

The Protection of the Welfare of Children After Divorce in Cameroon: Legal, Institutional and Policy Frameworks

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Abstract

The welfare of children after divorce has been an issue of concern for years in the world in general and in Cameroon in particular. Every nation strives hard to safeguard their welfare in every aspect because, when properly nurtured, children give rise to a great nation, and for this reason, they are often considered a nation's future. The cornerstone of a child's growth is their family environment. Thus, when its stability is broken due to the occurrence of divorce, necessary measures are taken by the government to safeguard the child's welfare. The welfare of the child following a divorce is still in jeopardy, despite the existing institutional and legal structure. As such, this article aims at examining the effectiveness of the measures in place and the extent to which they ensure the safeguarding of the welfare of children after divorce in Cameroon. The study uses a qualitative research methodology that entails examining the content of both primary and secondary sources of information. This study reveals that the inability to protect the welfare of the child after divorce is because of the disregard for some vital aspects of the welfare of the child. The study therefore recommends the implementation of the laws, the creation of a social service for the protection of children who are victims of divorce, and the creation of a training program for divorced parents. This will help enhance the protection of the child's welfare after divorce.

Keywords: Protection, welfare, children, divorce, legal, institutional, policy, framework

INTRODUCTION

Despite its original intent, marriage does not always last forever. A person may regret that his or her soul mate today may give him the feeling of a stranger tomorrow. This is because human beings are unpredictable, and the future is unforeseeable. Because of this, divorces are bound to occur, and divorce does not leave any product of the previously happy marriage life unscathed.

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Children are the first victims of the devastating consequences of a divorce. In many cases, children may face mental illnesses such as trauma, depression, anxiety, or even physical difficulties. Because they are the direct victims and often the most affected by the consequences of divorce, their welfare becomes a priority. This follows the principle of devotion to the best interest of the child laid out in the United Nations Convention on the Rights of the Child of November 20, 1989 [1] (hereafter referred to as UNCRC) signed by Cameroon on September 27, 1990 and ratified on the January 11, of 1993.

The Welfare Principle was established in the Children Act 1989 in its section 1(1) “ . . . *the child's welfare shall be the court's paramount consideration.*” “*It instructs courts to consider the welfare of the child when determining the question of upbringing of a child or the administration of a child's property. The Act provides more value to the Welfare Principle as it states.*”

The child's welfare is thus the “paramount consideration” in most cases concerning the child's upbringing, just as it has always been the “golden thread” running through the wardship jurisdiction [2].

The courts always prioritize the welfare of the children despite other factors. See decision by *Balcombe LJ in Re W* [1993] 2 FLR 625 at p 633, *Fitz Gibbon LJ in Re O'Hara* 232 [1900] Exch. Cham. Other legal frameworks are also put in place to ensure the welfare of children after divorce. From the above, one thus realizes the great importance attached to the welfare of children after divorce on the international scene.

However, in the *Hyde v. Hyde* case, marriage was deemed to be the voluntarily binding together for life of one man and one woman, to the exclusion of all others [3]. There are two kinds of marriages in Cameroon: marriages under the ordinance, which may be polygamous or monogamous, and customary marriages. As time went by, more meaning and societal value were attached to the marriage institution; it was not only regarded as a union between two persons but also as a sanctuary for childbearing, a safe refuge, and the basis of a successful career and the culture of a child [4].

Healthy marriages promote the well-being and good upbringing of the children. It keeps the children in balance with their mental and physical health, promotes their educational growth, and protects them from societal problems. In fact, a child's success rate is greatly influenced by his or her home as it is the starting point of his or her life. However, not all marriages are healthy and may thus result in divorce, and in such cases, the welfare of the child is at stake.

Divorce is the legal ending of marriage [5]. The cancellation or reorganization of the legal obligations and responsibilities of marriage is a common component of divorce, which dissolves the bonds of matrimony between a married couple under the laws of a nation or state [6]. According to the Matrimonial Causes Act 1973, for a divorce to be granted, there must be proof that the marriage has broken down irretrievably, either by adultery and intolerability, desertion, or unreasonable behavior [7].

