraging brain drain carries a distinctly cultural consequence. Just as talented Cameroonians seeking world-class education in sciences, law, or medicine may turn abroad, so too may its burgeoning artists, writers, and musicians. With the greater potential for patronage that developed nation's higher incomes afford offering a powerful incentive for immigrant artists to remain abroad, Cameroon risks losing its foremost cultural contributors to naturalization in their destination countries. Prohibiting dual nationality thus harbors the potential to deprive the Cameroonian people not just of doctors, engineers and lawyers, but the elite artists who may best express the unique qualities and struggles of the Cameroonian culture.

In addition, the general assumption is that each Cameroonian is an ambassador of his culture. Therefore every Cameroonian has an implied responsibility to showcase Cameroonian culture in whatever forum possible in their destination country. However, the enthusiasm to do so is diminished when faced with a nationality law that forces you to choose between your homeland (which in many instances offers you little survival options), and your destination country, which provides you better educational and employment opportunities. Cameroonians, just like any other nationals consider livelihood to be an important facet of life and would rather choose their destination country for its opportunities. Under such circumstances, it becomes tricky to be a cultural ambassador of a homeland that does not recognize you as a native.

#### **4. Perspective on Dual Nationality**

As established above, current Cameroonian nationality law's prohibition on dual citizenship acts primarily as a detrimental force that negatively impacts both emigrants from Cameroon and those remaining at home. In the most simplistic summarization, removing that detrimental force thus eliminates the corresponding negative impact. In the interest of avoiding redundancy, the need for dual nationality strongly highlighted throughout section 3 above will not be repeated. It is important though, to understand that simply removing the obstacle of mandatory single nationality will have positive impacts proportional to their contribution of the problems discussed. For some of the dilemmas discussed in section 3, the prohibition of dual nationality stands as the single cause a problem, so revocation of that prohibition effectively solves the problem. Bi-national children, for example, will no longer face the painful decision of choosing one parent's nationality over another. Similarly, Cameroonian emigrants to developed nations will not have to forgo their voting rights in Cameroon in order to obtain those rights in their destination country.

This does not mean, however, that simply allowing dual citizenship will eliminate all problems discussed throughout section 3 above. The vexing issue of brain drain will likely persist so long as both developed nations preferentially seek such skilled individuals and the economic opportunities in Cameroon do not relatively rival those of developed nations. Instead, allowing dual nationality will remove an active deterrent to reintegration and repatriation that makes the problem of brain drain more severe. That is, the prohibition on dual nationality is but one of many causes leading to complicated effects like brain drain, so removing it alone will not magically eliminate that effect. By most indications, it will, however, help to counteract that effect. To put it more bluntly, removing the prohibition on dual nationality will not transform Cameroon into an economically successful, developed nation, but it will significantly improve its ability to become one.

## **5. Conclusion**

The current Cameroon citizenship law's prohibition on holding dual nationality creates a diverse set of detrimental impacts on its people, both in Cameroon itself and among its sizable emigrant population. The negative effects of the current policy range from dilemmas at the personal level to hindrances on macroeconomic growth. Though the prohibition on dual nationality may not be the singular cause of all such problems, it stands as a profoundly discouraging influence on the Cameroonian immigrant population, limiting their successes abroad and deterring their retention as an integral, beneficial part of Cameroonian society. Cameroon's continued implementation of a restrictive nationality law that does not reflect today's world realities is just baffling. As illustrated in this article, there appears to be a clear global movement towards greater acceptance of dual nationality in countries around the world and the reasons underlying this upward trend are numerous and diverse. Considering the numerous benefits dual nationality brings to a population and the country, Cameroon should embark on a path towards dual nationality without any delay.

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