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## The provision of social security protection to workers in Cameroon: What is the legal vacuum

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### Abstract

This paper critically examines the role of National Social Insurance Fund (NSIF) for the protection of the social security rights of the retired persons in Cameroon with regards to ILO standards, to off root some of the various impediments involves and to provide measures on how to deal with it. In connection with our above objectives we adopted an in-depth content analysis which is based on primary and secondary sources of data collection imperative to the study. The retired persons are a set of vulnerable group of persons who rely on the informal sector such as their families for survival. Most families are not economically able to meet the needs of the elderly persons. Retired workers wish to secure a decent standard of living, within a context of social security. They can achieve this income security not only through productive employment, savings and accumulated assets, but also through social protection mechanisms. These mechanisms function not only as a protective but also as a productive factor. Retired workers need income security to make long-term plans for themselves and their families. Workers' income security is also good for the economy, since it makes effective demand more predictable and provides enterprises with a more productive and flexible workforce. However, how effective are the measures put in place by NSIF to ensure the protection of the right to social security of the retired workers in Cameroon is still an issue to grapple. It is revealed that, enormous efforts have been put in place by the NSIF to ensure the protection of the social rights of the retired workers though it is not insufficient. The retired persons despite the social protection given to them by the NSIF due face some socio-economic challenges such as poverty which jeopardises their life. Thus, the retired persons need to be given proper care so as to better of their life and be able to meet with the socio-economic challenges.

**Keywords:** Provisions of social security, retired workers rights in Cameroon

### Introduction

Social protection <sup>[1]</sup> plays a particularly important role in realising the human right to social security <sup>[2]</sup> for workers, in ensuring income security and access to essential services including health and care services in a way that promotes their rights and dignity <sup>[3]</sup>. Reliable sources of income security play a particularly important role for workers.

<sup>1</sup>. Social protection is often interpreted as having a broader character than social security (including, in particular, protection provided between members of the family or members of a local community). It is also used in some contexts with a narrower meaning than social security (understood as comprising only measures addressed to the poorest, most vulnerable or excluded members of society). Thus, unfortunately, in many contexts the terms "social security" and "social protection" are used interchangeably. In this thesis, pragmatically, the term "social protection" is used to mean protection provided by social security systems in the case of social risks and needs

<sup>2</sup> The notion of social security adopted here covers all measures providing benefits, whether in cash or in kind, to secure protection, inter alia, from:

- lack of work-related income (or insufficient income) caused by sickness, disability, maternity, employment injury, unemployment, old age, or death of a family member;
- lack of access or unaffordable access to health care;
- insufficient family support, particularly for children and adult dependants;
- general poverty and social exclusion.

Social security schemes can be of a contributory (social insurance) or non-contributory nature.

<sup>3</sup> Art.22, Universal Declaration of Human Rights, 1948 Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

As people grow older, they can rely less and less on income from employment for a number of reasons <sup>[4]</sup>. A social security system enhances people's welfare by protecting them against social risks which enable them to pursue a decent life. Social protection provides the essential needs for human survival and also improves the lives of individuals and societies by developing the human capital, facilitating structural change and the promotion of social justice and economic dynamism <sup>[5]</sup>.

The international community saw the need to effectively protect this right as a basic right in the guarantee of other human rights and obligations of retired workers and to this effect offered some provisions to ensure effective protection. According to the United Nations Declaration on Human Rights of 1948, "everyone, as a member of society, has the right to social security" <sup>[6]</sup>. On its part, article 25 further stipulates that, "...the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control". But the focus in this work is the social security right of the retired workers. To ensure this protection both at the international, regional and national levels, the legislators have been actively engaged in drafting regulations with the aim of protecting the social security right of retired workers. Cameroon has undergone enormous evolution in Social security scheme dating back as far as pre-colonial period. Before Cameroon gained her statehood, social security and protection of the retired or elderly was an entire affair of the family. The younger generation was at the centre of protecting the old and as a result, these led to the expansion of the family vital role of male dominance. Under the colonial era, western form of social security was introduced in the colony. However, this was only limited to pension scheme for those working under colonial entity with direct links to either the French or British <sup>[7]</sup>.

Before colonisation, pension law in its modern form was not known in Cameroon. Instead, the people engaged in mutual and social undertakings <sup>[8]</sup>. This self-reliance scheme could not keep pace with the establishment of large plantations and industries as colonisation took roof. Permanent workers were being recruited and had to be paid salaries and wages. The introduction of plantations in British Cameroon came with large scale employment of workers who abandoned their own farms to work for their new employers. As these plantations were established along the coastal line, notably Victoria, this resulted in the migration of Cameroonians, especially from the Bamenda hinterlands to the coastal

regions <sup>[9]</sup>. These workers were only able to stay out of work during public holidays and non-working days and the employment was to last as long as their work was efficient and profitable. As full time workers, remuneration was weekly, fourth nightly, or monthly. As the workers became inefficient or unprofitable, they were sent away without any compensation and the aged had to turn to their families for assistance. As a result of this hardship, a scheme was developed to cater for the welfare of workers after retirement.

By this scheme, employers and employees contributed some part of their salary. This money was deducted before salaries were paid and at the end of the workers working life, such money were computed and a lump sum paid back to him as retirement benefits or gratuity. Such traditional means was devised to ensure the protection of the household and the people at large against misfortune or suffering.

The first attempt in British Cameroon to draw up a beneficial pension scheme was in 1922 but unfortunately it was applicable only to workers of the civil service who at the time were mainly the personnel of the national security <sup>[10]</sup>. In fact, pension was paid only to workers who held positions that were termed pensionable offices <sup>[11]</sup>. In French Cameroon, Social protection started in the Republic of Cameroon on the 9<sup>th</sup> February 1946 with the introduction of family allowances provided by the Expatriates Family Allowances Fund, for French citizens employed in private undertakings <sup>[12]</sup>.

After Cameroon gained its independence from both the French and British in 1960 and 1961 respectively, in 1969 the first regulatory framework in social security was put in place and limited to social insurance. The Preamble of the Cameroonian Constitution of 18 January 1996 as amended foresees the protection of the elderly as a national duty. Several legislative and regulatory texts reinforce the protection of these rights. Institutionally, many ministerial departments (namely: public health, labour and social security, public service and administrative reform, economy and finance, social affairs, women empowerment and family) cooperate to promote the dignity and to the valorisation of the retired workers. In spite of the socio-economic and political changes originating from social organisation, the elderly represents an asset/relief in most families and communities but some are abandon.

