



Research Article

A Critical Look at the Protection of Women in Cameroonian Criminal Law

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Abstract

Despite Cameroon's ratification of key international instruments such as CEDAW and the Maputo Protocol, coupled with the legislative advances introduced under the 2016 Penal Code, the criminal law protection afforded to Cameroonian women remains largely ineffective in practice. Empirical and statistical data on violations of women's physical integrity, dignity, and moral autonomy continue to present an alarming picture. Reports of domestic violence, sexual assault, harmful traditional practices, and other forms of gender-based violence have not only persisted but have resurged in both intensity and complexity in recent years. In light of this multifaceted and escalating phenomenon of violence against women, there is an urgent need for a profound reform of criminal law to bring it into alignment with contemporary social realities. The current legal framework lacks a dedicated feminist legislative approach and contains no specific provision that directly criminalizes violence against women as a distinct category of offense. This legislative gap limits the capacity of the justice system to prevent, punish, and deter such violations effectively. The central objective of this article is therefore to provoke critical scholarly reflection on the inadequacies of positive law in Cameroon regarding the protection of women. By exposing these normative deficiencies, the study seeks to propose concrete and context-appropriate reforms aimed at strengthening the criminal protection of women and ensuring substantive rather than merely formal equality before the law. To obtain our result, the doctrinal/legal analyses method will be used.

Keywords

Women, Protection, Violence, Reform, Penal Code

1. Introduction

Around the world, women are the primary victims of multifaceted violence, whether physical, sexual, psychological, verbal, or economic. They are also subjected daily to less visible, more insidious forms of violence, such as unequal access to the labor market, wage inequality, slower career advancement, and the unequal distribution of domestic chores, etc. [1] This violence exists in every country, whether caused by states or institutions, or occurring within family and community groups. Women are affected by this violence regardless of

their age, socioeconomic status, level of education, or country of origin [2]. Violence against women is today one of the most persistent human rights violations worldwide, to the point that the United Nations has described it as a “silent pandemic”.

In response to these multifaceted abuses suffered by women, Cameroon's positive law provides a protective legal framework at the international, regional, and national levels.

At the international level, Cameroon has ratified the Convention on the Elimination of All Forms of Discrimination

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against Women. The binding force of these conventions is enshrined in the Cameroonian Constitution, which stipulates that duly ratified treaties take precedence over national laws.

Similarly, Cameroon has also acceded to the Optional Protocol to CEDAW, which allows victims of violations to file complaints directly with the Committee on the Elimination of Discrimination against Women.

At the regional level, the country is a party to the Maputo Protocol, which guarantees women specific protection [3], including in digital spaces. At the national level, the primary enforcement instrument is the Penal Code enacted by Law No. 2016/007 of July 12, 2016. This code has introduced significant advances. Article 338 specifically punishes violence against a pregnant woman with imprisonment of five to ten years and a fine. Female genital mutilation and sexual harassment are now clearly criminalized. Furthermore, the 2016 reform also recognized marital rape in Cameroon [4]. Similarly, regarding provisions that have been rewritten, the former Article 361 on adultery comes to mind first, as it was reformulated to ensure equality between adulterous husbands and wives. But above all, one thinks of the new Article 297 of the new Penal Code on “subsequent marriage” [5].

It is also important to mention the contribution of other national laws to the criminal protection of women in Cameroon. These include, in particular, Law No. 2010/012 of December 21, 2010, on cybersecurity and cybercrime, which provides a framework for combating certain forms of online violence. Law No. 2024/017 of December 23, 2024, on the protection of personal data, reinforces this framework.

While these regulatory measures are certainly commendable, they fall far short of serving as a deterrent. The fear of punishment does not stop all criminals, and they do not hesitate to break the rules, believing they will not be caught. The recently published figures are telling: in 2023, 67 cases of femicide were recorded in Cameroon; 77 cases in 2024; 42 cases so far in 2025; and 50 cases recorded since the beginning of 2026 [6], though we cannot rule out a significant underestimation due to the chronic underreporting of these crimes.

The case of Diane Yangwo, an English teacher beaten to death by her husband in November 2023, tragically illustrates this reality. The sentence handed down in this case—a five-year suspended prison term and a derisory fine—was perceived as a true insult to the victim’s memory and to the dignity of all Cameroonian women. Today, the convicted man is nowhere to be found [7]. Unfortunately, this is not an isolated case. It reveals a criminal justice system that, through its slowness, its shortcomings, and at times its complacency, fails to protect those who should be the primary beneficiaries of republic.

