

DIGITAL TRADE REGULATORY INTEGRATION

COUNTRY PROFILE

Cameroon



INTRODUCTION

Towards the end of 2020, the Economic Commission for Africa launched an initiative on digital trade regulatory integration in Africa. The aim of the initiative was to collect information on the matter in order to: inform African Continental Free Trade Area negotiations on e-commerce; facilitate the introduction of a digital trade component in the Africa Regional Integration Index, a joint endeavour of the African Union Commission, the African Development Bank and the Economic Commission for Africa; and improve the coverage of African countries in the Organization for Economic Coopera-

tion and Development digital services trade restrictiveness index.

It is against this background that the Commission selected a set of 20 regulatory measures grouped into five pillars focusing on digital trade integration that could inform the inclusion of a digital trade component in the Africa Regional Integration Index (see annex I). Information was also collected on the 42 measures, also grouped into five pillars, that will be used to include African countries in the digital services trade restrictiveness index (see annex II).

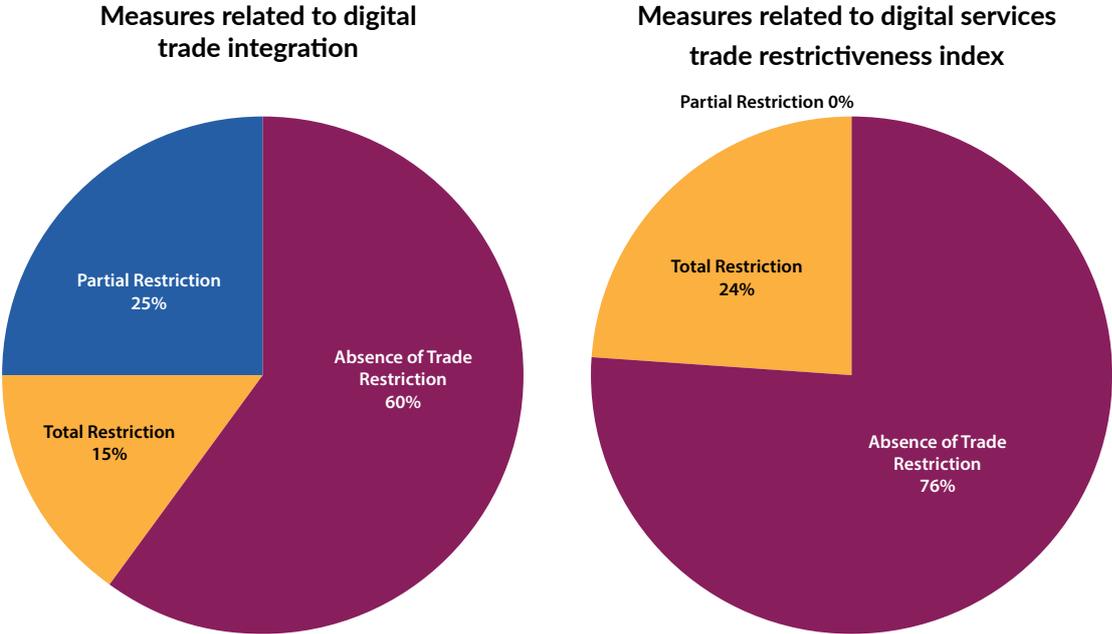
THE REGULATORY PROFILE OF CAMEROON

Information on regulatory measures was collected from official documents (laws, decrees, etc.) to identify the degree of restrictiveness of the regulatory environment in Cameroon (see annexes I and II). The findings are summarized in figure I.

Overall, 60 per cent of measures related to digital trade integration and 76 per cent of measures related to the digital ser-

vices trade restrictiveness index fall under the category “absence of trade restriction”, while ‘total restriction’ only 15 per cent of measures related to digital trade integration and 24 per cent of measures related to the digital services trade restrictiveness index fall under the category “total restriction”.

