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Gun Violence and Regulation of Public Civilian Gun Carrying in Cameroon

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ABSTRACT

Gun violence poses a significant public security threat in Cameroon, exacerbated by separatist conflicts in the Northwest and Southwest regions and Boko Haram attacks in the Far North region. These crises challenge the state's monopoly on the use of force, with illegal firearms far outnumbering those legally authorized. Firearms are used in numerous homicides, nonfatal injuries, and violent crimes annually. In response, Cameroon enacted Law No. 2016/015 of December 14, 2016, to regulate the manufacture, import, export, acquisition, possession, and use of arms and munitions. The law prohibits all transactions involving third category weapons namely: nuclear, biological, chemical weapons, and cluster munitions. The law assigns severe penalties for violations, including life imprisonment and the death penalty when linked to organized efforts. Despite this legal framework, enforcement remains a challenge. The paper recommends stricter and more effective measures to further reduce the illegal circulation of firearms and enhance national security.

Keywords: Cameroon, gun violence, regulation, public gun carrying, civilian

I. Introduction

The Firearms have been a common accessory and even considered a necessity for citizens.³ Guns have two legitimate uses: protection and sport. Protection describes guns owned for self-defense, while sport encompasses a broader range of activities, like hunting, target shooting, and collecting⁴. Some research suggests that guns are viewed as an aggressive weapon that encourages violent behavior in times of anger. On the contrary, other research suggests that gun ownership provides individuals with independence, dominance and the ability to exercise their rights and protect their families and properties from crime.⁵ With an increase in the

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³ The United States of America makes up less than 5% of the world's population. However, half of the world's firearms are located in the U.S.

⁴ Cao, L., Cullen, F. T., & Link, B. G. (1997). The Social Determinants of Gun Ownership: Self-Protection in an Urban Environment. *Criminology*, *35*(4), 629-658.

⁵ Berkowitz, L., & LeFage, A. (1967). Weapons as aggression-eliciting stimuli. Journal of Personality and Social Psychology 7:202-207; Berkowitz L (1984): Some effects of thoughts on anti- and prosocial influences of media

number of guns in the hands of civilians, critics of gun control policies suggest that it would be nearly impossible to remove firearms as a method of reducing gun-related crimes.

Guns in Cameroon came from multiple directions and for manifold reasons. Colonial agents needed guns to establish their hegemony over the native chieftains. The chiefs and other traditional authorities that were in full worship or love to the colonial authorities also resorted to the use of guns both to frighten dissidents within their areas of administration and hunt in the wild. Gun firings also became an integral part of funeral rites and other cultural ceremonies in Cameroon. The mere possession of a gun or the expressed permission to own one by a native elevated that individual out of the orbits of minions⁶. Research suggests that guns and colonialism went hand-in-hand⁷. From their early introduction into the country, largely as items of trade, firearms have been intricately bound in the various forms of European intrusion into Africa, from the slave trade to pacification and colonization⁸. Local gun supplies were sustained by the ingenuity of local artisanal producers. Within the traditional setting where no one heeded to prevailing laws that targeted the prohibition of artisanal guns, local gun fabrication sustained the mass proliferation of such firearms in Cameroon⁹. In discussing the roots of local artisanal firearms production in Cameroon, Chilver and Kaberry opine that the communities in Cameroon practiced smelting, smiting and carving as economic and social activities¹⁰.

The process of controlling and even eliminating the proliferation of firearms in Cameroon has been a long and tiring one unfolding through many decades. This commitment was initiated by the colonial administrations. Many administrative enactments have been made in the direction of regulating guns¹¹ from the time of colonization up to date.

The impact of firearms is most readily seen in conflicts and crime by the magnitude of homicides and other violent deaths. However, there are consequences less visible and therefore

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events:a cognitive-neoassociationist analysis. Psychological Bulletin 95:410-427; Geen RG (1990): "Human Aggression." Milton Keynes, UK: Open University Press; Wright, J., Rossi, P., & Daly, K. (1983). "Under the Gun: Weapons, Crime, and Violence in America. New York: Aldine de Gruyter.

⁶ Ngam Confidence Chia (2023). Guns (Fire Arms) from Men at Home to Boys in the Bush in the Bamenda Grass Field: A Diagnosis of the Ongoing Armed Conflict Experience. *Sch Int J Law Crime Justice*, 6(8): 382-388.

⁷ William Kelleher Storey, *Guns in Colonial South African History* (Cambridge: Cambridge University Press, 2008), 3.

⁸ Rory Pilossof, *Guns don't colonize People: The Role and use of Firearms in Pre-Colonial and colonial Africa*, unpublished, nd, 272-273.

⁹ Ayunifor Kingsly Yunisha, "Gun Culture in Bambili: Ca. 1800-2016," University of Bamenda. Higher Teacher Training College, Department of History unpublished DIPES II Dissertation, 2019, 23

¹⁰ E.M Chilver and P.M Kaberry, *Traditional Bamenda: The Pre-colonial History and Ethnography of the Bamenda Grassfields*, Vol.1, 23.