Violence in humanitarian contexts adds another dimension to this already bleak picture. Cameroon is facing overlapping crises. The number of internally displaced persons is estimated at 970,000, in addition to 400,000 refugees from neighboring countries [8]. In displacement sites, women and girls are at increased risk of sexual exploitation, domestic violence, and early marriage. A 40% increase in cases of gender-based

violence has been reported in internally displaced persons’ camps [9]. UNFPA, which deploys midwives and maintains safe spaces for women and girls, has only 29% of the funds needed to address the scale of the needs, which seriously jeopardizes the continuity of protection and reproductive health services [9].

Furthermore, digital violence is an emerging form of gender-based violence. According to a study by Internet Sans Frontières Cameroon, published in 2024, 68% of Cameroonian women who are active online have experienced some form of digital violence. Journalists and women’s rights advocates are particularly targeted. This violence, which includes harassment, threats, identity theft, and the non-consensual sharing of intimate images, is not merely virtual: it has very real consequences on the lives of victims, ranging from the destruction of careers to social isolation. While legislation such as the 2010 Cybersecurity Act provides a legal framework for enforcement, its provisions are often too vague to effectively address gender-based online violence, and prosecutions remain rare. The global “16 Days of Activism” campaign launched in November 2025 even had the fight against digital violence as its theme, a sign of growing international awareness of this new challenge.

However, in light of the preceding developments and considering the relevant statistical data presented, it is therefore appropriate to question the effectiveness of the criminal justice response provided by lawmakers against violence against women. Presumably, this response is limited or even inadequate. Hence the importance of reflecting on the causes of the current limitations in order to determine the nature and scope of the reforms that are truly necessary.

The recognition of the limitations of the criminal justice system for the protection of women necessitates the development of an appropriate reform.

The introduction plays an important role in providing background information (including relevant references), emphasizing the importance of the study, and outlining its objectives.

2. A Limited Criminal Justice System for the Protection of Women

Criminal law protections for women, although constantly evolving to combat gender-based and domestic violence, face several limitations. Hence their failure. We can thus observe inconsistent protection against attacks on women’s physical integrity and a lack of specific criminalization of violations of women’s privacy. These limitations hinder the effectiveness of law enforcement.

2.1. Variable Protection Against Attacks on Women’s Physical Integrity

The protection of women against physical violence resembles a structure whose foundations are solid in some areas but

fragile in others. The country has made notable legislative strides, particularly with the revision of the Penal Code in 2016. However, this protection remains inconsistent. It varies depending on the type of violence. This applies to both physical assaults and threats to life.

2.1.1. Inadequate Protection Against Attacks on Women's Physical Integrity

Criminal lawmakers have established several provisions to protect women's physical integrity. These include criminalizing violence against pregnant women and attacks on reproductive organs. However, this protection remains insufficient.

Violence against pregnant women is a particularly repugnant crime because it is the woman who gives life to the child who will ensure the survival of the human race, and she must be respected as such [10]. And as the mother of humanity, she should be afforded appropriate protection.

A woman carrying a child in her womb is physically fragile and vulnerable and must be treated with great care; anyone who behaves brutally toward her must be punished. This is also the opinion of the Douala-Ndokoti Court of First Instance, which, in Judgment No. 568/Cor of November 23, 2005, found the defendant, TEGOFACK Jean Claude, guilty. The judge sentenced him to a fine of 100,000 francs and awarded the sum of 100,000 francs in damages to the civil party [11]. Indeed, Mr. TEGOFACK Jean Claude had inflicted physical harm on his pregnant wife, Ms. MAGOUOCK Elodie, thereby causing her to be temporarily unable to work for 31 days. He subsequently left the marital home, leaving her alone with their two children.

With regard to the prosecution of female genital mutilation, it must be noted that the prevalence of these mutilating practices is undoubtedly one of the most common forms of assault on physical integrity [12] today. In Africa, sexual mutilation of children stems from both animist and religious rituals [13]. As Michel Erlich points out, mutilation is fundamentally ambivalent: "disruptive and harmful when it is inflicted, it becomes reorganizing and beneficial when it is intentional." [14]

Genital mutilation refers to permanent and significant alterations to the male or female genitalia [15]. Male genital or sexual mutilation, though rarer, falls into two categories: some procedures prevent a man from ejaculating, potentially rendering him sterile, and other invasive alterations to male organs; however, it is female genital and sexual mutilation that remains the most problematic. Widespread in Africa and Cameroon, these mutilations are numerous and varied.

This offense is defined and punishable under the Penal Code, which stipulates—except in cases where the act is performed by an authorized person and justified by the need to save a life [16] — that "anyone who mutilates another person's genital organ, regardless of the method used (and) the penalty shall be life imprisonment if the perpetrator habitually engages in this practice or if the act is committed for commercial purposes (or) if the victim's death results therefrom." Viewed from this perspective, genital mutilation may appear

as fundamental expressions of freedom of conscience that give it social reality and make it observable.