To guarantee the social security rights of the retired persons, it is necessary to establish measures to ensure the stability of income of old persons because it serves as a guarantee to other rights like health care and contribution to the society. Nevertheless, Social protection is not only a contributing factor to economic development as discussed by International organisations such as the World Bank, but it is

<sup>4</sup> Social protection for older persons: key policy trends and statistics / International Labour Office, Social Protection Department. - Geneva: ILO, 2014 (Social protection policy paper; No. 11, ISSN: 1020-9581; 1020-959X)

<sup>5</sup> Bonila GA, Gruat JV. Social Protection, a Life-Cycle Continuum investment for Social Justice, poverty reduction and sustainable development, Social Protection Sector, ILO, Geneva 2003.

<sup>6</sup> Article 22 of the UN Declaration on Human Rights of 1948.

<sup>7</sup> Nkwawir Bongka M. G. (2010), Social Protection of the Elderly in Cameroon, Masters Dissertation, Oslo University College, p. 25.

<sup>8</sup> For instance in matters of agriculture, the extended family operated as a social undertaking. As produce increased, a farmer could call upon a whole village or group of persons, notably a njangi group to work on his farm. Such groups were not paid but were treated to food and drinks as a sign of gratitude or compensation for the work done.

<sup>9</sup> Njong J. Poverty among the Elderly in Cameroon. Bamenda, Cameroon 2004.

<sup>10</sup> Achancho AE. An Assessment of Pension Insurance on the Socio-Economic Life of the Retired Population in Buea-Cameroon, Open Journal of Social Sciences 2016;4:192-202. <http://dx.doi.org/10.4236/jss.2016.44028>.

<sup>11</sup> Gillion C. The Development and Reform of Social Security Pensions: The Approach of the International Labour Office International Security Review 2000;53:35-63. <http://dx.doi.org/10.1111/1468-246X.00062>

<sup>12</sup> Nkwawir Bongka MG. op. cit 2010, 3.

also a means to social stability and democratic participation by most groups in society<sup>[13]</sup>.

With this, in many countries Cameroon inclusive, public pension systems becomes a foundation on which at least basic income security has been built. Income security at old age depends also on the availability of and access to publicly provided social services provided free or at low cost including health care and long-term care. If secure and affordable access to such services is not provided, older persons and their families are often pushed into poverty<sup>[14]</sup>. Old-age pensions can certainly have a major impact on the livelihoods of households with an elderly person, but more widely spread benefits would be needed to have a substantial impact on the reduction of poverty for the entire population. Benefits for families with children can have an important impact on the reduction of poverty, as shown by some cash child benefit programmes in a development context. In terms of both the number of recipients and of total expenditure, the retirement pensions are undoubtedly the most important benefit provided by the Cameroon "Social Security System"<sup>[15]</sup>.

The international Labour Convention leave the protection, the maintaining and the establishment of persons to benefits from this social security are to be determined by the member states<sup>[16]</sup>. The convention provides, National legislation shall provides for the maintenance of rights in course of acquisition in respect of contributory invalidity, old-age and survivors' benefits under prescribed conditions<sup>[17]</sup>. In Cameroon, the government saw the need to ensure this protection by adopting and putting in place an institution to take into consideration the social security rights of the old person. This is in line with Convention No. 128 on invalidity, old age and survival benefits. The Convention provides, where the administration is not entrusted to an institution regulated by the public authorities or to a government department responsible to the legislature, representatives of the persons protected, shall participate in the management under prescribed conditions. National legislation may equally decide as to the participation of

representatives of employers and of the public authorities in the management<sup>[18]</sup>.

### 1. The objectives of social security for workers

Social security schemes are meant to provide access to health care and income security, i.e. minimum income for those in needs and a reasonable replacement income for those who have contributed in proportion to their level of income. The Income Security Recommendation, 1944 (No. 67), for instance, focuses on compulsory national social insurance schemes, which in principle also cover the self-employed, and provides for social assistance. In practice, however, it has been very difficult to implement this concept in the case of workers, such as many of the self-employed, who have irregular patterns of income, for whom the concept of earnings itself is difficult to measure and who generally have different social security needs and priorities. The emergence of new contributory schemes for workers in the informal economy has highlighted this need for a wider concept<sup>[19]</sup>. However, the highly covered risks are; Firstly, old-age that causes the inability of the worker to be actively involved in service or be in active service. This is situated around 60 years old in Cameroon (There is some talk about 60 years old for normal old-age pension and from 50 to 59 years old for early old-age pension)<sup>[20]</sup>.

Invalidity that causes the untimely retirement of the drill of wages activity. An invalid worker is the one who has undergone a permanent decrease of his physical and mental capacities, making him unable to earn more than the third (one third) of the remuneration that a worker of the same qualification can have by working.

Decease that brings out single-parent families and the loss of incomes. Its cover helps to pay allowances to the entitled of a deceased insured or to those who have supported the expenditures related to the funeral charges and financial charges related to medical checks<sup>[21]</sup>.

Persons covered in the branch of pensions receive their allowances as long as the live in Cameroon, except in case of reciprocity agreement with the country under the jurisdiction of which the insured is, and in which he is residence. Without any reciprocity agreement, the NSIF suspends the payment of the allowances of the branch Normal Old Age Allowance (NOAA)

The social security system in Cameroon is the distribution system, where the working population contributes for the non-working population, unlike capitalisation where the worker receives, when he retires, only an allowance corresponding to vested effort of capitalised savings. Considering weaknesses of each of both systems, the actual tendency is an incentive combined systems that support distribution and capitalisation<sup>[22]</sup>.

#### A. Enabling access to health services of workers through social security

The ILO's ultimate objective in the field of social health protection is:

<sup>18</sup> Ibid, article 36.

<sup>19</sup> International Labour Conference (2001), Social security: Issues, challenges and prospects, sixth item on the agenda, Report IV, Geneva, p.8.

<sup>20</sup>OndoTsango Y. M. N. Old-Age, Invalidity and Death Pension benefits, presentation to the NSIF, p.4.

<sup>21</sup>Ibid.

<sup>22</sup>Ibid.

<sup>13</sup>World Bank (2000). Pension and Social Security in Sub Saharan Africa. Washington D.C.

<sup>14</sup>Social protection for older persons: key policy trends and statistics / International Labour Office, Social Protection Department. - Geneva: ILO, 2014 (Social protection policy paper; No. 11, 1; ISSN: 1020-9581; 1020-959X.

<sup>15</sup> Jutting, J. (2000), Social Security Systems in Low-Income Countries: Concepts, Constraints and the Need for Cooperation, "International Social Security Review, 53, 3-24. <http://dx.doi.org/10.1111/1468-246X.00102>.