Because of the threat caused by divorce, Cameroon has put in place numerous legal frameworks to safeguard the welfare of children, such as the Matrimonial Causes Act 1973 and the Family Proceedings Act 1984. After the enactment of these laws, Cameroon signed and ratified several conventions and acts to ensure the welfare of children, such as the United Nations Convention on the Rights of a Child on September 27, 1990. The Children's Act 1989. In granting custody of the child, which is one of the most determining factors of his welfare, the so-called “best interest of the child” standard laid out in the UNCRC is simply another name for “maternal preference rule” by courts [8]. They still hold that maternal custody is best suited for the child, though it is not always true.

Nevertheless, it is true that the measures employed by Cameroon to ensure the child's welfare after divorce cannot be unrecognized. From the constitution down to the implementation of substantive laws, everything demonstrates that the welfare of children in Cameroon is of paramount consideration. Every child in Cameroon younger than the age of 18 years has a legal right to child support upon a divorce, according to the Matrimonial Causes Act of 1973. Some social services follow up with children during and after the divorce of their parents to ensure their welfare. Unfortunately, despite the numerous measures put in place, one may still regard these efforts as inadequate. Their application is greatly criticized; the laws tend to provide solutions only to the financial situation of the child and disregard the social, physical, and mental effects of the divorce on the child. The best interest principle makes the maternal preference rule inadmissible since it does not provide enough child protection [9].

“A number of different factors combine to determine a child's welfare. When deciding who should have custody, factors like emotional attachment to a particular parent—mother or father—or the lack of adequate educational, religious, or other chances for good upbringing may be considered” [10]. Thus, this research seeks to examine the law and its implementation regarding safeguarding the welfare of children after divorce in Cameroon.

Hence, this article makes use of qualitative in nature and adopts a purely doctrinal approach. This research methodology is preferred since the study focuses more on problem analysis than statistical data utilization. Both primary and secondary sources were consulted for the information used in this investigation.

LEGAL FRAMEWORK FOR THE SAFEGUARD OF CHILDREN AFTER DIVORCE IN CAMEROON

International Laws

Cameroon has ratified several international treaties and conventions which also act as a strong vehicle in safeguarding the child's welfare after divorce. The UN Convention on Children's Rights is one of them.

The United Nations Convention on the Rights of a Child (UNCRC)

The United Nations Convention on the Rights of a Child [11] is a legally binding international agreement setting out the civil, political, economic, social, and cultural rights of every child regardless of their race, religion, or abilities. The convention was adopted in 1989 and came into force in 1990. The Convention outlines in 41 articles the human rights to be respected and protected for every child younger than the age of eighteen years. On 11th January 1993, Cameroon ratified this convention, thus granting it the full effect of law over the territory.

According to its Article 3(3), state parties must make sure that the institutions, services, and facilities in charge of children's care and protection adhere to the standards set by the appropriate authorities, particularly in the areas of safety and health, staffing levels and qualifications, and professional supervision. Therefore, institutions and services such as local authorities and welfare officers (established in section 43 and 44 of the Matrimonial Causes Act 1973) or even social services responsible for the welfare of the child after divorce should according to this article conform with the standards established by competent authorities.

In accordance with Article 9(1) of the UNCRC, state parties must take the child's best interests into account when determining where a child will live when their parents live apart. According to subsection (3), the parties must respect a child's right to regularly maintain personal ties and direct contact with both parents when they are divorced or legally separated from one another, unless doing so would be detrimental to the child's interests.

Regional Laws

At the regional level, the African Charter on the Rights and Welfare of the Child plays an important role in safeguarding the welfare of children after divorce in Cameroon.

The African Charter on the Rights and Welfare of the Child (ACRWC/the Charter)

The African Charter on the Rights and Welfare of the Child [12] is a regional human rights instrument that deals with issues that are especially relevant to and important to African children. It was enacted in 1990 and took effect on November 29, 1999. Cameroon ratified this charter in 1997 thereby making it applicable in the whole territory. Article 18(2) of the charter provides that the state parties under this charter should ensure provisions necessary for the protection of the child in the event of dissolution of a marriage. Pursuant to Article 25(2)(a) of the Charter, the state parties to the present Charter shall ensure that a child who lacks parents, who is temporarily or permanently separated from his or her family environment, or who, in the child's best interest, cannot be raised or allowed to remain in that

environment, is given alternative family care, which may include, among other things, placement in foster care or placement in suitable institutions for the care of children.