Despite the existence of various measures protecting women against violations of their physical integrity, certain forms of physical and psychological violence—such as repudiation—persist in some Cameroonian customs, even though legislative progress has been made in this area. Indeed, Article 358, paragraph 1, of the Penal Code criminalizes expulsion from the marital home in the following terms: "A wife who, outside of any judicial proceedings, expels her spouse from the marital home without legitimate cause shall be punished by imprisonment for three (03) months to one (01) year and a fine of fifty thousand (50,000) to five hundred thousand (500,000) francs."

Expulsion or repudiation—which is a unilateral decision by a husband to send his wife away—is still widely practiced in the Far North and Adamaoua regions, where there is a large Muslim population. According to customary and traditional practices in these regions, a husband who repudiates his wife may immediately take a new wife, while the repudiated wife must observe a three-month period of abstinence under her husband's supervision before being permitted to enter into a new marriage [17].

This practice, which grants excessive power to the husband and constitutes psychological abuse, is unfortunately not subject to any specific criminal penalty. It is urgent that legal clarification be provided on this point, with a view to protecting women's rights.

Similarly, physical abuse that does not result in temporary incapacity to work is not recognized under Cameroonian law. By criminalizing only physical abuse that results in at least 8 days of incapacity, Cameroonian law implicitly recognizes the husband's "right to discipline." Under civil law, beatings must be severe and repeated to justify a petition for divorce. In short, a man can beat his wife, provided he does not hit her very hard or do so every day [18].

However, to break free from the vicious cycle of violence, any deviant behavior by spouses must be consistently addressed. Any excess, any tendency toward the use of violence, must be addressed. We must not overlook acts of violence that we tend to dismiss as minor. As Welzer Lang points out [19], physical violence is very often merely the continuation of other forms of violence that often go unnoticed by those close to the couple: contempt, insults, and the belittling of the other person's actions or thoughts.

Furthermore, we must also lament the persistence of the issue of marital rape. Rape is a reality in marital relationships; it occurs whenever there are a lack of consent and the use of coercion, whether physical or psychological. The act of forcing a spouse to have sexual intercourse is a criminal offense. The penalty may be increased if the rape is accompanied by acts of torture or results in serious injury.

It must nevertheless be acknowledged that marital rape has undergone legislative changes. In legal terms, it is now recognized and punishable. The change introduced by the 2016

criminal reform lies in the removal of the requirement that the perpetrator be a third party. Prior to 2016, rape involved the use of violence to coerce a person without their consent, but case law and customary law generally held that a wife permanently consented to sexual relations with her husband. Rape within marriage was therefore excluded or very difficult to prosecute.

The 2016 reform of the Penal Code [20] marked a major step forward by depersonalizing the rape victim. Article 296 of the Penal Code now punishes anyone who forces “a person, even one who has reached puberty,” to engage in sexual relations through physical or psychological violence [21]. It is in this sense that marital rape can be considered to fall within the categories targeted by Article 296 of the Penal Code. Cameroonian courts will gradually be able to move toward punishing rape within a marital relationship. The marital bed must no longer be perceived as a space of total impunity. Case law must begin to recognize that the status of spouse does not grant the right to sexually coerce the other spouse. Since this neutral wording theoretically makes it possible to convict a spouse.

However, it is regrettable that Cameroon’s Penal Code does not include a specific provision for marital rape. Marital rape as a distinct offense faces numerous obstacles: there is still no court ruling formally criminalizing rape committed between married spouses. Custom and tradition still greatly influence the application of the law.

The real difficulty lies in proving the crime. In practice, victims face significant challenges. Courts generally require the submission of a medical certificate attesting to the violence in order to validate the complaint, which entails a medical consultation under psychologically difficult conditions. Women who are victims of sexual coercion within a marriage most often turn to provisions relating to assault and battery, or they initiate divorce proceedings on the grounds of fault.

Despite the specific legal gap regarding marital rape, Cameroon has committed to combating gender-based violence by ratifying international legal instruments protecting women’s rights, including CEDAW and the Maputo Protocol.

Faced with persistent violence and legal gaps highlighted by various bodies, human rights organizations continue to recommend the adoption of legislation that specifically and explicitly criminalizes domestic violence and marital rape. However, persistent sociocultural barriers and the weight of tradition still make it difficult to report abuse due to fear of family stigma. Feminist organizations continue to advocate for stricter enforcement of the law to reduce impunity, which suggests that crimes against life are not adequately protected.

2.1.2. Insufficient Protection Against Violations of the Right to Life

Under Cameroonian law, women are protected by the general right to life and there is no separate statutory right to woman’s life meanwhile women are killed on daily bases because of their gender. Taking a woman’s life because of her

gender is not a separate offense under our positive law. Perpetrators are prosecuted under Articles 275 or 276 of the Penal Code, which criminalize intentional homicide. There is a lack of adequate protection against this type of violence.