¹¹ There were two spheres of the former German Cameroon because Britain and France partitioned the territory and administered the two halves simultaneously. France administered the western part which was the majority share while Britain administered the western part which was as much as a fifth of the entire territory.

harder to measure and often longer lasting that need understanding in order to prevent, reduce and eliminate the violence associated with firearms. The Secretariat of the Geneva Declaration on Armed Violence and Development found that, at least 754,000 individuals are victims of non-fatal firearms injuries every year¹². Other negative and long-term consequences of firearms that are less documented include non-physical harm such as psychological trauma and stress from being threatened or observing firearm violence.

In Cameroon, large number of homicides, nonfatal injuries, and nonfatal violent crimes are committed using firearms.¹³ Studies suggest that there are at least twice as many nonfatal firearm injuries as fatal firearm injuries.¹⁴ A good number of individuals are medically treated each year for gunshot injuries. The average incidence of gunshot injuries is 1.14 per 100,000 people per year.¹⁵ Research conducted on the relationship between gun ownership and homicide rates, found that gun ownership was associated with higher rates of homicide and as a result hypothesized that stricter gun laws could reduce the overall rates of homicide.¹⁶ Evidence suggests a strong link between arms trafficking into Cameroon and an upsurge in crime in the country's two Anglophone Northwest and Southwest regions, where there is ongoing insurgency and separatist conflict. Recent increase in Boko Haram attacks on civilians in towns and villages in the Far North are also a factor.¹⁷

Adding to Cameroon's gun violence problem is the enormous size of the civilian gun stock in private hands endangering the life of populations and jeopardizing all initiative in favor of development, education and improvement of the livelihood of citizens. According to statistics given in December 2020 by the Minister of Territorial Administration, more than 23,000 firearms are circulating illegally in Cameroon. This number is far more than the 3,800 authorizations that have been granted by the government to carry weapons. According to the

¹² Geneva Declaration, Global Burden, p. 73. See also www.globalburdenofinjuries.org and A. Alvazzi del Frate, "a matter of survival: non-lethal firearm violence", in Small Arms Survey 2012: Moving Targets (Geneva, 2012), pp. 78-105.

¹³ Crime rates in Cameroon. https://www.numbeo.com/crime/country_result.jsp?country=Cameroon. Accessed on 3/2/2025.

¹⁴ Kaufman, E. J., Wiebe, D. J., Xiong, R. A., Morrison, C. N., Seamon, M. J., & Delgado, M. K. (2021). Epidemiologic trends in fatal and nonfatal firearm injuries in the US, 20092017. JAMA Internal Medicine, 181(2), 237244. https://doi.org/10.1001/jamainternmed.2020.6696. Accessed on 4/2/2025.

¹⁵ NDM, Mokake & NN, Atabong & BM, Ekani & EM, Yawa & Nana, Theophile & N, Ntongwetapem & E, Malika & NF, Mwambo & Mefire, Alain & NM, Ngowe. (2024). Clinical Characteristics, Treatment and Outcome of Gunshot Injuries in South West Region of Cameroon. Clinics of Surgery. 10. 01-10. 10.47829/COS.2024.101001.

¹⁶ Gius, M. (2009). The Effect of Gun Ownership Rates on Homicide Rates: A State-Level Analysis. Applied Economics Letters, 16(16-18), 1687-1690.

¹⁷ Oluwole Ojewale, "Cameroon alone can't stop illicit arms flooding into the country," Institute for Security Studies, August 26, 2021, https://issafrica.org/iss-today/cameroon-alone-cant-stop-illicit-arms-flooding-into-the-country. Accessed on 3/2/2025.

Economic, Social, and Cultural Council of the African Union Commission (AU), it is estimated that there are more than 30,000 small arms and light weapons in illegal circulation in the country. These weapons include revolvers, pistols, rifles, assault rifles, and machine guns. ¹⁸

Review of studies assessing gun control can reduce violent crime, especially homicide. Provides of studies assessing gun control effectiveness, however, provides little support for the view that gun control laws reduce gun availability or violence rates. In 2015, the United Nations Human Rights Council (UNHRC), during its 29th regular session, adopted Resolution 29/10, titled "Human rights and the regulation of civilian acquisition, possession and use of firearms". This resolution specifically requested the United Nations High Commissioner for Human Rights to prepare a report on the various ways in which civilian acquisition, possession, and use of firearms have been effectively regulated. The aim was to assess how such regulations contribute to the protection of human rights, particularly the right to life and security of person, and to identify best practices that could guide States in developing relevant national regulations if they deemed it necessary. The report was developed with contributions from states, United Nations agencies, international organizations, national human rights institutions, and nongovernmental organizations and based on a standard questionnaire and published in 2016. The report concluded that: It is widely recognized that firearms are the main tool used to commit acts of violence and crime²².

Many States have enacted a radically new policy to address violence problems by making it easier for citizens to carry concealed-handguns in public.²³ Commonly referred to as "shall-issue" or "right-to-carry" concealed firearms laws, they mandate that county authorities issue a permit to carry a concealed handgun to anyone who satisfies certain objective criteria, replacing laws that gave local authorities wide discretion to deny permits.²⁴

¹⁸ "Cameroon," Rule of Law in Armed Conflicts Project (RULAC), Geneva Academy of International Humanitarian Law and Human Rights, accessed on 02/02/, 2025, https://www.rulac.org/browse/countries/cameroon#collapse1accord. Accessed on 4/2/2025.