National Laws

The welfare of children after divorce is strongly safeguarded in Cameroon through the national legislations established such as the Matrimonial Causes Act 1973, the Matrimonial and Family Proceedings Act 1984, the Civil Code, the Penal Code.

Matrimonial Causes Act 1973

The Matrimonial Causes Act 1973 is act of the Parliament of United Kingdom governing divorce law and marriage in England and Wales and is applicable in Southern Cameroon by virtue of Section 15 of the Southern Cameroon High Court Law (SCHCL) 1955 [13]. In its Section 23(1) (d) (f), the act provides that on granting a decree of divorce, the court may order a party to make periodical payments or lump sum payments to the other party for the benefit of the child. Section 27 of this act also provides that a party may apply to the court for an order on the ground that the other party willfully neglected to provide or to make a proper contribution towards reasonable maintenance for any child of the family.

Also worth mentioning is Section 43(1), which permits the court to issue a custody order for a child entrusting the child's care to the local authority (or a Welfare Officer in accordance with Section 44 of this act) in cases where exceptional circumstances make it impossible or undesirable for the child to be given to either of the married parties or to anyone else. Consequently, after a divorce, the child's welfare and safety will be ensured.

Matrimonial and Family Proceeding Act 1984

This is an act that amends the Matrimonial Causes Act and makes new provisions for divorce, also applicable in Cameroon by virtue of Section 15 of the Southern Cameroon High Court Law 1955. Section 3(1) of this act provides that the court in exercising its power under section 23, 24 and 24A of the Matrimonial Causes Act 1973, must consider all the circumstances of the case, first consideration being given to the welfare of a minor or any child of the family who has not attained the age of eighteen. Furthermore, Section 3 states that the courts must take into account the child's financial needs, income, earning potential (if any), property, and other financial resources, as well as any physical or mental disabilities the child may have and the way the child was being raised and how the parties to the marriage expected him to be raised [14]. Section 4 of this act should not be disregarded as it provides that where an application is made under Section 27 of the matrimonial causes act 1973 in respect of a child of the family who has not attained the age of 18 years, first consideration shall be given to the welfare of the child while a minor.

The Civil Code

The civil code in force in Cameroon is the Napoleon Code of 1804 [15]. The 1981 ordinance [16] was passed to supplement this code by introducing into civil legislation rules relating to the Cameroonian socio-cultural context.

In Article 302, the code explains that the children shall be entrusted to the spouse who obtained the divorce unless the court finds it necessary for the best interest of the child or children that they should be entrusted in the care of either the other spouse or a third party. This article ensures that the child should not be subject to any form of ill treatment or neglect while being under the custody of one spouse or the other, which may greatly hinder his welfare.

According to Article 303 of the law, both parents must have the right to oversee the upkeep and education of their children and must make a contribution in accordance to their capacities. In Article 304, the code provides that the dissolution of a marriage through divorce does not deprive the children born from the marriage of the advantages conferred to them by law. Their rights will be upheld in the

same way and under the same conditions as if there had been no divorce. This article greatly enhances the welfare of the child by protecting his or her rights as a legitimate child even after divorce.

The Penal Code

Law No. 2016/007 of July 12, 2016, created a new Penal Code which also works in favor of safeguarding the welfare of children after divorce.

According to Section 179(1) of the Penal Code [17], failure to return a minor to the person to whom custody has been granted pursuant to a court order, whether permanent or temporary, is punishable by imprisonment for up to one year and a fine of up to one million CFAF in addition to one month to one year of jail time.

Subsection 2 states that if the criminal has lost parental authority, the sentence may be increased to three years. Custody is a determining factor of the welfare of the child. The courts grant custody based on the best interest of the child thus, the other spouse to whom custody was not granted may be because it will not be in the interest of the child to do so. Thus, this section protects the welfare of the child by punishing the spouse who disobeys the court's order of custody and ensuring that the court's order should be followed.