Figure I: Restrictiveness of digital trade in Cameroon (Percentage)

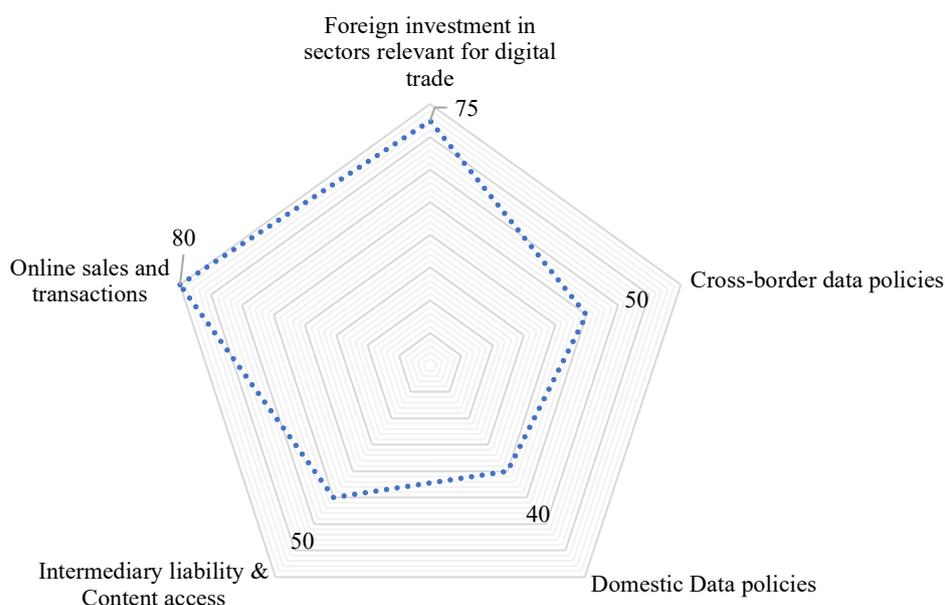


MEASURES RELATED TO DIGITAL TRADE INTEGRATION

The economy of Cameroon is thus somewhat digitally integrated and open to intra-African digital trade. This degree of openness is primarily driven by “online sales and transactions”, closely followed by “foreign investment in sectors relevant to digital trade” (see figure II).

Only 15 per cent of the economy of Cameroon is totally closed, but the 15 per cent of completely closed measures and the 25 per cent of partially closed measures could still have a very negative impact on digital trade. The “total restriction” measures are requirements for “screening of investment and acquisitions in sectors relevant to digital trade”, “user identity requirement/monitor-

Figure II: Share of “absence of restriction” within each pillar in measures related to digital trade integration (Percentage)



ing requirement” and “restrictions on e-payment, credit cards and other forms of online payment services/lack of legal framework for electronic transactions/e-signatures” (see annex I).

“Domestic data policies” have the most “partial restriction” measures, notably “lack of legal framework for data protection” (there is only sectoral legislation), the existence of