¹⁹ Cook, P. J., & Ludwig, J. (2000). Gun violence: The real costs. New York, NY: Oxford University Press; McDowall, David & Loftin, Colin & Wiersema, Brian. (1992). A Comparative Study of the Preventive Effects of Mandatory Sentencing Laws for Gun Crimes. The Journal of Criminal Law and Criminology (1973-). 83. 10.2307/1143862.

²⁰ Kleck, Gary, and Tomislav Kovandzic. 2001. "The impact of gun laws and gun levels on crime rates." Paper presented at the annual meetings of the American Society of Criminology, Atlanta, GA.

²¹United Nations Human Rights Council. (2015). *Human rights and the regulation of civilian acquisition, possession and use of firearms* (A/HRC/RES/29/10).

²² Office of the United Nations High Commissioner for Human Rights, (2016)

²³ Cramer, Clayton E., and David B. Kopel, "Shall Issue: The New Wave of Concealed Handgun Permit Laws," 62 Tennessee Law Review 679 (1995); Lott, J. R. (2000). More guns, less crime: The criminal deterrent effect of concealed carry laws. *Jr.*, 4 J. Health Care L. & Pol'y 147 (2000); Lott, John R., and David B. Mustard. "Crime, Deterrence, and Right-to-Carry Concealed Handguns." Journal of Legal Studies, vol. 26, no. 1, 1997, pp. 1-68.

²⁴ Cramer, Clayton E., and David B. Kopel, "Shall Issue: The New Wave of Concealed Handgun Permit Laws,"

⁶² Tennessee Law Review 679 (1995); Daniel W. Webster, Jon S. Vernick, Lisa M. Hepburn, Effects of

Illicit firearms trafficking and violence negatively impacts on security and on development, and thus can directly threaten the achievement of the United Nations Sustainable Development Goals, in particular its SDG 16, namely to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels. However, the question of the relationship between firearms and human rights is more complex and often subject to debate. The complexity of this debate involves broader questions on the State's monopoly to legally use force and firearms to protect its citizens versus the right of citizens to own and use weapons for self-defense purposes, and to take justice in their hands.²⁵

II. METHODOLOGY

This study adopts a qualitative research methodology, relying primarily on secondary data to examine gun violence and regulation of public civilian gun carrying in Cameroon. A comprehensive review of legal instruments regulating arms and ammunitions in Cameroon constitutes the foundation of the analysis.

Scholarly articles, journals, and expert reports are consulted to gauge the broader insight of the legitimate use of violence and firearms as well as the impact of gun violence on the person and livelihood of individuals and communities in Cameroon. The responses of the military in stemming down the illegal circulation and utilization of guns are critically examined from various documents. Reports from stakeholders are used to analyze instances of gun violence with a special concentration on the separatist conflicts in the North west and South west regions and Boko Haram attacks in the country's Far North region.

III. RESULTS AND DISCUSSION

A. State's monopoly on the legitimate use of force and firearms

The ability of a state to maintain authority is a constant requirement to its existence. States have risen and fallen since the state system was formalized based upon the ability to achieve, maintain, and enforce a legitimate monopoly of violence within a sacrosanct territory. The international community and citizens in developing democracies both increasingly expect sustained, multi-pronged justifications of state violence, and democracies must justify their actions both domestically and internationally, typically through their constitutional mandate. Max Weber defined the state as one that successfully "claims the monopoly of the legitimate

Maryland's Law Banning "Saturday Night Special" Handguns on Homicides, *American Journal of Epidemiology*, Volume 155, Issue 5, 1 March 2002, Pages 406–412, https://doi.org/10.1093/aje/155.5.406.

²⁵ Brettschneider, Corey (2018). 'Why the real defenders of the second amendment oppose the NRA'. *The Guardian*, March 17 th, 2018.

use of physical force within a given territory," considering the monopoly of violence as the foundation of the state, from which territorial rights, popular legitimacy, and all other aspects of sovereignty followed.²⁶

John Locke, whose writings influenced the Cameroon legal framers²⁷, was a prominent proponent of the view that, individuals in the state of nature have both a right to preserve themselves and a right to punish wrongdoing.²⁸ Having private persons exercise these rights, however, creates problems. In any dispute, private persons will favor their own interests, they are liable to punish too much, and, even if their claims are rightful, they may lack the raw power to see justice done over a stronger adversary.²⁹

In the 20th century, the norm of the state monopoly on violence, understood as the prohibition of private uses of collective force in international affairs, gained formal global recognition³⁰. The norm provided the basis for the special status of states and national armed forces with regard to national and international security, stipulated in the Kellogg–Briand Pact (1928), the UN Charter (1945) and the Geneva Conventions (1949), including Additional Protocol I to the Geneva Conventions (1977), which excludes mercenaries from the benefits of prisoner-of-war status. The ratification of these treaties and conventions by 193 (UN Charter), 194 (Geneva Conventions) and 171 (Additional Protocol I) states, respectively, illustrated the global recognition of the principle of the state monopoly on the legitimate use of armed force in international affairs.

According to the Declaration of the Rights of Man and of Citizens of 1789, to guarantee the rights of man and of the citizen a public force is necessary; this force is therefore established for the benefit of all, and not for the particular use of those to whom it is entrusted.³¹ The declaration also supports the state's monopoly on the use of force by insisting that any coercion in the form of arrest and detention must be grounded in law. It balances state authority with individual rights, ensuring that power is not exercised arbitrarily. As provided by the

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²⁶ Weber, Max (1919): *Politik als Beruf*. Essay given at Munich University, January.