<sup>16</sup> In Cameroon, social security was introduced after the Second World War (1939-1945). First, we had the Expatriate Family allowances Clearing Fund. Sometimes later, it was transmitted to the Family Allowances Clearing Fund that becomes the National Social Insurance Fund in 1967. It only paid family benefits. In 1969, Law n° 69/LF/18 of November 10th, 1969, introducing a plan of Old-age Pension Insurance, of Invalidity and Decease. That law consecrated the birth of the old-age branch in Cameroon. But, it is only from July 1<sup>st</sup>, 1974 that the said law was enforced, following the signature of Decree n° 74/733 of August 19<sup>th</sup>, 1974 related to its implementation. The first allocations paid by the National Social Insurance Fund took effect on July 1, 1976.

<sup>17</sup>Article 30 of the Invalidity, Old-Age and Survivors' Benefits Convention, 1967 (No. 128).

*To achieve universal social health protection coverage defined as effective access to affordable health care of adequate quality and financial protection in case of sickness* [23].

The CRPD [24] is the first United Nations human rights treaty that was adopted in the twenty-first century [25]. The Convention aspires “to promote, protect and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and to promote respect for their inherent dignity”.

The right to health as a fundamental human right has been recognised for the first time at the international level in the WHO Constitution [26], which established that “The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being” (Preamble). The WHO Constitution also affirms that “health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.” The UDHR of 1948 contains a similar formulation (Article 25) [27]. The UDHR focuses on the concept of “adequate standard of living” although clearly affirms that the ultimate goal of the enjoyment of this right should have been the “health and well-being” of the individual. Thus, the right to health is indivisible, interrelated, and interdependent with other human rights, such as housing, social security, and medical care itself. Over time, the acknowledgment of health as a human right was reiterated in a wide array of formulations, in several international and regional human rights treaties [28].

<sup>23</sup> This was first formulated in the Medical Care Recommendation, 1944 (No. 69), which in its paragraph 8 provides that “the medical care service should cover all members of the community, whether or not they are gainfully occupied”. The universality of the right to health care is also formulated in the Declaration concerning the aims and purposes of the International Labour Organization (Declaration of Philadelphia), 1944, which states as follows: “The Conference recognizes the solemn obligation of the International Labour Organization to further among the nations of the world programmes which will achieve: .... (f) the extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care;...”. In addition, the 1948 Universal Declaration of Human Rights provides in its Article 25 (1) that “everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social service services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control”.

<sup>24</sup> The Convention on the Rights of Persons with Disabilities was adopted on 13 December 2006 and entered into force on 8 May 2008 together with its Optional Protocol.

<sup>25</sup> On the Convention in general, Marchisio *et al.* (2010).

<sup>26</sup> The WHO Constitution was adopted by the International Health Conference held in New York from 19 June to 22 July 1946, signed on 22 July 1946 and entered into force on 7 April 1948.

<sup>27</sup> Article 25 of the UDHR states that “Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.”

<sup>28</sup> For instance, the right to health is contained in sectorial treaties like the CERD of 1965 (Article 5), the ICESCR of 1966 (Article 12, para. 1), the CEDAW of 1979 (Article 12, para. 1), the CRC of 1989 (Article 24, para. 1).

The importance of wide social security coverage is underscored by the Sustainable Development Goals (SDG). SDG calls upon countries to implement nationally appropriate social protection systems for all, including floors for reducing and preventing poverty [29]. It is also reflected in SDG 3.8 [30], 5.4 [31] and SDG 8.5 [32].

Although social security is a human right, extensive coverage is not yet a reality for a majority of the world’s population. Only 45% of the global population is effectively covered by at least one social protection benefit while the remaining 55% as much as 4 billion people are left unprotected [33].

## **B. Social security guarantees income for workers**

It is a well-known fact that, limited earnings capacity as a result of severe disability constitutes a major poverty risk for men and women with disabilities and their families. Invalidity pensions, also often referred to as disability pensions, provide income protection for insured persons who are no longer able to engage in any employment, or who have reduced earnings capacities as a result of disability. Such contributory pensions are complemented by non-contributory disability benefits, whose scope of coverage is wider than the insured population. Most countries in which social security is fairly developed usually have a pension system in place. This typically consists of several pension schemes that either cover certain groups of the population or have different specific objectives. Many, but not all, of those pension schemes cover the risks of old age, disability and survivorship. In many high-income countries, pension systems have proved effective in reducing income poverty and other forms of poverty among older people [34].

Social protection in Cameroon encountered two phases of evolution:

1. Pre-independence: Before the country achieved independence on 6 December 1945, the ex-colonial power, France, set up a compensation fund for family benefits, with its headquarters in Douala.
2. Post-independence: Cameroon saw social protection formalised in law (n° 67 / LF / 08) on 12 June 1967, establishing the National Social Security Fund (NSSF) and the Labour Code (Act No. 92/007) on 14 August 1992.

<sup>29</sup> SDG 1.3 implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable

<sup>30</sup> Achieve universal health coverage, including financial risk protection, access to quality essential health-care services and access to safe, effective, quality and affordable essential medicines and vaccines for all.

<sup>31</sup> Recognise and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of shared responsibility within the the household and the family as nationally appropriate.

<sup>32</sup> By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.

<sup>33</sup> International Labour Organisation (ILO), (2017). *World Social Protection Report (2017-19)*. Accessible: <http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/--publ/do...>

<sup>34</sup> OECD: *Growing unequal? Income distribution and poverty in OECD countries*, Part III (Paris, 2008).

Beyond the Labour Code, there are several other Decrees and Ministerial Orders that govern the relationship between employees and employers in the country. Cameroon like most African countries faces serious challenges in extending social security coverage to a greater part of the population, especially to those in the informal sector.

The informal sector in Cameroon is comprised of micro-enterprises operated on a small scale by individual entrepreneurs, as well as of producers for own-account, and paid employees who are not covered or not contributing to social security<sup>[35]</sup>.

The Cameroonian informal sector, which officially occupies 90% of the active population in the country, is as productive as that of countries with a much higher economic output in Africa. According to an International Monetary Fund (IMF) report, the informal sector in Cameroon contributes 20 to 30% to the creation of the country's Gross Domestic Product (GDP)<sup>[36]</sup>.

To effectively achieve these objectives, the Cameroon legislator instituted the National Social Insurance Fund (NSIF), commonly known by its French acronym CNPS<sup>[37]</sup> to cater for social security protection of all workers in Cameroon but for civil servants and workers governed by a special statute. In order to effectively execute its mission, it is necessary to determine the main mission of the NSIF and the resources use by the NSIF to achieve its mission.

## 2. The mission of the NSIF

In order to effectively execute its mission, it is necessary to determine the main mission of the NSIF and the resources use by the NSIF to achieve its mission.

### A. The main mission of the NSIF Centers

The contributions of the social insurance are its main sources of revenue; the main mission of the NSIF is essentially oriented in two directions:

- The recovery or collection of contributions;
- Payment to the rightful persons such as retired persons, pensioners and their beneficiaries of the claims.