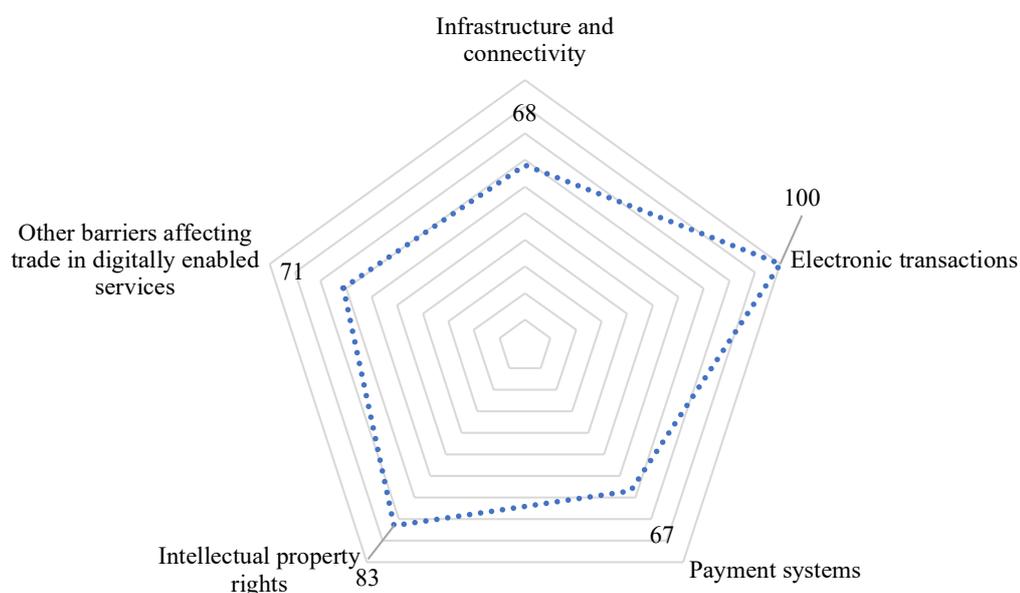
a “maximum period of data retention” and a low score for “business-to-consumer Internet use”. Other areas in the “partial restriction” category are “cross-border data policies” and “intermediary liability and content access”, with restrictions relating to “local storage requirement” of traffic data and “blocking or filtering of commercial web content”, respectively.

MEASURES RELATED TO THE DIGITAL SERVICES TRADE RESTRICTIVENESS INDEX

The data reveal that 76 per cent of measures do not impede digital trade in Cameroon, but “electronic transactions” is the only area in which 100 per cent of measures are without restriction, closely followed by “intellectual property rights” (83 per cent) (see figure III).

The restrictive measures regarding “infrastructure and connectivity” are: “vertical separation is required (fixed/mobile)”; “non-discriminatory Internet traffic management is mandated”; “there is at least one dominant firm in the market segment considered, mobile origin”; “cross-border transfer is possible when certain private sector safeguards are in place”; and “cross-border

Figure III: Share of ‘absence of restriction’ within each chapter in digital services trade restrictiveness index (Percentage)



data flows: certain data must be stored locally” (see annex II).

Other “total restriction” measures are: “restrictions on Internet banking or insurance” in “payment systems”; “discriminatory treatment for the protection of copyrights

and related rights” in “intellectual property rights”; “performance requirements affecting cross-border digital trade” and “limitations on downloading and streaming affecting cross-border digital trade” in “other barriers affecting trade in digitally enabled services”.

CONCLUSION AND RECOMMENDATIONS

Overall, regulations in Cameroon do not restrict digital trade: 60 per cent of measures related to digital trade integration and 76 per cent of measures related to the digital services trade restrictiveness index do not restrict trade. The restrictions that affect digital trade integration mainly concern online sales and transactions, and foreign investment in sectors relevant to digital trade. Restrictions that affect the digital services trade restrictiveness index concern mainly electronic transactions and intellectual property rights.

Some regulatory measures are either totally (15 per cent for measures related to digital trade integration and 24 per cent for measures related to the digital services trade restrictiveness index) or partially (25 per cent for measures related to digital trade integration) restrictive, which could be detrimental to the continental integration of digital trade.

The totally restrictive measures related to digital trade integration are:

- Screening of investment and acquisitions in sectors relevant to digital trade

- User identity requirement/monitoring requirement
- Restrictions to e-payment, credit cards and other forms of online payment services/lack of legal framework for electronic transactions/e-signatures

The totally restrictive measures related to the digital services trade restrictiveness index are:

- Vertical separation is required (fixed/mobile)
- Non-discriminatory Internet traffic management is mandated
- There is at least one dominant firm in the market segment considered, mobile origin
- Cross-border transfer is possible when certain private sector safeguards are in place
- Cross-border data flows: certain data must be stored locally
- Restrictions on Internet banking or insurance
- Discriminatory treatment for the protection of copyrights and related rights