²⁷ Law N° 2016/015 of December 14, 2016, regulating arms and ammunitions was promulgated to regulate the manufacturing, import, export, cession, acquisition, transit, transfer, tracing, possession and carrying of arms and munitions.

²⁸ John Locke, second treatise of government 67 (C. B. Macpherson ed., Hackett Publ'g Co. 1980) (1690).

²⁹ See, e.g., Heller v. District of Columbia, 670 F.3d 1244, 1262–64 (D.C. Cir. 2011) (upholding "assault weapons" ban); N.Y. State Rifle & Pistol Ass'n v. Cuomo, 804 F.3d 242, 269 (2d Cir. 2015) (same); Robertson v. City of Denver, 874 P.2d 325, 335 (Colo. 1994) (same); Benjamin v. Bailey, 662 A.2d 1226, 1232–35 (Conn. 1995) (same); People v. Brown, 235 N.W. 245, 246 (Mich. 1931)

³⁰ Leibfried S, Martens K, Mayer P and Hurrelmann A (eds) (2008) *Transforming the Golden-Age Nation State*. London: Palgrave; Percy S (2007a) *Mercenaries: The History of a Norm in International Relations*. Oxford: Oxford University Press.

³¹ Article 12 of the Declaration of the Rights of Man and of Citizens of 1789

Declaration, no man may be accused, arrested or detained except in the cases determined by the Law, and following the procedure that it has prescribed. Those who solicit, expedite, carry out, or cause to be carried out arbitrary orders must be punished; but any citizen summoned or apprehended by virtue of the Law, must give instant obedience; resistance makes him guilty³².

The Cameroon state's monopoly on the use of violence is exercised by supplying preventive policing and law enforcement. This is in line with the interpretation of the monopoly of force which is to the effect that, the government, through its officers and agents, has the exclusive right to use force to keep the peace and enforce the laws. Under this view, private preventive force and law enforcement usurp the province of the government.³³ Monopoly of violence is exercised by two main bodies of police in Cameroon: Sûreté Nationale (National Police) and the National Gendarmerie (paramilitary police) which has a responsibility to ensure respect and protection of institutions, individuals, and property³⁴. The 1996 Constitution of Cameroon designates the President of the Republic as the head of the armed forces who ensures the internal and external security of the Republic³⁵. According to the 2005 Code of Criminal Procedure in Cameroon, a law enforcement official may use "reasonable force necessary" to effect an arrest.³⁶ The Penal Code however states that, any police officer who uses unlawful force against a person is subject to a term of imprisonment.³⁷ A 1990 Law authorises the administrative authorities to use firearms when serious and widespread violence occurs or when firearms are used against law enforcement officials. The use of firearms is allowed only if law enforcement officials cannot otherwise defend themselves and only after several warnings have been made, for instance by means of a loudhailer.³⁸ These rules are more permissive than international law allows, as they suggest that firearms may be used other than to confront an imminent threat to life or of serious injury. In Cameroon, while there is no external oversight, an internal section exists within the national police, the Special Division for Service Oversight, which was established in 2005.³⁹

In order to uphold the state's monopoly on the use of force, the use of hired muscle men in debt recovery, eviction and displacement procedures, is official banned in Cameroon following the

³² Ibid. Article 7.

³³ See, e.g., David A. Sklansky, *The Private Police*, 46 UCLA L. REV. 1165, 1195–98 (1999) (tracing the history of Anglo-American policing); JOHN H. LANGBEIN, RENÉE LETTOW LERNER & BRUCE P. SMITH, HISTORY OF THE COMMON LAW 21–28 (2009) (describing the hue and cry and the frankpledge system).

³⁴ The Law on Use of Police Force Worldwide, 'Cameroon', accessed on 8/4/2025

³⁵ Article 8 of the Constitution of the Republic of Cameroon, Law No. 96/06, 18 January 1996.

³⁶ Criminal Procedure Code, (2005) s.30(2).

³⁷ Penal Code (2016), s.132(1).

³⁸ Law No.90/054 of 19 December 1990 relating to Maintenance of Law and Order, art.4.

³⁹ Décret n°2005/065 du 23 février 2005 portant organisation et fonctionnement de la division spéciale de contrôle des services.

growing concern over the use of hired thugs in place of legally empowered law enforcement agencies⁴⁰. Article 1(3) of Law No. 97/021 of September 10, 1997, amended by Law No. 2014/024 of December 23, 2014, explicitly prohibits the creation and maintenance of private militias throughout Cameroon. The law only authorizes certified judicial officers to conduct forced debt recovery with the support of officially designated law enforcement agencies, after prior approval from administrative authorities⁴¹. In addition, Law No. 2023/011 of July 25, 2023, governs the recovery of public funds. According to this law, only authorized judicial personnel working with the assistance of public forces may undertake such operations⁴². Deviation, particularly involving unauthorized individuals or groups, therefore, constitutes a breach of legal and administrative norms.

B. Protection of life and property from violence

The concept of the state's monopoly on the use of violence, a core tenet of modern state theory, assumes that the state is the sole legitimate authority to use force within its territory, thereby ensuring the protection of life and property and preventing private individuals from engaging in violence.