The NSIF also seeks to harmonise the treatment due to the beneficiaries of each categories, accelerate and render more trustworthy the procedures of taking charge of beneficiaries and to further humanise the relationship with users.

These measures are fundamental because the role of the NSIF in governmental policy of fighting poverty is essential. But the services of NSIF centre is mostly and directly concerned with the people facing some difficulties such as old age, industrial accident victims, family allowance, etc.

The general objectives of the pension scheme or social insurance as noted by Gillion<sup>[38]</sup> include;

- The extension of coverage to all members of the population;
- Protection against poverty in old age, during disability or on death of the wage earner for all members of the population;
- Provision of an income, in replacement of earnings lost as a result of voluntary or involuntary retirement for all those who have contributed;
- Adjustment of this income to take account of inflation and at least to some extent, of the general rise in living standards; and
- Creation of an environment for the development of additional voluntary provisions of retirement income;

### B. The beneficiaries

Within the framework of the execution of its social mission, the institution's action is geared toward two main targets:

- The wage-earner and his/her rightful claimants and
- The employer of skilled labour and domestic manpower.

#### 1) Wage-earner or rightful claimant

The expression wage-earner is used in labour parlance to refer to employee, workman to name a few. The labour code defines a wage-earner or worker in section 1 of the Labour Code as any person, irrespective of sex or nationality, who has undertaken to place his services in return for remuneration, under the direction and control of another person, whether an individual or a public or private corporation, considered as the "employer" and may pay him wages in return for the work done. However, difficulties exist in determining whether, a relationship existing between two or more persons can amount to a wage-earner-employer relationship<sup>[39]</sup>.

However, some people may obtain social benefits because they are put in the same category as wage-earners, or because they apply to be covered by the legislation of the social insurance: these are religious authorities and voluntary insured persons. The practice of the institution who have to be clearly defined must know the types of benefits that are opened to them and know how to fulfil some conditions so as to benefit from the rights open by the social insurance. It is, however noted, not every person who fulfils the above conditions of the labour code are considered to be covered by the NSIF<sup>[40]</sup>. The rightful claimants of the wage-earners may also benefits from the services of the NSIF. These are persons who depend on the deceased wage-earner and who may continue to receive some benefits that were due to him.

#### 2) The employer of the labour force

An employer is stated to be any individual or public corporation that employs under his authority and direction one or many persons on a permanent, casual or seasonal basis in return for remuneration. The NSIF distinguishes two categories of employers namely, skilled labour and employers of domestic manpower. Employers are under obligation to register their employees with the NSIF and to

<sup>35</sup>Charmes, J.(2012). *The Informal Economy: Definition, Size, Contribution, Characteristics and Trends*, Accessible: file:///C:/Users/hp/Downloads/the\_informal\_economy\_what\_it\_is\_part\_of\_volume\_2\_definition\_of\_the\_informal\_economy.pdf

<sup>36</sup> Mbodiam, B. (2017). *Cameroon, the Informal Sector weighs as much in GDP as in South Africa and Mauritius, but less than Nigeria*. Accessible: <https://www.businessincameroon.com/companies/1307-7263-in-cameroon>.

<sup>37</sup> Hereinafter referred to as Caisse Nationale de Prevoyance Sociale

<sup>38</sup>Gillion C. (2000), "The Development and Reform of Social Security Pensions: The approach of the International Labour Office," *International Security Review*

<sup>39</sup> This is illustrated by the the cases of *Nganga Emile Honore v. SCTA (Arret No. 48/s of 01/04/82, UNVDA Ndop v. AngeManda, BCA/C./88*, unreported decision of the Bamenda court of Appeal.

<sup>40</sup> See the exception provided by the section 1(3) of the labour code.

offer them necessary protection for safety and health. Any employer who neglects to register an employee under is liable to a fine of 50000FRS to 500000FRS or six months imprisonment<sup>[41]</sup>.

Added to this are the specificity of the vulnerable workers which include; besides the degree of development of the different pension systems and schemes to provide income support in old age, there are a number of core social and economic functions that are usually accepted as goals and aims of pension systems. Among them the most important ones regarding inequality and welfare are to:

- Avoid or alleviate poverty in old age.
- Achieve social risk pooling and income redistribution.
- Other critical functions will also have an impact on inequality and poverty in old age depending on the way it is done, but their explicit aim is neither redistribution of income nor poverty alleviation.
- Smooth income and consumption throughout the life of individuals.
- Provide fluidity and mobility for labour force younger and older cohorts by allowing the older cohorts to retire.
- Contribute to the savings and eventually investment rates in the country. These functions are achieved by different combinations of old age income support models and pension systems.

### 3. Considering social security as a right and a need in employment

The universal need for social security has been recognised by the world community<sup>[42]</sup> as a human right. Since the ILO was first set up in 1919, pursuing the achievement of social security has consistently been at the core of its mandate. The Organisation's approach to social security reflects both the status of social security in international law and its own constitutional mandate. The approach is rights-based: i.e. in order to realise the right to social security<sup>[43]</sup>, the ILO uses international legal instruments as the starting point, the main reference and the legal basis for the recognition of the existence of this right, and seeks to anchor all assistance and policy advice in international social security standards. This makes social security to be viewed as a right and need in employment relations.

#### 1) Social security as a right in employment relation

The international community saw the need to effectively protect this right as a basic right in the guarantee of other human rights and obligations of the old persons and to this effect offered some provisions to ensure effective protection. The right to social security is recognized as a human right in fundamental human rights instruments,

namely the Universal Declaration of Human Rights<sup>[44]</sup>, and the International Covenant on Economic, Social and Cultural Rights (ICESCR)<sup>[45]</sup>, and enshrined as such in other international<sup>[46]</sup> and regional legal instruments.

Within the UDHR, it expressed that, everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality<sup>[47]</sup>. The declaration further express that, everyone (including people suffering from vulnerabilities) has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control<sup>[48]</sup>.

However, while the Universal Declaration of Human Rights constitutes an authoritative recognition of fundamental human rights, the ICESCR is a treaty, open for signature and ratification and therefore a key instrument for giving reality to these human rights. The obligation of each State Party in the implementation of these rights is one of progressive realisation, as it undertakes, upon ratification, to take steps towards the full realisation of the relevant rights "to the maximum of its available resources", while ensuring immediate protection against discrimination<sup>[49]</sup>. To date, 160 United Nations member States have ratified or acceded to Article 9 of the ICESCR<sup>[50]</sup> and have thus committed themselves to guarantee for everyone the right to social security within their national boundaries.