According to section 180(1) of the code [18], whoever allows more than two months to pass without paying any maintenance in full that he has been ordered by a court to pay to his spouse, ascendant, or descendant shall be punished with imprisonment for one month to one year, a fine ranging from CFAF 20,000 to CFAF 400,000, or both. This section helps provide some financial security to the child thus safeguarding his or her welfare.

Any such default is believed to have been purposeful unless shown otherwise, according to Subsection 2 of the code. Any inability to pay brought on by intoxication or other persistent wrongdoing, however, cannot be used as a defense by the debtor.

According to Section 355(1) of the penal code, any parent who prevents the other parent from exercising the right granted by a court order to visit any child they share will be punished with imprisonment for a period ranging from 6 months to 1 year, a fine ranging from 50,000 to 1,000,000 francs, or both [19].

The essence of these sections is to protect the bond of affection and care children created with their parents. Additionally, as both parents play important responsibilities in the child's upbringing. Therefore, this helps keep the child's emotional balance and moral well-being to promote the good growth of the child thus ensuring his welfare.

According to Section 358(3) of the code, anyone who violates their legal or customary responsibilities to a child in their care will face a fine of between CFAF 5000 and CFAF 500 000 or a sentence of imprisonment ranging from 3 months to 1 year. By ensuring the child's welfare, this part aids in ensuring their safety.

INSTITUTIONAL AND POLICY FRAMEWORK FOR THE SAFEGUARD OF CHILDREN AFTER DIVORCE IN CAMEROON

International Institutions

Committee on the Rights of the Child (CRC)

The Committee on the Rights of the Child, a group of 18 impartial specialists, oversees how the Convention on the Rights of the Child is being implemented by the State Parties to the convention [20]. The Committee was created by the United Nations Convention on the Rights of the Child on 27th February 1991, and it draws its mandate from articles 42 to 45 of the Convention [21].

The Committee's guiding principles are as follows:

- Children's rights to survival and growth;
- The child's best interests as the top priority.
- The freedom for youngsters to voice their opinions on any issue that affects them.
- The equal opportunity for all children to exercise their rights under the Convention [22].

Composition of the Committee

The Committee on the Rights of the Child is made up of 18 independent experts who have earned a reputation for their expertise in human rights and for having high moral integrity.

According to Article 43 of the Convention on the Rights of the Child, members are chosen by State parties for terms of four years and include the following:

"The members of the Committee shall be elected by State parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems."

Members serve in their individual capacities and are eligible for re-election if nominated [23]. The Committee consist of three Vice-Chairpersons, one Rapporteur and a Chairperson. The Chairperson of the Committee is Ms. Ann Marie SKELTON from South Africa; the Rapporteur is Mr. Rinchen CHOPEL from Bhutan, and the Vice-Chairpersons are: Mr. Bragi GUDBRANDSSON from Iceland; Ms. Sopio KILADZE from Georgia; and Mr. Luis PEDERNEIRA REYNA from Uruguay [24].

Working Methods of the Committee

The primary function of the Committee is to ensure that the rights under the Convention and the principles or aim of the United Nations Convention on the Rights of the Child are ensured and followed in every State Party. To fulfil its functions accordingly, the committee employs working methods. These methods are as follows:

State Reporting

Within 2 years of the convention's coming into force for the state party in question, a state is initially required to provide a report. The state will submit periodic reports after the initial report, which will be done every 5 years [25].

Reports must include any causes and challenges that may be affecting how well the convention's commitments are being met. Reports must also provide enough details for the committee to have a complete picture of how the convention is being implemented in the relevant nation [26].

The reporting method initially demanded that each state party produce a document that was common to all treaties and a document that was specific to that treaty. To streamline the reporting process, the committee has made improvements. It is additionally known as the "list of issues prior to reporting."

In accordance with this process, before a state party presents its periodic report, the committee formulates a list of thirty questions asking for information. Therefore, rather than submitting both a periodic report and the following responses to the committee's list of issues, the state party should just submit a periodic report responding to the questions presented by the committee. All state parties that were required to report to the committee as of September 1, 2019, were subject to this streamlined reporting process.