1. Protection of life and property in normal times

The state's monopoly on the use of force is crucial for protecting life and property by providing a framework for law enforcement, deterring crime, and maintaining order. The Cameroonian constitution, the Penal Code and other relevant laws guarantee fundamental rights, including the right to life, security of persons and property with the government having a duty to investigate and prosecute violations. The preamble of the constitution states that,

"Every person has a right to life, to physical and moral integrity and to humane treatment in all circumstances. Under no circumstances shall any person be subjected to torture, to cruel, inhumane or degrading treatment".

With regards to the protection of property, the preamble states that,

"Ownership shall mean the right guaranteed to every person by law to use, enjoy and dispose of property. No person shall be deprived thereof, save for public purposes and subject to the

⁴⁰ The Minister of Territorial Administration in Cameroon, in an official directive to regional governors, officially banned the use of hired muscle men by officials in debt recovery, eviction and displacement procedures in a circular letter of April 21, 2025 tilted "utilization de groups qualifiés de "gros bra" dans les procédures de recouvrement forcé des créances, d'expulsion ou déguerpissements".

⁴¹ Law No. 2014/27 of 23 December 2014 to amend and supplement some provisions of Law No. 97/21 of 10 September 1997 relating to private security companies.

⁴² Law No. 2023/011 of 25 July 2023 Governing guarantees and debt recovery by public entities enjoying the treasury's preferential-rights.

payment of compensation under conditions determined by law".

The Cameroonian Penal Code defines criminal offenses and prescribes punishments for crimes against life and property, including murder, theft, and robbery. Sections 275 to 289 of the Penal Code address various offenses related to bodily harm, including grievous harm, kidnapping, and theft of persons, with penalties ranging from imprisonment to fines. According to section 316 (1), whoever destroys the whole or any part of any property belonging wholly or in part to another or charged in favor of another shall be punished with imprisonment from 15 (fifteen) days to 3 (three) years or with fine of CFAF 5 000 (five) thousand to CFAF 100 000 (one hundred thousand), or with both such imprisonment and fine. Section 316 (2) states that, the penalty shall be imprisonment from 2 (two) to 10 (ten) years or fine of from CFAF 10 000 (ten thousand) to CFAF 500 000 (five hundred thousand), or with both such imprisonment and fine, where the property in question is a building construction ship, plant or 1nstallation.

The state, through its armed police and judicial systems, is responsible for enforcing these laws, apprehending criminals, and maintaining public order. This prevents individuals from taking the law into their own hands, which could lead to further violence and chaos. The threat of state punishment for illegal actions acts as a deterrent, discouraging individuals from committing crimes. This, in turn, helps to protect life and property.

2. Protection of life and property in emergency situations

A state of emergency allows the state to temporarily expand its use of force beyond its normal legal constraints, justifying actions that would otherwise be illegal or unconstitutional. This is done to address a specific threat to public safety or national security. Article 9 of the Cameroonian Constitution grants the President of the Republic the power to declare a state of emergency or a state of siege by decree when circumstances warrant. A state of siege is declared in cases of a serious threat to the nation's territorial integrity, existence, independence, or institutions. The President can take necessary measures during a state of siege. These declarations confer special powers on the President as defined by law. The President is obligated to inform the nation about the decision by message.

Law No. 90-047 of December 19, 1990, outlines the legal framework for declaring a state of emergency or siege. It stipulates that these exceptional measures can be invoked in response to a national disaster, disturbances of public order, or foreign invasion. Section 5 (2) of this law provides that, when a state of emergency is proclaimed over a part of the territory, the administrative authorities of the said part of the territory empowered by the decree proclaiming the state of emergency may, as the case may be and as of right, issue immediately enforceable

orders to require the surrender of arms, ammunition, military clothing and equipment, and transceivers, and also authorize the search and seizure thereof⁴³.

In emergency situations, the Cameroonian law on the Suppression of Acts of Terrorism, Law N° 2014/028 of 23 December 2014, mandates the death penalty for those found guilty of carrying out, assisting, or sponsoring acts of terrorism, as well as for acts like providing or using weapons, biological agents, or chemical substances for terrorism-related purposes. The law imposes capital punishment for: Committing or threatening acts likely to cause death, endanger physical integrity, cause bodily injury, or material damage, with the intent to intimidate the public, provoke terror, or disrupt national functioning; providing or using weapons, biological agents, chemical substances, or taking hostages with the intent to commit or facilitate terrorist acts; financing, collecting funds, or providing financial services for terrorism⁴⁴.

IV. LIMITS TO THE RIGHT TO KEEP AND BEAR FIREARMS (GUNS)

The international legal framework regarding the right to bear arms is primarily concerned with the responsible and accountable transfer of conventional arms, not with the existence or extent of a right to own firearms within individual nations. Some constitutions, such as the United States' do explicitly mention the right to keep and bear arms. In *District of Columbia v. Heller* (2008), the Supreme Court affirmed that the right belongs to individuals, for self-defense in the home. The Court also included that the right is not unlimited and does not preclude the existence of certain long-standing prohibitions such as those forbidding "the possession of firearms by felons and the mentally ill" or restrictions on "the carrying of dangerous and unusual weapons". In *McDonald v. City of Chicago* (2010) the Supreme Court ruled that state and local governments are limited to the same extent as the federal government from infringing upon this right. New York State Rifle & Pistol Association, Inc.