Yonder the international legal instruments of general application, the ILO is not left out in the protection of the right to social security of vulnerable. The ILO has primary responsibility, since its creation in 1919, for the realization

<sup>44</sup>United Nations: Universal Declaration of Human Rights, adopted and proclaimed by General Assembly Resolution 217 A (III) of 10 December 1948 (New York, 1948).

<sup>45</sup> United Nations: International Covenant on Economic, Social and Cultural Rights, adopted by General Assembly Resolution 2200 A (XXI) of 16 December 1966 (New York, 1966).

<sup>46</sup> United Nations: Convention on the Elimination of All Forms of Discrimination against Women, adopted by General Assembly Resolution 34/180 of 18 December 1979, Articles 11(1)(e), 11(2)(b) and 14(2) (New York, 1979); Convention on the Rights of the Child, adopted by General Assembly Resolution 44/25 of 20 November 1989, Articles 26, 27(1), 27(2) and 27(4) (New York, 1989); International Convention on the Elimination of All Forms of Racial Discrimination, adopted by General Assembly Resolution 2106 (XX) of 21 December 1965, Article 5(e)(iv) (New York, 1965); International Convention on the Protection of the Rights of All Migrant Workers and Their Families, adopted by General Assembly Resolution 45/158 of 18 December 1990, Articles 27 and 54 (New York, 1990); Convention on the Rights of Persons with Disabilities, adopted by General Assembly Resolution A/RES/61/106 of 13 December 2006 (New York, 2006).

<sup>47</sup>Article 22 of the UDHR.

<sup>48</sup>Ibid, article 25.

<sup>49</sup> United Nations: International Covenant on Economic, Social and Cultural Rights, op. cit., Article 2, para. 1.

<sup>50</sup>This article 9 provides that, The States Parties to the present Covenant recognize the right of everyone to social security, including social insurance.

<sup>41</sup> Article 46(2) of Law No. 77/11 of 13 July 1977.

<sup>42</sup> Universal Declaration of Human Rights, 1948

<sup>43</sup> Irrespective of whoever assumes the ultimate responsibility for the exercise of the human right to social security, the principal objectives nevertheless aim at: reducing income insecurity, including the eradication of poverty, and improving access to health services for all people, so as to ensure decent working and living conditions; reducing inequality and inequity; providing adequate benefits as a legal entitlement; while ensuring the absence of discrimination on the basis of nationality, ethnicity or gender; and ensuring fiscal affordability, efficiency and sustainability.

of the right to social security. This mandate was reaffirmed in 1944 in the Declaration of Philadelphia and incorporated subsequently in the ILO Constitution. It explicitly recognizes the “solemn obligation of the International Labour Organization” to further among the nations of the world programmes that will achieve, inter alia, “the extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care”, as well as “provision for child welfare and maternity protection”, therefore extending the protection to all those in need<sup>[51]</sup>. The right to social security mentioned in the labour clauses of the Treaty of Versailles of 28 June 1919<sup>[52]</sup>, including the statute of the International Labour Organisation (ILO) and in the Declaration of Philadelphia of 10 May 1944, pertaining to the aims and objectives of the ILO, became a human right with the United Nations Universal Declaration of Human Rights of 10 December 1948 and the International Covenant on Economic, Social and Cultural Rights of 16 December 1966. The International Covenant marked an important step forward in implementation of the general principles of social security<sup>[53]</sup>.

To guarantee the social security rights of the retired persons, it is necessary to establish measures to ensure the stability of income of old persons because it serves as a guarantee to other rights like health care and contribution to the society. Nevertheless, Social protection is not only a contributing factor to economic development as discussed by International organisations such as the World Bank, but it is also a means to social stability and democratic participation by most groups in society<sup>[54]</sup>.

With this, in many countries Cameroon inclusive, public pension systems becomes a foundation on which at least basic income security has been built. Income security at old age depends also on the availability of and access to publicly provided social services provided free or at low cost including health care and long-term care. If secure and affordable access to such services is not provided, older persons and their families are often pushed into poverty<sup>[55]</sup>. Old-age pensions can certainly have a major impact on the livelihoods of households with an elderly person, but more widely spread benefits would be needed to have a substantial impact on the reduction of poverty for the entire population. Benefits for families with children can have an

important impact on the reduction of poverty, as shown by some cash child benefit programmes in a development context. In terms of both the number of recipients and of total expenditure, the retirement pensions are undoubtedly the most important benefit provided by the Cameroon “Social Security System”<sup>[56]</sup>.

A question that begs an answer is; is social security a matter of charity or right? The possible acceptable answer view social protection as a human right, grounded in the right to social security<sup>[57]</sup>, and enshrined in the Universal Declaration of Human Rights (1948). This means that States have an obligation, under international human rights law, to guarantee a minimum level of social protection and that all individuals hold the right to social protection.

One significant weakness of the convention is that it leave the protection, the maintaining and the establishment of persons to benefits from this social security are to be determined by the member states<sup>[58]</sup>. The convention provides, National legislation shall provide for the maintenance of rights in course of acquisition in respect of contributory invalidity, old-age and survivors’ benefits under prescribed conditions<sup>[59]</sup>. In Cameroon, the government saw the need to ensure this protection by adopting and putting in place an institution to take into consideration the social security rights of the old person. This is in line with Convention No. 128 on invalidity, old age and survival benefits. The Convention provides, where the administration is not entrusted to an institution regulated by the public authorities or to a government department responsible to the legislature, representatives of the persons protected, shall participate in the management under prescribed conditions. National legislation may equally decide as to the participation of representatives of employers and of the public authorities in the management<sup>[60]</sup>.

## 2) Viewing social security as a need

The rapidly growing interconnectedness of global financial, product and labour markets poses new challenges for the maintenance or enhancement of social justice. In a world in which financial and economic crises in any region are highly contagious and their effects on labour markets and

<sup>51</sup> This was the first time in history that the world community had declared its commitment to extending social security to all. This new universality paradigm view was reflected in the Income Security Recommendation, 1944 (No. 67) and the Medical Care Recommendation, 1944 (No. 69). These two Recommendations paved the way for the formulation of social security as a human right in the Universal Declaration of Human Rights and, some years later, in the ICESCR.

<sup>52</sup>Part XIII of the Treaty of Versailles of 28 June 1919, the founding document of the International Labour Organisation (ILO).

<sup>53</sup>Hereadero A. G. (2007), “Social security as a human right: The protection afforded by the European Convention on Human Rights,” *Human rights files*, No. 23, Council of Europe Publishing, F-67075 Strasbourg Cedex, p.1.

<sup>54</sup>World Bank (2000), *Pension and Social Security in Sub Saharan Africa*. Washington D.C.