The absence of a specific law criminalizing femicide places Cameroon in a paradoxical situation. On the one hand, the country has ratified international instruments; on the other, it has not established a sufficient domestic legal framework to effectively punish these crimes. Perpetrators of femicide are prosecuted under general provisions of the Penal Code, without the gendered dimension of the crime being taken into account. As a result, the penalties are often perceived as too lenient and not sufficiently deterrent.

2.2. The Absence of a Specific Offense Addressing Violations of Women’s Privacy

This absence is evident in the lack of a criminal offense for the violation of a woman’s electronic correspondence and the dissemination of sexually explicit images of a woman on the internet.

2.2.1. Violation of Married Women’s Correspondence

The secrecy of correspondence is the right to maintain the private and confidential nature of correspondence. It applies to correspondence where the sender could reasonably expect a minimum level of confidentiality.

Correspondence is generally defined as any written exchange between two identifiable individuals, whether in the form of letters, messages, in open or sealed envelopes. However, the scope of correspondence may be extended to include telephone communications and even those using other media.

A violation of the secrecy of correspondence occurs when a third-party gains access to private correspondence without the sender’s prior consent. Under Cameroonian criminal law, a spouse who expressly violates their partner’s correspondence is not criminally liable. It is permissible to open and read one’s spouse’s correspondence. The consequences of such freedom would be detrimental to the stability of the couple, especially in the African context where the marital bond holds undeniable significance.

Spouses, defined as a man and a woman united by marriage [22], are mutually bound, among other things, by the duty of fidelity. This would justify the absence of any secrecy between them, even regarding correspondence. There is no secrecy of correspondence between spouses, whether it be traditional, modern, or digital.

Traditional correspondence refers to any mail, letter, or missive received or sent by a spouse either to a third party or to an acquaintance common to the couple. From a criminal law perspective, French lawmakers, for example, do not grant family immunity in cases of violation of correspondence [23].

Consequently, it follows that the lives of spouses take on a much more intimate character. Neither spouse has the right to

breach the confidentiality of the other's correspondence, as evidenced by a ruling of the Criminal Chamber issued on February 5, 1958.

In fact, the guilty wife had taken a letter from her husband's mailbox while they were separated, read it, and then disclosed its contents. The vigilant protection of the privacy of correspondence reflects the undeniable existence of a sphere reserved by criminal law for each spouse. It thus allows each spouse to preserve a space of privacy from the other spouse's curiosity [24].

The Cameroonian legislature has undoubtedly opted for the principle of mutual privacy and provides that the offense of violating correspondence does not apply to spouses or to the father, mother, guardian, or customary custodian with respect to minor children under the age of 21 who have not been emancipated [25]. A woman's private life is not limited solely to the confidentiality of her correspondence. Furthermore, the non-application of the offense of violation of correspondence is not intended to infringe upon the wife's privacy, but rather to foster harmony between spouses.

At first glance, an observation must be made regarding the confidentiality of correspondence in general. While offenses such as trespassing, blackmail, slander, or defamation can be established regardless of the medium of dissemination, the main difficulty lies in determining whether a violation of the confidentiality of correspondence has actually occurred today. This latter concept is not the easiest to grasp, particularly in criminal and social case law, as it is constantly evolving. One cannot fail to note the inadequacy of the provisions of the Cameroonian Penal Code in providing a contextual framework for correspondence that takes into account its electronic nature.

2.2.2. The Absence of a Specific Criminalization of the Violation of Women's Privacy on the Internet: Cyberviolence

Cameroon has a relatively comprehensive body of digital legislation, but it was drafted before the emergence of issues specific to online gender-based violence. Law No. 2010/012 of December 21, 2010, on cybersecurity and cybercrime criminalizes cyber computer hacking [26], data breaches [27], and fraud [27], but remains completely silent on offenses such as cyberharassment, revenge porn, deepfakes, and online identity theft.

The reform of the criminal code introduced significant advances in the protection of women: the criminalization of female genital mutilation, sexual harassment, and the expulsion of a wife from the marital home. However, these provisions apply exclusively to the physical or traditional sphere. The harassment it criminalizes is conceived within a pre-digital framework, without adaptation to the realities of social media, instant messaging, or content-sharing platforms.

Law No. 2023/009 of July 25, 2023, on the protection of children online represents a significant step forward, but it applies only to minors. Adult women, young women over the

age of 18 find themselves in a veritable legal vacuum, without specific protection against the digital violence they endure.