⁴³ Law No. 90-47 of 19 December 1990 relating to the State Emergency.

⁴⁴ Section 2(1) of Law N° 2014/28 of 23 December 2014 of the suppression of Acts of Terrorism.

⁴⁵ The 1971 Amendment II to the U.S. Constitution.

⁴³Greenhouse, Linda (June 27, 2008). "Justices, Ruling 5–4, Endorse Personal Right to Own Gun". The New York Times. Archived from the original on December 1, 2022. Retrieved on May 7 2025; Barnes, Robert (June 27, 2008). "Justices Reject D.C. Ban On Handgun Ownership". The Washington Post. Archived from the original on September 8, 2021. Retrieved on May 7 2025; "Split Decisions: Cases That Have Divided the Supreme Court in the 2007-08 Term". The Wall Street Journal. Archived from the original on August 5, 2019; "Court: A constitutional right to a gun". SCOTUSblog. June 26, 2008. Archived from the original on January 24, 2022 Retrieved on May 7 2025.

⁴⁷ "Quick Reference to Federal Firearms Laws" (PDF). U.S. Department of Justice. Archived (PDF) from the original on January 19, 2022. Retrieved on May 7 2025; Epstein, Lee; Walk, Thomas G. (2012). Constitutional Law for a Changing America: Rights, Liberties and Justice (8th ed.). CQ Press. pp. 395–396. ISBN 978-1452226743.

⁴⁸Liptak, Adam (June 28, 2010). "Justices Extend Firearm Rights in 5-to-4 Ruling". The New York Times. Archived from the original on December 1, 2022. Retrieved on May 7 2025; "Law Review: The Fourteenth

v. Bruen (2022) assured the right to carry weapons in public spaces with reasonable exceptions. However, this is a domestic legal matter and not a universally recognized international human right. International law focuses on preventing the misuse of arms, particularly in situations where they are used to violate human rights or international humanitarian law.

In Cameroon, the right to bear arms is regulated, not explicitly protected as a fundamental right, and is subject to strict legal restrictions. The primary legal basis for this regulation is Law N° 2016/015 of December 14, 2016, regulating arms and ammunitions, promulgated to regulate the manufacturing, import, export, cession, acquisition, transit, transfer, tracing, possession and carrying of arms and munitions. Article 2 of the law defines the arms of concern as well as other materials. Article 3 classifies weapons into eight categories: firearms designed for warfare and their ammunition; specific weapons of war; nuclear, biological, chemical weapons and related material against poisonous gas; so-called defense firearms and their ammunition; hunting weapons and their ammunition; knives and sounding arms; firearms on a licensed shooting range; and, old and collectible weapons. Title II regulates the legal regime for the acquisition and possession of weapons as wells the authorities in charge of processes. The law strictly prohibits transactions (transfer, acquisition, manufacture) relating to third category weapons (nuclear, biological and chemical weapons) and cluster munitions. Title III provides for the punishments for violations of the provisions, including life imprisonment for those relating to the third category and the death penalty when this conduct is part of an organized effort.

According to section 7 of the law, the introduction into that national territory, the manufacture, processing, transport stockpiling, acquisition, sale, transfers, possessions, bearing, exportation and brokering of firearms and ammunitions shall be compulsorily subjected to prior authorization by the President of the Republic. However, the President of the Republic may authorize the Minister in Charge of Defence and heads of defence and security services attached to the Presidency of the Republic to issue the certificate of final destination and of non-re-exportation of such firearms and ammunitions of warfare within the national territory. Significantly, Section 31 sub-sections 3 of the law clearly states that the use of firearms during funerals or cultural ceremonies shall be prohibited. By this provision no one within the national territory was allowed to use any firearm at such events mentioned therein.

The penalties prescribed in the law are severe and very heavy on defaulters. From section forty-

Amendment and Incorporation". American Bar Association. Archived from the original on May 23, 2018. . Retrieved on May 7 2025.

nine to fifty-seven, such penalties to every stakeholder are clear and definitive. In section forty-nine sub-sections 2 and 3, a prison term of five to ten years and fines of one million to twenty million CFA francs are non-negotiable for whoever engaged in the manufacture of weapons, ammunitions and components of category four weapons. Besides, a jail sentence of two to five years and a fine within the range of five hundred thousand to ten million CFA francs was certain for those involved in an unauthorized manufacture of components of category five weapons. Anyone whose authorization did not match the arm or ammunition in possession was liable to suffer an imprisonment range of one to two years and a fine of five hundred thousand to two million CFA francs.

V. LIMITATIONS TO STATE'S MONOPOLY ON THE USE OF FORCE WITH SOME INSTANCES OF GUN VIOLENCE

Cameroon has faced significant armed challenges to state authority. An ongoing secessionist movement in the English-speaking regions of Cameroon (Northwest and Southwest Regions)⁴⁹ and an increasing number of attacks from the Islamist group Boko Haram in the country's Far North region⁵⁰ significantly challenges the state's monopoly on the use of force. These armed groups operate or coordinate the activities of several local militias engaged in insurgent activities. A large number of homicides, nonfatal injuries, and nonfatal violent crimes are committed by these groups using firearms. Gun violence has also exposed many Cameroonians to severe psychological distress and depression. A woman told Amnesty International researchers that, after more than eight months since an attack in her neighborhood, she can still feel the fear she experienced when she heard the gunshots.