<sup>55</sup>Social protection for older persons: key policy trends and statistics / International Labour Office, Social Protection Department. - Geneva: ILO, 2014 (Social protection policy paper; No. 11, p. 1; ISSN: 1020-9581; 1020-959X.

<sup>56</sup> Jutting, J. (2000), “Social Security Systems in Low-Income Countries: Concepts, Constraints and the Need for Cooperation”, *International Social Security Review*, 53, pp. 3-24. <http://dx.doi.org/10.1111/1468-246X.00102>.

<sup>57</sup> The terms social protection and social security are often used interchangeably and covers both social assistance and social insurance. See for example ILO, *World Social Protection Report 2017–19* (Geneva, 2017).

<sup>58</sup> In Cameroon, social security was introduced after the Second World War (1939-1945). First, we had the Expatriate Family allowances Clearing Fund. Sometimes later, it was transmitted to the Family Allowances Clearing Fund that becomes the National Social Insurance Fund in 1967. It only paid family benefits. In 1969, Law n° 69/LF/18 of November 10th, 1969, introducing a plan of Old-age Pension Insurance, of Invalidity and Decease. That law consecrated the birth of the old-age branch in Cameroon. But, it is only from July 1<sup>st</sup>, 1974 that the said law was enforced, following the signature of Decree n° 74/733 of August 19<sup>th</sup>, 1974 related to its implementation. The first allocations paid by the National Social Insurance Fund took effect on July 1, 1976.

<sup>59</sup>Article 30 of the Invalidity, Old-Age and Survivors’ Benefits Convention, 1967 (No. 128).

<sup>60</sup> Ibid, article 36.

social welfare spread rapidly, the capacity of individuals to cope alone with economic risks is less effective than before. The global social risks associated with pandemics and the expected effects of climate change have a similar impact on the levels of individual social security. National social security systems need to be stronger than ever to neutralise additional systemic global risks. The risks and opportunities inherent in globalization require effective social security.

#### 4. The liberal conditions of accessing social security in Cameroon

The social insurance system in Cameroon is founded on two main schemes based on compulsory social contributions: State pension scheme which covers the public service workers and state agents and National Social insurance fund (NSIF) Scheme which covers workers in the private and Para public sector who must be enrolled in NSIF by their employers. The National Social Insurance Fund operates pension insurance for old age, invalidity and death for all workers covered by article 1<sup>[61]</sup> of the Labour code who are working in Cameroon under the direction and authority of an individual or corporate body, public or private, considered as being an employer. However, the substantial protection deals with the conditions to be eligible for entitlement and the procedural requirements for entitlement.

##### 1) Eligibility Conditions to be fulfilled

The eligibility conditions are the *sine quo non* conditions to be fulfilled before a person can be entitled to benefits from social insurance pension. But as a general condition, any claimant for any benefit under the various old age schemes must have ceased all employment and must be affiliated and registered to the NSIF. The ILO labour convention on social security also provides for the general conditions which are taken over by the national legislations.

##### a) The general conditions of affiliation and registration

In accordance with the decree implementing the law on social insurance<sup>[62]</sup>, not every persons employed in Cameroon are considered to be subject to the social insurance law in Cameroon. This brings in the principle of affiliation as condition to be entitled to benefits and subsequently buttressed by registration into the NSIF.

##### b) Mandatory condition of affiliation and registration

The decree provides that, only workers as provided by article 1 of the labour code of Cameroon are considered subject to the social insurance plan and must be affiliated to the National Social Insurance Fund<sup>[63]</sup>. As stipulated by the

decree implementing the law on social insurance<sup>[64]</sup>, every worker authorised to conduct a professional development course in Cameroon or abroad remains subject to the pension insurance scheme. The contributions due during the probationary period shall be paid in the ordinary conditions by the employer, if he continues to support the salary of the worker<sup>[65]</sup>.

If the worker concerned has a grant from the state, a professional organisation or any other organisation, and if, at the end of his training, he returns to work with his employer, the latter shall pay retroactively all employer and workers contributions related to the probationary period. These contributions are calculated based on the last monthly salary received by the worker before his admission to the course. If the worker does not return to his previous job, he is admitted to discharge himself from all contributions to validate the training period<sup>[66]</sup>.

The law goes ahead to provide for instances of persons who are not covered by the labour code or any public service regulations or special instrument to voluntarily contribute and affiliate to NSIF<sup>[67]</sup>. In this case, the contribution is totally dependent on them. In such circumstances, any person wishing to benefit from the voluntary membership option need to apply to this effect to the National Social Insurance Fund within six months following the date on which he ceased to be eligible to liability conditions<sup>[68]</sup>. Affiliation to voluntary insurance takes effect on the first day of the calendar month following that in which the application is submitted. However, the insured may request that affiliation takes effect on the first day following the date on which he ceased to fulfil the terms of coverage. Voluntary insured may demand the termination of his insurance by registered letter addressed to the National Social Insurance Fund. Cancellation shall take effect from the first day of the calendar month<sup>[69]</sup>.

##### 2) The liberal condition of registration

The National Social Insurance Fund registers workers subject to pensions insurance. The registration application is made by the employer at the latest within eight days of the month of hiring in favour of a worker who has not been previously registered. After the registration, is assigned to each worker an insurance number for easy identification and its relations with the Fund<sup>[70]</sup>. All workers, who are subject to this insurance, must be affiliated by the employer and registered by the NSIF. After that, we can see that the NSIF covers practically all the social contributions, almost all the workers find their social security contributions collected. However very few find their old age pension paid after the

<sup>61</sup> This law shall govern labour relations between wage-earners and employers as well as between employers and apprentices under their supervision.

(3) This law shall not apply to staff governed by:  
 - the General Rules and Regulations of the Public Service;  
 - the Rules and Regulations governing the Judicial and Legal Service;  
 - the General Rules and Regulations governing Servicemen;  
 - the Special Rules and Regulations of the National Security;  
 - the Special Rules and Regulations of Prison Administration Civil Servants;  
 - the special provisions applicable to auxiliary staff.

<sup>62</sup> Decree No. 2014/23/77/PM of 13 August 2014

<sup>63</sup> See also article of the Law on social insurance which provides thus, "Are subject to the pension scheme established by this Act,

all workers referred to in Article I of the Labor Code, carrying on business in Cameroon under the direction and authority of another natural or legal person, public or private, at a remuneration which they derive their normal livelihoods."

<sup>64</sup> Decree n° 74-733 of August 19th, 1974 laying down the application of Law n° 69-LF-18 of November 10th, 1969 establishing an old age, invalidity and death insurance.

<sup>65</sup> Ibid, article 3(2).

<sup>66</sup> Ibid, article 3(3).

<sup>67</sup> Article 3 new (Law No. 84-007 of July 4th, 1984).