In the absence of specific provisions, the courts sometimes attempt to classify the non-consensual distribution of intimate images as violations of general criminal law. The so-called "Malicka Bayemi" case, which occurred in 2021, illustrates this approach. In response to the non-consensual distribution of intimate photos and videos of a young woman, Cyrille Rolande Bechon, in her capacity as executive director of "Nouveaux Droits de l'Homme Cameroun," proposed invoking several articles of the Penal Code, notably Article 294 on pimping, Article 295 on private indecency, and Article 344 on the corruption of minors.

However, this approach could be improved. Private indecency [28] is covered by Article 79 of the Cybercrime Law, which refers to "private acts of indecency." This vague wording does not fully capture the specific nature of the non-consensual distribution of images. Above all, none of these legal classifications takes into account the specifically gendered dimension of this violence, nor the digital context in which it occurs. Hence the urgent need for a specific criminal law reform tailored to the protection of women.

3. The Urgency of Reforming Criminal Law to Protect Women

Historically, criminal law has been designed according to a universal model that, under the guise of neutrality, has often ignored the specific nature of the violence experienced by women. Today, the urgency of reform is not based on a desire to favor one gender over the other, but on the recognition that current laws are ill-suited to the reality of the situation. Thus, it is necessary for Cameroonian lawmakers to create new criminal offenses and more specific penalties.

3.1. The Need to Create New, Specific Criminal Offenses

Certain violations of a woman's physical integrity and privacy must be criminalized by Cameroon's criminal legislature.

3.1.1. The Specific Criminalization of Certain Violations of Physical Integrity

The creation of new offenses specific to violence against women has become a legal and social necessity to address gaps in positive law. It allows for the recognition of the structural, gendered, and repetitive nature of such violence; such as "coercive control" or "femicide" thereby ensuring appropriate protection and a judicial response.

Coercive control lies at the heart of a comprehensive framework that views domestic violence as a violation of human rights and fundamental freedoms. This concept is defined as a strategy of invisible and ongoing domination, combining surveillance, isolation, and threats, to deprive a person of their

freedom and autonomy. Unlike an isolated act of aggression, it is a “crime against freedom” that occurs over time; for example, the social isolation of the victim to cut them off from their family, friends, or work so that they depend solely on their abuser. It can also involve imposing strict rules regarding clothing, time, travel, or phone use; confiscating means of payment; rationing money; or forbidding the victim from working. The victim is monitored through incessant calls, cameras, or spyware. They are manipulated into doubting their own memory, perception, and mental health. In practical terms, coercive control is understood as a system of total domination in which the abuser uses repeated behaviors to deprive the victim of their autonomy. It is the desire to dominate and/or control the victim’s private and/or social life. The result of the coercive pattern established by the perpetrator is to subjugate the victim by placing them in a state of constraint, fear, or even terror, a state that is characteristic of the violence they endure.

Ultimately, it involves imposing coercive control over one’s spouse...through repeated or multiple statements or behaviors that infringe upon the victim’s fundamental rights and freedoms or instill in the victim a state of fear or coercion due to the fear of acts committed directly or indirectly against the victim or others, whether such acts are physical, psychological, economic, legal, social, administrative, digital, or of any other nature, when such acts are likely to cause a total incapacity for work (ITT) of eight days or less or to result in no incapacity for work at all.

The legal implications of such a criminalization are significant in that coercive control is identified as the primary precursor to femicides and serious physical violence.

In terms of comparative law, countries such as Scotland [29] and the United Kingdom [30] were the first to establish a specific offense of coercive control, leading to convictions without the need for physical evidence. In Europe, an EU directive now requires member states to incorporate this concept into their legal frameworks by 2027.

Under French law, although the Penal Code already criminalizes psychological harassment within intimate relationships, Parliament has actively debated a bill to create a standalone offense of coercive control. Legislative reform is underway that provides for the creation of a standalone offense of coercive control, with penalties of up to 3 years imprisonment and a fine of 45,000 euros [31].

But the main obstacle for victims is proof. Unlike physical violence, which is visible and objectively verifiable, coercive control is often invisible, diffuse, and spread out over time. The judge requires concrete evidence or, failing that, a body of corroborating circumstantial evidence. However, in many cases, material evidence is lacking because this abuse takes place behind closed doors and the victim was unable or did not dare to keep everything. This explains why, in countries where it is a criminal offense, many cases fail due to insufficient evidence, leaving victims unprotected.

However, to convince the judge, it is essential to employ an

appropriate evidentiary strategy, such as: gathering multiple forms of evidence; victims should save text messages, emails, and call logs; record voicemails; take screenshots; and keep bank statements showing financial control. To further secure evidence, victims can keep a dated journal detailing events, restrictions, and threats; this could help demonstrate the repetition and continuity of the behavior. Victims can also rely on witnesses such as neighbors, coworkers, or doctors who can attest to the victim’s isolation, anxiety, or behavioral changes. Finally, they can obtain medical certificates attesting to a depressive state or a bailiff’s report.