"The noise of gunfire and screaming was so loud that it was unbearable and I can still hear it now. I saw lots of suffering in front of me." ⁵¹

Theft by gunpoint intimidation is a common tactic, with criminal groups brandishing pistols and using them in the face of resistance or non-compliance. These crimes often escalate to violence, especially when victims resist or fight back as victims are expected to comply with the demands of criminals as much as possible. Criminals target individuals or locations associated with payrolls, money transfers, or large sums of cash. An eye witness described to

⁴⁹ Oluwole Ojewale, "Cameroon alone can't stop illicit arms flooding into the country," Institute for Security Studies, August 26, 2021, https://issafrica.org/iss-today/cameroon-alone-cant-stop-illicit-arms-flooding-into-the-country. Accessed on 3/2/2025.

⁵¹ Interview by Amnesty International researchers with a 49-year-old man from Amchide, Maroua, 25 May 2015. Victims and Witnesses interview n°16.

Amnesty International the killing of three employees of a money transfer agency:

"They stormed the Espresso agency and stole all the money. But that wasn't enough. They savagely killed the manager and two security guards. Finally, they set the building on fire. One of the accountants of the agency survived and fled to Mora with us. When you speak to her, you can tell she's really traumatized." ⁵²

Criminals use gun firing to intimidate and target citizen's properties protected under law including schools, mosques, churches, prisons, hospitals and markets. Many social infrastructures had reportedly been destroyed by unknown gun men. The education authorities have often reported the damage or destruction of schools. In some areas, criminals destroyed bridges linking villages. Attacks on health centers have also limited the enjoyment of the right to health. Examples of such atrocities are described below:

On June 8, 2022, unidentified armed men opened fire with automatic weapons before setting the Mamfe District Hospital, situated in Manyu Division bordering Nigeria in the Southwest Region of Cameroon. The entire structure was destroyed, including all hospital equipment and materials. The hospital was the largest health facility in Manyu division, serving a population of more than 80,000 individuals.⁵³

On February 10, 2022, gun men burned down the dormitories and administrative blocks of Queen of the Rosary College Okoyong, a girls-only Roman Catholic Church institution in Manfe, Manyu division of the Southwest Region. In April of the same year, armed individuals stormed the University of Bamenda campus in the Northwest Region, shooting in the air, causing panic among students and teachers, and leading to a stampede that injured at least five persons. Two months later, on July 8, armed men overtook the building of the Faculty of Engineering and Technology of the University of Buea, where students were taking exams.

According to bishops of the Roman Catholic Bamenda Provincial Episcopal Conference (BAPEC), on September 16, 2021, at least 30 unidentified individuals firing into the air set fire to St. Mary's Roman Catholic Church in Nchang, Mamfe, Southwest Region and abducted nine persons. The abductees included five priests, a nun, one catechist, and two others. During a September 21 media interview, BAPEC leader Archbishop Andrew Nkea said the kidnappers had asked for a 66 million CFA francs (\$107,000) ransom, which they later reduced to 33

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⁵² Interview by Amnesty International researchers with a 47-year-old man from Amchide, Maroua, 22 May 2015. Victims and Witnesses interview n°13 (AI interview n° 13, 22 May 2015)

⁵³ Cameroon 2022 Human Rights Report. https://www.state.gov/wp-content/uploads/2023/02/415610_CA MEROON-2022-HUMAN-RIGHTS-REPORT.pdf. Accessed on 31/1/2025.

million CFA francs (\$53,700). All nine abductees were eventually released on October 22.54

On the night of March 28, 2022, a horrifying incident took place in the village of Mbokop-Tanyi. gun men attacked a Mbororo Fulani compound, including a home where a woman and her seven-year-old child and six-month-old baby had been sleeping. They first shot the woman, and then proceeded to burn the house with all three of them inside, killing all of them."55

On March 26, 2021, a UN convoy, composed of two vehicles with seven staff members, was conducting a monitoring mission to Munyenge village in the South-West region. Shortly after entering Ikata village, a group of armed men opened fire on the convoy with automatic weapons. The attack did not lead to any loss of life or injuries among the mission participants, but the two vehicles were seriously damaged. The Humanitarian Coordinator in Cameroon, Mr. Matthias Z. Naab, strongly condemned the attack perpetrated against a United Nations convoy in Ikata village, in the South-West region of Cameroon.⁵⁶

OCHA reported three attacks on healthcare services in the North-West (NW) and SW regions. A nurse of a medical NGO was killed and two other medical staff from a local NGO were injured in the NW. Other medical staff were abducted, and cholera samples were destroyed in SW.⁵⁷ OCHA also reported four staff of a local NGO abducted by unidentified armed elements when returning from a distribution activity in Widikum-Northwest and two incidents of humanitarian food aid truck diversion by armed men reported in the North-West region.⁵⁸

On February 19, 2020, the Moderator (Rev. Fonki Samuel) of the Presbyterian Church in Cameroon (PCC) issued a press release stating that unidentified individuals set fire to the Presbyterian Church in Mbufong-Bali in the Northwest Region. A February 17 video on social media showed members of the church lamenting the loss of the church building.⁵⁹ Researchers were able to geolocate the general location of this event with a high degree of certainty, supported by good quality video. The analysis of a video, according to a report from the Cameroon Anglophone Crisis Database of Atrocities shows the burning of the church was

⁵⁵ Human Rights Violations in Cameroon's Anglophone North-West Region, 2023. Amnesty International's report on how people of the North-West region are caught between the army, armed separatists and militias.