After the periodic report is submitted, the committee will first convene a pre-session working group to create a list of concerns to bring up with the state party. If more information is needed, the state party will respond afterward. During the meeting, the committee has a fruitful discussion on the list of issues and concerns examined with a representative of the state party. Two committee members will be chosen to serve as "country rapporteurs" to guide the conversation.

The committee's creation and adoption of concluding observations marks the process's culmination. It also includes a request to make the information widely known among the state party [27].

Civil Society Participation

NGOs and other civil society organizations are not required to have an ECOSOC [28] status to engage with the CRC. Additionally, any group may provide the CRC with information or make a complaint on an individual basis on behalf of a victim. Civil society organizations are restricted from attending meetings of the committee in person due to several conditions, including previous registration. However, the CRC welcomes NGOs and other interested parties to engage by drafting written reports for its pre-sessional working group as part of its examination of a state.

General Comments

For the purpose of assisting states parties in carrying out their obligations, the committee adopts broad comments regarding certain topics, articles, or themes of the convention. The committee updates a collection of general remarks on its website.

Open Letters and Statements

The convention adopts statements to explain its stance on global events and problems that have an impact on the convention's application. The website of the Committee on the Rights of the Child contains a list of previous members.

Thematic Discussions and Conferences

The committee organizes general discussion days every other year to discuss and receive input of specific provisions of the convention or issues related to the committee's mandate. The committee will adopt recommendations following the conclusion of the general discussion day. All interested parties, including representatives of state parties, UN agencies, NGOs, and national human rights authorities, are welcome to participate in these discussion days. On the committee's webpage for days of general discussion, a list of prior talks is available.

The committee provided concluding observations to the report submitted by Cameron on March 26th, 2001, wherein the committee emphasized that there is a lack of implementation of the provisions for the payment of a maintenance allowance in case of divorce or judicial separation included in the domestic legislation. The committee claimed that it is primarily caused by a lack of legal protections for children born outside of wedlock and by widespread ignorance of the law [29].

The committee recommended that the state party:

- a. Make widely known, notably to women who are illiterate, the provisions of domestic legislation concerning payment of a maintenance allowance.
- b. Ensure that professional groups dealing with this issue are adequately trained and that courts are stricter regarding the recovery of allowances from solvent parents who refuse to pay.
- c. Take measures to ensure as far as possible the maintenance of children born out of wedlock by their parents, particularly their fathers [30].

Maintenance allowance is one of the paramount factors for the welfare of the child after divorce as it shelters the child from some of his or her basic financial needs.

Regional Institutions

African Committee of Experts on the Rights and Welfare of the Child (ACERWC)

Articles 32–46 of the African Charter on the Rights and Welfare of the Child (ACRWC), which established the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) in 2001, serve as the body's guiding principles [31]. The headquarters of the committee are found in Nala House, Balfour Road Maseru, kingdom of Lesotho [32].

By defending and upholding children's rights and welfare, the Secretariat's primary objective is to make Africa a continent that is suitable for children. The committee's primary duties include gathering data, interpreting the charter's provisions, monitoring its implementation, advising governments on how to cooperate with child rights groups, considering individual complaints about violations of children's rights, and looking into the steps that member states have taken to implement the charter [33].

Composition of the Committee

Eleven very morally upright, honest, objective, and knowledgeable individuals with expertise in children's rights and welfare make up the committee. All the committee's members work for themselves. There may only be one representative from a given state on the committee [34]. Following the charter's implementation, the Assembly of Heads of State and Government will choose the members of the committee by secret ballot from a list of candidates proposed by the States Parties to the current charter [35]. Each state party to the current charter may put forth a maximum of two candidates. One of the nationalities of the state parties to the current charter is required of the candidates. When a state nominates two candidates, one of them cannot be a citizen of that state [36].

Term of office

The committee's members are chosen for 5-year terms; however, the terms of four members chosen in the first election end after 2 years and those of six other members end after 4 years. Within 6 months of the committee's members being elected, the Secretary-General of the Organization of African Unity will call the group's first meeting at the organization's headquarters. Thereafter, the committee will be called by its chairman as needed, usually at least once a year [37].