Coercive control, as observed in other contexts, is rarely proven by a single piece of evidence; it is the convergence of evidence that makes it possible to legally demonstrate a comprehensive system of control.

Other violations of a woman’s physical integrity, such as femicide, must also be subject to specific criminal charges. Indeed, following the example of other legal systems around the world, Cameroonian criminal law must also recognize femicide as a distinct offense or crime [32]. Croatia has introduced into its Criminal Code the crime of “aggravated murder of a female person,” punishable by sentences ranging from ten to forty years’ imprisonment [33]. France’s refusal to legally recognize femicide [34] is explained by the fact that legislative provisions already provide for aggravating circumstances, and that it is necessary to preserve the universality of the rule of law [35] and respect “the principle of neutrality in criminal law, which makes virtually no distinction between genders.” [36]

Technically, and as in French criminal law, Cameroonian criminal law does not classify femicide as a separate offense. From the perspective of the criminal classification of the acts, it is considered murder. As a result, positive law maintains a neutral stance, which has also led it to no longer use the terms “infanticide” or “parricide,” in accordance with the intended universality of criminal law application and the equal treatment of all citizens—men and women alike—under criminal law. Consequently, some will reasonably argue that there is no need to further burden the Penal Code, which already has the necessary tools to punish these heinous crimes committed against women. They would add that to do otherwise would amount to a form of instrumentalization of the Penal Code for political or activist purposes.

There is no shortage of arguments in favor of including the term “femicide” in the Criminal Code and making it a standalone crime.

The first reason would be to give legal recognition to a grim reality that, despite government efforts, is not decreasing in frequency. The second would be to establish, from the outset, a more appropriate criminal classification, which would involve breaking with the approach previously used of relying on aggravating circumstances. Nevertheless, paradoxically, there is a risk that the prosecution of femicides will be weakened; for if evidence is insufficient or if the required element

of intent on the part of the perpetrator is not precisely established, then it is not merely an aggravating circumstance that will be dismissed (while the classification as murder remains intact) but the entire classification of femicide itself, which could lead to the most shocking impunity [37].

3.1.2. Criminalization of Privacy Violations

All violations of women's privacy must be subject to specific criminalization. This applies equally to the violation of a woman's privacy on the internet and to the violation of a married woman's right to the confidentiality of correspondence.

Cameroonian criminal lawmakers must follow the lead of their French counterparts, who have criminalized the violation of the confidentiality of correspondence between spouses. French lawmakers do not grant family immunity in cases of correspondence violations. This indicates that the lives of spouses take on a much more intimate character. Neither spouse has the right to breach the other's privacy of correspondence, as evidenced by a ruling of the Criminal Chamber issued on February 5, 1958. In that case, the guilty wife had taken a letter from the mailbox of her husband, from whom she was separated, read it, and then disclosed its contents.

The vigilant protection of the secrecy of correspondence reflects the undeniable existence of a sphere reserved by criminal law for each spouse. It thus allows each spouse to preserve a space of privacy from the other's curiosity, thereby helping to restore that privacy in place of "private life," whose legal mechanisms are inapplicable [38].

With regard to modern or digital correspondence, French criminal law clarifies the issue and provides that it is also a punishable offense to act in bad faith by intercepting, diverting, using, or disclosing correspondence sent, transmitted, or received electronically, or by installing devices capable of enabling such interceptions.

Technological advances have led to the regulation of operators of publicly available electronic communications networks and telecommunications service providers as well as their employees. With regard to these entities, the legislature prohibits the interception or misappropriation of communications sent, transmitted, or received via telecommunications, as well as the use or disclosure of their content. The difference between the specific offense of violating the secrecy of communications by "authorized" persons and the general offense under Common Law lies in the intentional nature of the offense. Indeed, criminal intent is not required in the former case, whereas it is required in the latter. This absence of a requirement for bad faith in the law is justified given the special status of the perpetrators, which gives rise to a presumption of bad faith, as they are entrusted with a special level of confidence due to their duties or position.

Unfortunately, under Cameroonian criminal law, a spouse who expressly violates their partner's privacy regarding correspondence is not criminally liable. It is considered permissible to open and read one's spouse's correspondence. The consequences of such freedom would be detrimental to the

stability of the couple.

Furthermore, the call for the Cameroonian legislature to specifically criminalize the dissemination of a woman's private information on the internet is part of a necessary reform movement to shift from a morality-based justice system to a consent-based justice system. Today, we live in a society where technology is constantly evolving, and in which the internet is an integral part of our lives. This significant development can be easily illustrated by the emergence of numerous new social media platforms, such as Facebook, Instagram, or, more recently, TikTok. Thanks to these platforms, it has become all the easier to share all types of visual content (such as photos or videos) with a large number of people, whether they are acquaintances or strangers [39].