⁵⁴ Ibid.

⁵⁶ United Nations, Cameroon. https://cameroon.un.org/en/134117-humanitarian-coordinator-cameroon-strongly-condemns-attack-united-nations-convoy-south-west. Accessed on 5/2/2025.

⁵⁷ Https://www.humanitarianresponse.info/es/operations/cameroon/document/cameroon-north-west-and-south-west-situation-report-no-40-28-february. Accessed on 5/2/2025.

⁵⁸ CAMEROON: North-West and South-West Situation Report No. 42 As of 30 April 2022. Https://www.humanitarianresponse.info/en/operations/cameroon/document/cameroon-north-west-and-south-west-situation-report-no-42-30-april-2022. Accessed on 5/2/2025.

⁵⁹ 2020 Report on International Religious Freedom: Cameroon. Https://www.ecoi.net/de/dokument/2051530.html. Accessed on 5/2/2025.

likely filmed in Mbufung, Bali, North-West Region, Cameroon on February 18, 2020, between the hours of 09:00 and 18:32 (Cameroon Local Time), with the church likely been burnt down the previous day (February 17, 2020). While there is nothing in the video to assist in identifying the persons and/or parties who may be responsible for burning down the Mbufung Church, there are several allegations on social media and news sites. Team members found the information to be inconsistent and could not reach any conclusions as to what persons or parties may be responsible for the burning of Mbufung Church.

Abdoullahi Boukar (not the real name), a resident of Bia, told Amnesty International how At least 150 houses were set alight by criminals.⁶⁰

"I was sleeping when I heard the noise of gunfire. I saw flames rising from one side of the city, so I took my wife and my kids and ran to the bush. The day after, when Boko Haram had already left and the army arrived, I came back to Bliablinne and I was shocked by what I saw. My house was devastated by the fire, all my food stocks were gone, as well as my animals." 61

Criminals have used guns in the process of subjecting citizens to enforced disappearance. This is a crime under international and national laws, even when committed in a random or isolated manner. When committed in an armed conflict, either international or noninteractional, it may amount to a war crime; when committed as part of a widespread or systematic attack directed against any civilian population it constitutes a crime against humanity, either perpetrated by state or non-state agents. The right not to be subjected to enforced disappearance is a well-established rule under customary international law⁶³ and also under conventional law, including international and regional treaties to which Cameroon is a state party, including the ICCPR Cameroon is also a signatory to, but has not yet ratified, the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED)⁶⁴.

On January 13, 2022, armed separatists kidnapped 10 workers of the Cameroon Development

⁶⁰ Interview by Amnesty International researchers with BIR Commanders and Officers (Maroua, 22 May, 2015) and with 8 eyewitnesses (Maroua, 17 April 2015).

⁶¹ Interview by Amnesty International researchers with a man of 26 year-old from Bia, Maroua, 19 May 2015. Victims and Witnesses Interview n°8.

⁶² International Convention for the Protection of All Persons from Enforced Disappearance, Article 2. An enforced disappearance is defined as "the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law".

⁶³ ICRC, Customary International Humanitarian Law Study, Rule 98, https://www.icrc.org/customary-ihl/eng/docs/v1 rul rule99. Accessed on 31/1/2025.

⁶⁴ International Convention for the Protection of All Persons from Enforced Disappearance, http://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx (accessed on 5/2/2025). A State that signs a treaty is obliged to refrain, in good faith, from acts that would defeat the object and purpose of the treaty. Signature alone does not impose on the State obligations under the treaty.

Corporation Likomba rubber estate plantation in Tiko, Southwest Region, and set their tractor ablaze. In a video that surfaced online on January 15, the voices of some men could be heard forcing the workers to apologize for working on the estate. The kidnappers handed guns and grenades to the plantation workers and said they should help them fight the military in Tiko. The workers remained in captivity for weeks.⁶⁵

VI. CONCLUSION

The regulation of public civilian gun carrying is a critical component in addressing the issue of gun violence. While the right to bear arms in Cameroon is regulated, it must be balanced with the state's responsibility to ensure public safety and uphold its monopoly on the legitimate use of force. The state's monopoly on the legitimate use of force is undermined when firearms circulate widely among the civilian population without adequate oversight. In Cameroon, the proliferation of small arms especially in conflict-affected regions poses a direct challenge to state authority, fuels violence, and complicates peace and security efforts. Strengthening gun control laws, enhancing enforcement capacity, and reaffirming the state's exclusive role in the use of legitimate force are essential steps to address rising gun violence and restore public confidence in the country.

Cameroon

²⁰²² Human Rights Report. https://www.state.gov/wpcontent/uploads/2023/02/415610 CAMEROON-2022-HUMAN-RIGHTS-REPORT.pdf. Accessed 31/1/2025.

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