

## MAIN ANTI-CORRUPTION LAWS USED IN CAMEROON

1. Constitution of Cameroon: Amendment of Constitution of Cameroon by Law N° 96-06 of 18 January 1996 completing the 1972 Constitution of Cameroon requires the filling of a statement of assets and liabilities for all public officials.
2. Declaration of assets and properties: Law N° 2006/3 of 25/04/2006.
3. Penal Code: Law N° 65 LF -24 of 12 November, 1965; Law N° 67-LF-1 of 12 June, 1967); Law N° 177/23 of 6 December, 1977; Law N° 72 – 16 of 28 September, 1972.
  - Section 134 - Bribery and Corruption

### Assimilated Offences to Corruption

- Section 137 - Indulgence
  - Section 140 - Abuse of power
  - Section 142 - Undue demand
  - Section 160 – Compulsion of Employee
  - Section 161 - Procuring Influence
  - Section 184 - Misappropriation of Public Funds
  - Section 312 - Corruption of Employee
4. Criminal Procedure Code: Law N° 2005/007 of 27th July 2005.
  5. Special Criminal Court: Law N° 2011/028 of 14 December, 2011.
  6. Bank confidentiality: Law N°2003/004 of 21/04/2003;
  7. Financing of political parties and election campaigns: Law N°2000/015 of 19 December 2000.
  8. Sanctioning of Corrupt Magistrates: Decree N° 95/048 of 1995.
  9. National Anti-Corruption Commission: Decree N° 2006/088 of 11 March 2006.
  10. National Governance Programme
  11. Cameroon Tax Code
  12. Cameroon Public Service Code
  13. Cameroon Public Procurement Code
  14. UN Convention against Corruption ratified by Cameroon
  15. UN Convention for the fight against Transnational Organized Crimes
  16. African Union Convention on Preventing and Combatting Corruption

## Summary of National Anti-Corruption Structures

Cameroon was perceived as the most corrupt country in the world in the years 1998 and 1999 (TI corruption index). The government of Cameroon declared its commitment to fight corruption. Despite the declared political will for the fight against corruption, little has changed in any tangible way. The fight against corruption is declared a priority of the government of Cameroon that has created multiple structures within this framework.

- **ARMP**- Created by Decree N° 2001/048 on February 23, 2001

The Public Contract Regulatory Agency (ARMP) is a public administrative establishment with its own legal personality and financial autonomy. The ARMP oversees regulation, follow-ups and evaluation of the public markets sector.

- **ANIF**- created by Decree No. 2005/187 of 31 May 2005

The National Agency for Financial Investigations (ANIF) is the Cameroonian mechanism for combating money laundering and terrorism financing abbreviated in English as NAFI. It is at the centre of a process of which are found upstream its partners which are liable professional groups (reporting entities) and downstream, judicial authorities. It was established by Presidential Decree No. 2005/187 of 31 May 2005 laying down its organization and functioning.

- **CONAC** – created by Decree No. 2006/088 (in French) on March 11, 2006

The National Anti-Corruption Commissions' mission is to monitor and evaluate the effective implementation of the government's anti-corruption programme. The CONAC has a central structure with branches in almost all ministries. The CONAC has a coordinating and regulatory role in relation to the national anti-corruption policy framework in Cameroon. It has investigating capacities and has a mandate to gather and analyze allegations and information about corrupt practices. The findings of a CONAC inquiry can ultimately lead to disciplinary or legal proceedings.

- **The Special Criminal Court**- created by Law N° 2011/028 of 14 December, 2011

Cameroon has been topping the list of the most corrupt countries in the world and in order to eradicate this ill, the government launched the operation '*sparrow hawk*' which sent most top government officials behind the bars. This court tries only embezzlement of public property where the loss is above 50million. The court is created to support the work of the national anti-corruption commission (CONAC), The National Agency for Financial Investigations (ANIF), the supreme state audit office (CONSUPE), The Public Contract Regulatory Agency (ARMP), the ministerial anti-corruption units, the Tender boards of public bodies and the audit bench of the Supreme Court.

The creation of this court was aimed at fighting embezzlement of public property, to ensure speed in judicial proceedings and the restitution of the property. It has changed the Penal Code punishment for misappropriation of public property. The Penal Code in its Section 184 call for punishment and confiscation of offence related property and the Special Criminal Court's creation in Section 18 call for restitution and *nolle prosequi*