However, while some content, whose distribution is facilitated by these various services does not usually raise legal issues, other content, on the contrary, can lead to serious legal consequences. In fact, a phenomenon is becoming increasingly widespread. This involves distributing images and recordings of a sexual nature without a person's consent. This phenomenon of non-consensual distribution of sexual content causes significant harm to victims and is classified as a criminal offense in many countries, including Belgium. It is sometimes referred to as "revenge porn." The term refers to "the sharing and distribution of sexually explicit material originating (primarily) from former partners" [40], and is so named because, in most cases, the perpetrator is motivated by a desire for revenge against their ex-partner. Furthermore, websites dedicated to revenge porn have been appearing for several years now: these sites provide users with a forum where they can, without the consent or knowledge of the person concerned, post or download content related to revenge porn.

Currently in Cameroon, this offense is "subsumed" under the offenses of invasion of privacy or indecent exposure.

The goal is to create a dedicated section in the Penal Code or to amend the 2010 Law with a title explicitly stating: "On the Non-Consensual Distribution of Sexual Content." This would make it possible to punish the distribution, even if the original recording was legal or consensual. The crime no longer lies in the image itself, but in the betrayal of trust.

Current laws, such as the offense of indecent exposure, often prioritize protecting public sensibilities. Lawmakers must focus criminalization on the harm suffered by the woman (violation of dignity, psychological integrity, and the right to one's image). This would prevent "double victimization," in which the woman is sometimes perceived as guilty for having posed for the photo, when the only guilty party is the person who clicked "Share."

A specific law would allow lawmakers to anticipate technological developments that the 2010 legislation could not foresee. Criminalization must cover not only actual photos, but also AI-generated montages intended to disgrace a woman by attributing to her a fictional body or sexual acts.

3.2. The Need for Stricter Penalties

In order to better protect women, lawmakers must consider strengthening existing criminal penalties. This will help deter potential offenders. Such strengthening will be achieved through harsher prison sentences and the exclusion of mitigating circumstances.

3.2.1. The Severity of Principal Sentences

The increase in prison sentences should primarily target offenses that infringe upon women's physical integrity. This includes, first and foremost, violence against pregnant women. The increase should take the form of a radical rise in the minimum and maximum fines and prison sentences. In cases of abortion forced through violence or deception, the current sentence of 5 to 10 years' imprisonment should be increased to a range of 15 to 20 years, to reflect the dual violation of the mother's physical integrity and the fetus's right to life. At the same time, the introduction of full civil liability would make it possible to order the perpetrator to pay colossal damages covering not only physical injury but also long-term psychological trauma and future reproductive health costs. This financial measure aims to eliminate the perpetrator's capacity to cause harm and to fund the victim's rehabilitation.

Following this logic of severity, the reform of the Penal Code must include the complete elimination of mitigating circumstances and suspended sentences for any crime committed against a pregnant woman. Currently, Cameroonian judicial practice often allows for individualized sentencing, which, under the pretext of fairness, ultimately absolves the perpetrator of responsibility. Tougher penalties would therefore require the introduction of mandatory minimum sentences. For example, if a physical assault results in the loss of the fetus without the mother's death, the penalty should no longer be a mere fine or a few years in prison, but life imprisonment if the intent to harm the unborn child is proven. This increased severity must also extend to healthcare personnel who, through gross negligence or deliberate acts, harm the physical integrity of a pregnant woman.

Violence against pregnant women is a particularly repugnant crime. A woman carrying life within her must be treated with the utmost care, and anyone who displays any form of brutal behavior toward her must be punished. This is also the opinion of the Court of First Instance of Douala-Ndokoti, which, in Judgment No. 568/Cor of November 23, 2005, found the defendant TEGOFACK Jean Claude guilty. The judge sentenced him to a fine of 100.00 francs and awarded the sum of 100,000 francs in damages to the civil party. Indeed, Mr. TEGOFACK Jean Claude had inflicted physical harm on his pregnant wife, Mrs. MAGOUOCK Evodie, thereby causing her to be temporarily unable to work for 31 days. He subsequently left the marital home, leaving her alone with their two children.

Furthermore, penalties for perpetrators of rape must be strengthened. Strengthening the principal criminal penalties

for perpetrators of rape in the Cameroonian Penal Code, particularly Article 296, is a major issue for women's safety and the fight against impunity. To make this legal framework more stringent, the first fundamental step is to systematically elevate rape to the status of a first-class crime by raising the thresholds for life imprisonment. Currently, prison sentences may seem derisory in light of the psychological and physical devastation suffered by victims; thus, establishing a minimum sentence of twenty years' imprisonment, with no possibility of reduction for simple rape, and life imprisonment for rape with aggravating circumstances, would better reflect the true gravity of this act.

