


UNDERSTANDING HUMAN TRAFFICKING



LAW NO. 2011/024 OF 14
DECEMBER 2011 RELATING
TO THE FIGHT AGAINST
TRAFFICKING IN PERSONS
AND SLAVERY

QUESTION AND ANSWER FACT SHEET

STOP TRAFFICKING IN PERSONS AND SLAVERY IN CAMEROON

Conceived By:



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Q1. What regulates trafficking in Persons and Slavery in Cameroon?

A: The Law No 2011/024 of 14 December 2011 Relating to the Fight against Trafficking in Persons and Slavery

Q2. Who can be trafficked?

A: Section 2 (a) stipulates that a person; human being of either sex regardless of age can be trafficked

Q3. What is Trafficking in Persons?

A: According to **section 2 (b)**, trafficking in persons is the act of promoting or ensuring the movement of a person inside or outside Cameroon in order to obtain, directly or indirectly, a financial or other material benefit of whatever nature.

Q4. What is Slavery?

A: In accordance with **section 2 (c) slavery** means the recruitment, transfer, accommodation or reception of persons for exploitation, through threat, the use of force or other forms of coercion, kidnapping, fraud, deception, abuse of authority or taking advantage of a state of vulnerability or through offer or acceptance of benefits to obtain the consent of a person having authority over the victim

Q5. What is Exploitation of Persons?

A: **Section 2 (d)** indicates that **exploitation of persons** shall include, at least, the exploitation or promotion of prostitution of persons, or any other forms of sexual exploitation, exploitation of labour, or forced labour, slavery or practices similar to slavery, serfdom or the removal of organs

Q6. Can one consent to be trafficked or enslaved?

A: Section 2 (e) explains that the consent of the person is void: where acts of violence were committed on the victim himself or on persons having legal or customary custody over him.

Q7. How can a person be held in debt bondage?

A: **Section 2 (f)** refers to one who is pledged as a security before a creditor of a loan or a debt for purposes of exploitation.

Q8. Is debt bondage an offence?

A: Yes, according to **Section 3: (1)**, whoever subjects a person to debt bondage shall be punished with imprisonment for from 5 (five) to 10 (ten) years and a fine of from 10 000 (ten thousand) to 500 000 (five hundred thousand) CFA francs.

Q9. What about guardians who traffic or enslave persons put in their custody?

A: **Section 3 (2)** stresses that the penalties provided for in Section 3 (1) above shall be doubled where the offender is either an ascendant, a guardian or a person having even custody over the victim.

Q10. What punishment is provided for someone who receives and accommodates another person for purposes of exploitation?

A: Under **Section 3 (3)**, whoever keeps a person in debt bondage shall be punished with imprisonment for 10 (ten) years and with fine of from 10 000 (ten thousand) to 1 000 000 (one million) CFA francs.

Q11. Must one practice trafficking habitually to be punished?

A: **Section 4** emphasizes that whoever engages even occasionally in the practice of trafficking in persons or slavery shall be punished with imprisonment of from 10 (ten) to 20 (twenty) years and with fine of from 50 000 (fifty thousand) to 1 000 000 (one million) CFA francs.

Q12. Are there circumstances where traffickers are severely punished?

A: **Section 5** clearly spells out that whoever engages in trafficking in persons and slavery shall be punished with imprisonment for from 15 (fifteen) to 20 (twenty) years and with fine of from 100 000 (one hundred thousand) to 10 000 000 (ten million) CFA francs where:

- The offence is committed against a minor of 15 years;
- The perpetrator is a legitimate, natural or adopted ascendant of the victim;
- The offender has authority over the victim or is expected to participate by virtue of his duties in the fight against slavery or peace keeping;
- The offence is committed by an organized gang or an association of criminals;
- The offence is committed with the use of a weapon;
- The victim sustains injuries as described in Section 277 of the Penal Code; or
- Where the victim dies as a result of acts related to the offence.

Q13. Usually the act of Trafficking and slavery involves many people. What does the Law say about them?

A: Under **Section 6 (1)**, offenders, co-offenders and accomplices of crimes of debt bondage, trafficking in persons and slavery shall in addition, be sentenced with the accessory penalties provided for under Section 30 of the Penal Code.

(2) Accessory penalties provided for under Section 33, 34, and 35 of the Penal Code may also be handed down.

Q14. This new law implies that there had been a previous one. Can one apply the provisions and sanctions of both laws as desired?

A: No. **Section 7** states that this new law repeals all previous provisions repugnant hereto, notably Law N^o 2005/15 of 29 December 2005 relating to the Fight against Child Trafficking and Slavery.



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