- Performance requirements affecting cross-border digital trade
- Limitations on downloading and streaming affecting cross-border digital trade

The partial restrictions related to digital trade integration are:

- Lack of legal framework for data protection (only sectoral legislation)
- Maximum period of data retention
- Low score for “business-to-consumer Internet use”
- Requirement for local storage of traffic data
- Blocking or filtering of commercial web content

If Cameroon wishes to facilitate its participation in African digital trade regulatory integration and to improve its score for measures related to digital trade integration and measures related to the digital services trade restrictiveness index, these total and partial restrictions need to be removed by amending national and regional legislation. It is to be hoped that the amendment of Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, which is currently under discussion, and the future law on the protection of personal data, which is now being prepared, will contribute to this end.

Annex I: Measures related to digital trade integration in Cameroon

Pillar	Measure	Level of digital trade protection	Law/Act	Trade restriction
1.	Foreign investment in sectors relevant to digital trade			
1.1	Maximum foreign equity share for investment in sectors relevant to digital trade	No trade restriction	<ul style="list-style-type: none"> Act No. 2002/004 of 19 April 2002 on the Charter of Investments in the Republic of Cameroon Act No. 2013/004 of 18 April 2013 establishing incentives for private investment in the Republic of Cameroon 	
1.2	Requirement to engage in joint ventures in order to invest or operate in sectors relevant to the digital economy	No trade restriction	<ul style="list-style-type: none"> Act No. 2002/004 of 19 April 2002 on the Charter of Investments in the Republic of Cameroon Act No. 2013/004 of 18 April 2013 establishing incentives for private investment in the Republic of Cameroon 	
1.3	Nationality or residency requirement for the members of the board of directors or managers in sectors relevant to digital trade	No trade restriction	<ul style="list-style-type: none"> Act No. 2002/004 of 19 April 2002 on the Charter of Investments in the Republic of Cameroon Act No. 2013/004 of 18 April 2013 establishing incentives for private investment in the Republic of Cameroon 	
1.4	Screening of investment and acquisitions in sectors relevant to digital trade	Total restriction	<ul style="list-style-type: none"> Act No. 2013/004 of 18 April 2013 establishing incentives for private investment in the Republic of Cameroon, chapter 1, section 14 	Cameroon has a screening process applicable to all domestic and foreign investments that ensures that investors meet the criteria (as specified in chapter 1, section 14 of Act No. 2013/004 of 18 April 2013 on private investment incentives in the Republic of Cameroon), such as employment and export quantities, to qualify for private investment incentives.
2.	Cross-border data policies			

Pillar	Measure	Level of digital trade protection	Law/Act	Trade restriction
2.1	Ban on transfer and local processing requirement Local storage requirement Infrastructure requirement	Partial restriction	<ul style="list-style-type: none"> Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, Article 25 (1) Regulation No. 03/16-CEMAC-UMAC-CM of 21 December 2016 on payment systems, means and incidents, article 218 (new) 	In Cameroon, there is no specific legal provision on the location of data and its transmission outside national territory. However, data must be stored in a device or system in the Cameroonian territory in which it was generated. For instance, in telecommunications, network operators and providers of electronic communications services are required to keep connection and traffic data for a period of 10 years under the Cybersecurity Act (article 25 (1)). Personal financial data are stored by the central bank, which ensures its security and confidentiality (article 218 (new) of Regulation No. 03/16-CEMAC-UMAC-CM of 21 December 2016 on systems, payment methods and incidents).
2.2	Conditional flow regime	No trade restriction		
3.	Domestic data policies			
3.1	Lack of legal framework for data protection	Partial restriction	<ul style="list-style-type: none"> Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon E-Communications Consumer Protection Decree No. 2013/0399/PM of 27 February 2013 Directive No. 07/08-UEAC-133-CM-18 of 19 December 2008 on the Legal Framework for the Protection of Users of Electronic Communications Networks and Services within CEMAC 	There is no comprehensive data protection framework. The most comprehensive legal framework on domestic data protection is Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon. Also relevant is Decree No. 2013/0399/PM of 27 February 2013 laying down the rules for the protection of consumers of electronic communications services. Within the CEMAC zone, the E-Communications Consumer Protection Decree urges operators to guarantee the confidentiality of electronic communications and data on their networks.