<sup>68</sup> Article 4 of Decree n° 74-733 of August 19th, 1974 laying down the application of Law n° 69-LF-18 of November 10th, 1969 establishing an old age, invalidity and death insurance.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid, article 5.



occurrence of a disaster. Thus, the work of the NSIF has remained partial and predisposes to a violation of the right to remuneration. For instance, in Menoua it has be note that for some years pensioners have not received their old age pension due to some reasons <sup>[71]</sup>.

Where the employer fails to have satisfied the obligation, registration can be performed by the National Social Insurance Fund, either on his own initiative or at the request of inspector of Labour and Social Welfare of the spring, or that of the insured <sup>[72]</sup>. The National Social Insurance Fund shall issue to each registered person an insurance booklet that records the essential information related to periods of employment. When hiring a worker already registered, it must submit its insurance book to the employer, mentions his hiring date, name, or the name of his company and his number of contributory service. When the worker leaves, the employer states on the insurance booklet the date of termination. It is forbidden to put any other annotation on the insurance booklet and, in particular, to make assessments on the worker. The information provided on the insurance booklets are certified by affixing the signature, and possibly the buffer or ink stamp of the employer or his agent <sup>[73]</sup>.

According to article 8 <sup>[74]</sup>, in case of loss or damage of the insurance booklet, there is a duplicate set of the same number. The reconstitution of the worker's employment periods is done in the light of work certificates and individual account held by the Fund. In case of contradiction, the entries given on the individual account are authentic. When an insurance booklet has been fully utilized, he is established a new bearing the same number as the previous. Within the eight days of hiring the employee, the employer shall submit to the National Social Insurance Fund a notice of hiring indicating the identity of the worker, his insurance beneficiary number eventually, and the date of entry into business. The employer must notify the Fund in the same period of the termination of the worker. The national Social Insurance Fund fixes models of application for registration, insurance booklet, engagement and termination notice, and affiliation demand for voluntary insurance as well as the list of supporting documents in support of applications for registration.

## 5. Challenges for obtaining effective social security for the vulnerable workers

Pension systems confront three distinct problems, with different relevance and combinations depending on the region, level of development and stage of the demographic transition. In many parts of the world pension systems remain narrow in scope <sup>[75]</sup> with huge problems of coverage.

<sup>71</sup>Jiope P. (2011), *La Caisse Nationale de Prevoyance Sociale et le Droit a la Pension de Retraite: le cas du Departement de la Menoua*, Masters Dissertation, Uninversity of Dschang.

<sup>72</sup> Ibid, article 6.

<sup>73</sup> Ibid, article 7.

<sup>74</sup>Article 4 of Decree n° 74-733 of August 19th, 1974 laying down the modalities for the application of Law n° 69-LF-18 of November 10th, 1969 establishing an old age, invalidity and death insurance.

<sup>75</sup> Many systems are designed only to cover civil servants and certain privileged categories of workers. Others, while broader, exclude certain categories such as rural workers and domestic workers. Still while some are formally open to all workers who contribute, informality and the requirements in terms of

As societies age, this will create a large group of vulnerable people in the elderly population. A second problem is that of sufficiency of the entitlements. While population coverage may be larger, in some cases such coverage is of dismal quality and pension values are absolutely inadequate to provide reasonable social protection in old age. Finally, many pension systems face actuarial and financial sustainability issues, requiring large transfers from general revenue and placing a heavy burden through taxes and social security contributions on the active population. As new cohorts become smaller and the elderly population increases, these problems will become more acute <sup>[76]</sup>. However, there are certain problems or challenges which are specific to the Cameroonian Social security system.

### 1) Administrative challenges

Social security schemes in Africa in general and Cameroon in particular also face administrative challenges. Often at times, political interference and bureaucracy have rendered schemes inefficient to meet the needs of scheme members. Improving administrative performance has also been difficult to meet. Meanwhile, cost reduction and good record keeping are at the core of providing better services and eliminating the opportunities for corrupt behaviour, but many schemes struggle to meet these standards <sup>[77]</sup>.

Elderly pensioners and non-pensioners rely on public institutions for service delivery to enhance their well-being. Pension processing and administrative bottlenecks have proven onerous for recipients, increasing poverty. Whatever pittance is received remains vital in ensuring sustenance. Elderly persons drawing a pension recount the nightmare and trauma of processing payments. Although Cameroon's government recently introduced up-front payments to the point where entitlements are finally processed, such delays in pension payments are detrimental to well-being. The vast majority without pensions are worst off as access to pensions represents a direct means of income. With limited and indirect access to pensions, women's vulnerability is evident, as they constitute a small number of pensioners and indirect beneficiaries. As widows, some may draw on a widow's allowance.

### 2) Limited benefits

Apart from low coverage, pension schemes in social insurance scheme in Cameroon tend to offer very limited benefits to those who are covered. Out of the 9 benefits stipulated in ILO Convention 102, most schemes in Africa offer only three benefits: survivor, disability and old age pension. Most Anglophone African countries provide only old age pension and related invalidity and survivors' benefits. Benefits in Francophone African countries expand beyond old age to include work injury, family and child benefits. Most of the schemes also pay very low pensions, making it difficult for pensioners to adequately smooth their consumption and protect themselves and their families from the risk of poverty.

contribution render formality unreal, with many workers who will never reach eligibility.

<sup>76</sup>Filgueira F. &Manzi P. (2017), *Pension and income transfers for old age Inter- and intra-generational distribution in comparative perspective*, ECLAC - Social Policy Series No. 225, p. 10.

<sup>77</sup>Barbone, L. & Sanchez B. L. (1999), *Pensions and Social Security in Sub-Saharan Africa: Issues and Options*. African Region Working Paper Series No.4, Washington DC: World Bank.

## 6. Ameliorating the institutional measures in the protection of the social security rights of the vulnerable persons

### 1) Institutional solidification

Institution strengthening according to Omokaro <sup>[78]</sup> is “the reinforcement of capacity or ability of institutions to understand issues, set objectives and achieve set goals, the establishment and bolstering of frameworks to enable optimal and sustainable performance of functions; elimination of weaknesses in networks and consolidation of partnerships and collaborations. The task of the institutions should also include key decision-making structures such as legislature and judiciary. Covering the third sector are non-governmental organizations (NGOs); civil society made up of unions, mutual societies, village development associations, social clubs, faith-based organisations, *njangis*, and welfare groups whose mandate and remit is to improve welfare and well-being of the elderly.