Bureau of the Committee

The Chairperson, Vice-Chairperson, and Rapporteur make up the Committee's Bureau. They are chosen for a 2-year term and can only be re-elected once. The Chairperson, on the other hand, is not up for election again. The Bureau supervises and coordinates the Secretariat's work as well as the operations of the Committee [38]. The current members of the Bureau sitting as Chairperson, Vice-Chairperson and Rapporteur are Hon. Ndayisenga Joseph, Hon. Anne Musiwa and Hon. Aboubekrine El Jera, respectively [39].

Secretariat of the Committee

The Secretary for the Committee is chosen by the OAU Secretary-General [40]. The Secretary and any additional professional, technical, or administrative employees that the Committee may require for the efficient discharge of its duties make up the Secretariat of the Committee. The committee receives the technical and logistical support necessary for the committee's efficient operation from the secretariat, acting under the secretary's direction.

Functions of the Committee

The primary duties of the committee are outlined in Article 42 of the African Charter on the Rights and Welfare of a Child (ACRWC), and they are as follows:

- a. To uphold and defend the rights outlined in the African Charter on the Rights and Welfare of Children, as well as to:
 - i. gathers and documents information, commissions interdisciplinary assessments of situations involving African problems in the areas of children's rights and welfare, organizes meetings, supports national and local institutions dedicated to protecting children's rights and welfare, and, as necessary, provides advice to governments.
 - ii. create and enshrine guidelines and moral standards to safeguard the rights and welfare of children in Africa.
 - iii. work in concert with other institutions and groups on the continent, around the world, and in the region that are dedicated to advancing and defending children's rights and welfare.

- b. To keep an eye on how the rights outlined in the African charter on the rights and welfare of a child are being implemented and to guarantee their protection.
- c. To provide interpretations of the charter at the request of a state party, an Organisation of African Unity Institution, another person, or organization that has been approved by the OAU, or any other State Party.
- d. Carry out any additional duties that may be assigned to it by the summit of head of state and government, the OAU Secretary-General and any other OAU organs, or the United Nations. According to the charter's guidelines, the committee engages in several actions to carry out and execute on its mandates. The following are some of the key mandates and operations of the committee as stated in Articles 42 through 45 of the charter and the committee's rules of procedure;
 - i. Review of State Party Reports on the Charter's implementation status.
 - ii. Examining communications regarding suspected violations of the charter.
 - iii. Research and country visits to evaluate how the Charter is being implemented.
 - iv. The creation of norms and standards in the form of general remarks and guidelines about issues covered by the charter.
 - v. Carry out investigations and studies on problems involving children's rights in the continent.
 - vi. Lead the Day of the African Child celebration.
 - vii. Send out letters of urgent appeal, declarations, statements, and resolutions.
 - viii. Keep an eye on how Agenda 2040 is being carried out.

The African Committee of Experts on the Rights and well-being of the Child (ACERWC) has as one of its main objectives the well-being of children in Africa. This committee works meticulously with state parties to the convention to ensure that this aim is achieved. A measure to attain this goal is through state reporting by the various state parties to which consequent concluding observations and recommendations are made by the committee to ensure a follow up of the rights and welfare of the child in various state parties.

After the initial report of Cameroon and the periodic report in December 2014, the committee provided a concluding observation and recommendation to Cameroon in January 2017 where it urged the state party to take all necessary steps to ensure that the best interest of the child principle is properly incorporated into all legal provisions and put into effect in judicial and administrative decisions [41].

Thanks to this recommendation, the principle of best interest of the child effectively became the guiding principle of Cameroon Courts in granting custody of the child, which is one of the most determinant factors in safeguarding the welfare of the child after divorce. A wrong decision in granting custody may forever affect the child's moral, physical or even emotional well-being. Poor treatment of the child, sexual abuse or physical torture inflicted by the legal custodian on the child have been observed in many cases. Such situations greatly hinder their welfare.

National Institutions

Ministry of Social Affairs (MINAS)

The Ministry of Social Affairs [42] is the organization charged with creating and carrying out government policy regarding socially vulnerable person protection, aid, and prevention. The current Minister of Social Affairs, Mrs. Pauline Irène NGUENE is assisted in her tasks by a special secretariat, two technical advisers, a general inspectorate, a central administration, decentralized services, operational technical units and specialized establishments and bodies.