This stricter approach must be accompanied by a broader and more explicit definition of the offense in the Penal Code, encompassing all forms of non-consensual rape, in order to prevent reclassification as minor offenses such as indecent exposure, which distort the scope of the punishment and provide loopholes for perpetrators.

The financial aspect of these stricter measures must not be overlooked, as it relates to the perpetrator's autonomy and accountability. The fines provided for in the Cameroonian Penal Code are often out of touch with current economic realities and the actual cost of rebuilding a shattered life. The maximum fines should be increased tenfold, and their payment should take priority over all other claims. Furthermore, a new provision could allow for the immediate seizure of the convicted person's assets as soon as the sentence is handed down, to fund a reparations fund for the damages suffered by the victim. This measure of "economic death" for the perpetrator complements the deprivation of liberty, ensuring that the punishment is not merely physical isolation but a heavy material burden that underscores society's absolute condemnation of the act.

3.2.2. Exclusion of Mitigating Circumstances

To make these penalties more severe, it is imperative to introduce mechanisms for "minimum sentences" or "mandatory aggravating circumstances" that would override the provisions of Article 90 of the Penal Code. By excluding the possibility for a judge to impose a sentence below the legal minimum for crimes such as rape followed by bodily injury, genital mutilation, or serious domestic violence, the legislature would send a message of zero tolerance.

This increased severity is based on the idea that certain offenses, due to their heinous nature and social impact, should not be subject to any leniency related to the offender's past or to alleged provocation by the victim.

For perpetrators of sexual crimes, for example, the severity of the criminal justice system will consist of the total and permanent elimination of mitigating circumstances. In current judicial practice, the perpetrator's character or lack of a criminal record often serves as a basis for reducing the sentence below the legal minimum. By amending the Code to make sentences non-reducible, the Cameroonian legislature would ensure that every convicted person serves their full sentence, sending a

message of zero tolerance to society. At the same time, this tougher approach must include the abolition of suspended sentences for these offenses, as the very idea that a rapist could be released immediately after conviction is an insult to the victim's dignity and an admission of weakness on the part of the judicial system. The automatic imposition of a prison term without parole must become the golden rule to restore the deterrent function of punishment.

The exclusion of mitigating circumstances in this specific context requires a technical revision of the articles dealing with crimes and offenses against the person. Currently, judges have significant discretion to reduce sentences if they believe the offender offers guarantees of rehabilitation or if the context of the act seems "explainable" according to a sometimes-patriarchal view of society. To toughen the punishment, the law should explicitly stipulate that, for offenses involving physical harm committed against women on the basis of their gender, the provisions regarding mitigation are inapplicable. This would transform the legal framework for these offenses into an exceptional regime, where the intrinsic gravity of the act takes precedence over the individualization of the sentence in the traditional sense. In other words, the aim would be to tie the judge's hands to ensure that the sentence imposed is always commensurate with the pain suffered by the victim and the trauma inflicted on the family unit, thereby preventing perpetrators from getting off with suspended sentences or fines that are derisory in light of the violence committed.

4. Conclusion

Ultimately, Cameroonian criminal law displays a protective intent that clashes with reality. Existing legal instruments, while commendable on paper, fail to stem what the United Nations calls a "silent pandemic," as they remain marred by fundamental gaps and lax enforcement. The absence of specific criminalization of femicide and coercive control reflects a still-patriarchal mindset that tolerates the intolerable, while the legal vacuum regarding cyberviolence exposes women to new dangers without effective recourse. To overcome this failure, the urgency of reform is no longer a question. It must be based on the dual approach of strengthening criminal offenses and increasing the severity of penalties. This requires the creation of standalone criminal offenses for femicide and coercive control, which must include effective protection of the confidentiality of correspondence between spouses, as well as specific legislation against the non-consensual distribution of intimate images. At the same time, eliminating mitigating circumstances for these serious crimes and establishing non-reducible minimum sentences would send a strong deterrent signal. This is not a matter of "feminist" justice but of justice, plain and simple justice that ceases to treat women's bodies and private lives as lawless zones.

Cameroon, which has ratified international instruments, must enact urgent measures to ensure safety and combat gen-

der-based violence by amending certain provisions of the Penal Code.

Abbreviations

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
UNFPA	United Nations Population Fund

Author Contributions

Kamgoui Kuitche Victorine: Conceptualization, Formal Analysis, Writing – original draft

Conflicts of Interest

The author declares no conflicts of interest.

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Biography



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