Enhancing the institutional capacity of developing countries to better manage their macroeconomic and social sector policies is crucially important in driving functional policy for the elderly. Paragraph 61 of the Madrid International Plan of Action on Ageing <sup>[79]</sup>, underscores the growing need for care, and treatment of an aging population requires adequate policies. The absence of such policies can cause major cost increases. Policies that promote lifelong health, including health promotion and disease prevention, assistive technology, rehabilitative care when indicated, mental health services, promotion of healthy lifestyles and supportive environments, can reduce disability associated with old age and effect budgetary savings. Without the ability to build robust institutions and manage policy processes, “poor countries often cannot absorb external resources, whether in the form of financial flows, technical expertise, or global public goods” <sup>[80]</sup>. Proponents and critics of development assistance level the blame at weak institutions. As Birdsall, Graham, and Sabott <sup>[81]</sup>, posit, “institution building’ is a catch-all concept that encompasses a wide variety of goals that have always been at the core of overcoming underdevelopment.” “These goals include enhancing governance, which includes the making and enforcing of rules and laws; improving public administrative and regulatory systems, provision of public services, such as water and roads; and more efficient and equitable provision of public goods and services, which range from defense to education and health.” In Cameroon as elsewhere in many African countries, poor administrative structures, corruption, limited resources, and political instability have undermined social security systems.

<sup>78</sup>Omokaro E. (2013), “Creating Sustainable Framework for Combating Elder Abuse through Human Resource Development, Institutions’ Strengthening and Research: Case of Nigeria.” Paper presented at the IFA International Workshop on Ageing and Age Friendly Environment, Yaoundé, Cameroon. May 27-28. P.4.

<sup>79</sup>United Nations (2003), “Madrid International Plan of Action on Ageing.” United Nations Department of Economic and Social Affairs.

<sup>80</sup> Graham C. (2002) “Strengthening Institutional Capacity in Poor Countries: Shoring Up Institutions, Reducing Global Poverty,” Brookings Policy Brief Series.

<sup>81</sup>Birdsall N., Graham C., & Sabott R. (1998), *Beyond Tradeoffs: Market Reforms and Equitable Growth Latin America—Part 3*. New York: Brookings Institution Press, p.321.

### 2) Improvement of the limited persons covered by the NSIF

Symptomatic of rhetoric that permeates the formulation of a social security policy framework for Cameroon are utterances of former minister of Labour and Social Security, Robert Nkili <sup>[82]</sup>. In a 2008 meeting with the committee in charge of the modernisation of Cameroon’s social security, he disclosed that a reformulation of Cameroon’s social security system would include farmers. In a report by Africa Press Agency, Nkili is quoted: It is unacceptable that as much as 90 percent of the country’s population remains uncovered by the social security scheme <sup>[83]</sup>. The modernisation of the social security would give farmers and other stakeholders of the informal sector, who also contribute enormously to the development of the nation, the opportunity to pay in social dues and benefit from the scheme at retirement. The 10 percent of Cameroonians registered with the National Social Insurance Fund (NSIF) are dominantly civil servants <sup>[84]</sup>.

The minister recalled that when his ministry was created in 2004, the government directive and the 2005 “text of application” gave the minister the responsibility of conceiving and applying a national social security policy. In the wake of its assigned mission, in line with a Prime Ministerial decision, the ministry authorised the deployment of committee members with the task of examining, analysing, and validating work conducted by a pilot committee charged with the rehabilitation of National Social Insurance Fund (NSIF) and the general reform of social security. Thus the National Social Insurance Fund should modernise the social security scheme in order to make these retired persons feel protected especially when they are sick, their hospital bills should be paid from the scheme.

The new approach will consist of maintaining the current structure, while making extensions to the informal sector or to farmers, but also modernising the current service to civil servants. For Robert Nkili, “social security must now go to the Cameroonians who participate in national development, not only the privileged 10 percent who are in offices” <sup>[85]</sup>. Despite the attempts, existing institutional policy concerning support and protection for the elderly in Cameroon nevertheless remains sketchy and inadequate.

### Conclusion

Social protection plays a particularly important role in realising the human right to social security for vulnerable workers/persons, in ensuring income security and access to essential services including health and care services in a way that promotes their rights and dignity. The rapidly growing interconnectedness of global financial, product and labour markets increases the need for social security. In a world in which financial and economic fluctuations spread rapidly, with an immediate effect on labour markets and social welfare, the capacity of individuals to cope alone with economic risks is even more limited than before. The global social risks associated with pandemics and the expected

<sup>82</sup> Africa Press Agency (2009), “Social Affairs Reform Almost Complete in Cameroon.” African Press Reform.

<sup>83</sup>Che Fonchingong C. (2014), *Firming Up Institutional Policy for Deprived Elderly in Cameroon*, *Politics & Policy*, Volume 42, No. 6, pp. 948-980.

<sup>84</sup>Africa Press Agency (2009), “Social Affairs Reform Almost Complete in Cameroon.” African Press Reform.

<sup>85</sup> Ibid.

repercussions of climate change have a similar impact on the levels of individual social security. To foster economic development, strengthen economic resilience and neutralise additional systemic global risks, national solidarity-based social security systems must be stronger than ever. Reliable sources of income security play a particularly important role for vulnerable persons. As people grow older, they can rely less and less on income from employment for a number of reasons. A social security system enhances people's welfare by protecting them against social risks which enable them to pursue a decent life. Social protection provides the essential needs for human survival and also improves the lives of individuals and societies by developing the human capital, facilitating structural change and the promotion of social justice and economic dynamism. Effective social security is needed to allow societies to cope with the risks of globalization, harness fully its opportunities, and adjust to continued change. This requires comprehensive and integrated national policy and institutional frameworks encompassing employment, social security and other social policies that will enable better responses to both structural changes and shocks. The right to social security if it is to be consistent, play effectively its productivity enhancing role and act as a social and economic stabilizer in an uncertain world has to be built into national laws, governance and institutional structures, as well as effective international mechanisms. Only such a combination of instruments can set the necessary social boundaries to the functioning of global markets. The government of Cameroon in order to ensure that the retired workers/person is well protected created the NSIF. This institution being a public establishment with a legal personality is charged with the mission of collecting the contribution and paying them to the rightful claimant. But to be eligible for this, the worker needs to fulfil the various conditions among which are the paramount condition of affiliation and registration. Wage-earners and employers must be affiliated to the NSIF in order to be covered. Affiliation is materialised by registration with the institution. Indeed, registration is an indispensable stage to all users of the NSIF. It is an administrative procedure which gives entitlement to a user to be on the role of the NSIF. It is a clear fact that retired workers/person who have been registered for social insurance and who have paid insurance premiums in accordance with the conditions and procedure provided by the law is supposed to be entitled to receive the pensions and benefits provided by the law. Some institutions assist the NSIF in the payment of this pension. However, the work of the NSIF is void of challenges and difficulties. These difficulties hinder the institution from effectively discharging their duties.

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