Functions

- Prevention and treatment of juvenile delinquency and social maladjustment;
- The fight against social exclusion in liaison with the ministries concerned;

- The fight against human trafficking, in particular minor children, in liaison with the administrations concerned;
- The protection of victims of physical abuse;
- The monitoring of procedures for the protection of children in difficulty in liaison with the Ministerial departments concerned;
- Follow-up of the aged and the disabled in cooperation with the Ministries concerned;
- Follow-up of those affected by drugs in conjunction with the administrations concerned;
- Monitoring of the protection against human trafficking in liaison with the administrations concerned;
- Assistance with social integration;
- Animation, supervision, and monitoring of establishments and institutions that contribute to the implementation of the social protection policy.
- Monitoring of training programs for social workers.

Cameroon Courts

These are components of the judicial system in a society whose job it is to apply the law to disputes that are brought before it to guarantee the public administration of justice. Courts play a capital role in ensuring the welfare of children after divorce in Cameroon. They must analyze the circumstances of each case in accordance with the law before granting custody or making any order that may involve the welfare of the child. There exist different courts with different composition and jurisdiction all regulated by Law No. 2011/027 of December 14th, 2011 on judicial organization.

The High Courts of Cameroon have main authority over lawsuits and actions involving people's rights, civil status marriages, divorce, filiations, adoption, and inheritance [43]. Although the High Courts are created in each division, the President of the Republic may order that their jurisdiction extend over multiple divisions for service purposes [44]. Article 17 of the Law on Judicial Organisation establishes the composition of the Cameroon High Courts. Article 17 of the Law on Judicial Organisation establishes the composition of the Cameroon High Courts. Article 17 of the Law on Judicial Organisation establishes the composition of the Cameroon High Courts. The Supreme Court and the Court of Appeals have their own decisions, which High Courts must follow. This helps ensure that there is no oversight or default in the application of justice in general and in the protection of the child's welfare after divorce.

CONCLUSION

From the discussion above, Cameroon takes some precautions to ensure the well-being of children following divorce. The Cameroonian legal and institutional framework provides the necessary measures to guarantee the welfare of children after divorce. The fact that children's welfare after divorce in Cameroon is genuinely protected, for example, is largely due to the application by courts of the guiding principle of the child's best interest, which is enshrined in Article 3(1) of the UNCRC, as well as the sanctions provided by the Penal Code to anyone who obstructs the application of any law or court order regarding issues of the child's welfare. However, the protection of the child's welfare after divorce in Cameroon is not without concerns. Indeed, the ineffectiveness of these measures is felt in issues concerning the mental and emotional well-being of the child in the societal milieu and the lack of implementation of some measures. Besides, the absence of a well-defined structure to ensure decent follow-up on the child's welfare before, during, and after divorce Cameroon accounts for the ineffectiveness of these measures in safeguarding the children's welfare after divorce.

RECOMMENDATIONS

To provide more to the present system of protection of children's welfare after divorce in Cameroon, some recommendations will be made in the following paragraphs.

Creation of a Social Service for the Protection of Children as Victim of Divorce

In Cameroon, there is the existence of many children centers for purposes of support to children's victims of HIV/AIDS, victims of abuse, child trafficking and for the re-education of juvenile delinquents such as the ICE (*Institut Camerounaise de l'Enfance*) and much more. The creation of a Social Service or child center for children victim of divorce, focused primarily on issues of protection of the welfare of the child pre, during and post-divorce, will greatly boost the existing system.

Creation of Training Programs for Divorced Parents

Training programs will help sensitize divorced parents about the effects of divorce on their children and guide them on how not to involve their children in their conflicts or disputes. This will help parents avoid involving the children in their disputes and help them understand and consider the child's feelings. Thus, enhance the existing strategy in place to the safeguard the child's welfare.

MINAS

The MINAS must ensure the effective implementation and follow-up of the National Strategic Plan for catering to children of separated and/or divorced parents categorized under OVCs. Implementation of these will ensure a positive impact on the protection of the welfare of children in the territory.

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