Pillar	Measure	Level of digital trade protection	Law/Act	Trade restriction
3.2	Minimum/maximum period for data retention	Partial Restriction	<ul style="list-style-type: none"> Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, Article 25 (1) Directive No. 07/08-UEAC-133-CM-18 of 19 December 2008 on the Legal Framework for the Protection of Users of Electronic Communications Networks and Services within CEMAC, chapter 7: Processing of personal data, article 16 	Under article 25 (1), section I (Protection of communication networks) of Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, network operators and providers of electronic communications services are required to keep connection and traffic data for a period of 10 years.
3.3	Requirement to perform an impact assessment or have a data protection officer	No trade restriction		
3.4	Requirement to allow the Government to access personal data collected	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, article 25(2), section I (Protection of communications networks) 	
3.5	Business-to-consumer Internet use (Networked Readiness Index, pillar 7.5)	Partial Restriction		
4.	Intermediary liability and content access			
4.1	Lack of safe harbour for intermediaries to shield them from liability for third party content	No trade restriction	<ul style="list-style-type: none"> Chapter IX, section III (Obligations of providers of access, services and content), article 34 (2) of Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon 	
4.2	User identity requirement/ Monitoring requirement	Total restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, chapter VIII (Identification of subscribers and terminals), article 55 (1) Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, article 25 (2), section I (Protection of communications networks) 	Chapter VIII (Identification of subscribers and terminals), article 55 (1) of Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon requires operators of electronic communications networks open to the public and service providers, at the time of any subscription, to proceed to identification of subscribers and terminals, and to maintain lists of subscribers.

Pillar	Measure	Level of digital trade protection	Law/Act	Trade restriction
4.3	Blocking or filtering of commercial web content	Partial restriction	<ul style="list-style-type: none"> Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, article 46 (2), article 72 (1) 	Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon: under article 46 (2), content providers of electronic communications networks and information systems are required to set up filters to deal with harmful attacks on the personal data and privacy of users. Under article 72 (1), in the event of a serious event affecting the security of the State, the President of the Republic may impose upon operators and service providers any measure, ranging from restriction of access to certain services to temporary suspension of electronic communications, on all or part of the national territory. This was the case in 2017 when the Government of Cameroon ordered telecommunications service providers to completely shut down the Internet network in the English-speaking region. Netblocks has evidence that suggests that, in 2018, Facebook and WhatsApp were blocked the day before the election results were released.
4.4	Discriminatory use of licensing schemes for Internet service providers and applications, including strict licences on news providers and other digital service providers	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, chapter I (Restrictions and derogations), article 3.1 	
5. Online sales and transactions				
5.1	Restrictions on online sales, including on delivery	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 3.1 	

Pillar	Measure	Level of digital trade protection	Law/Act	Trade restriction
5.2	Restrictions on e-payment, credit cards and other forms of online payment services Lack of legal framework for electronic transactions/e-signatures	Total restriction	<ul style="list-style-type: none"> Instruction No. 008/GR/2019 relating to the terms and conditions of use outside CEMAC of electronic payment instruments, issued on 10 June 2019, article 7 	Instruction No. 008/GR/2019 relating to the terms and conditions of use outside CEMAC of electronic payment instruments, issued on 10 June 2019, refers to the remote settlement of transactions, in particular online payments, up to a limit of 1 million CFA francs (CFAF) (\$1,793.44) per person per month (article 7). This limit is increased to CFAF 5 million (\$8,967.21) for payment and withdrawal operations at counters and terminals located outside CEMAC. This instruction supports article 34 of the Regulation on foreign exchange regulations in CEMAC, which provides that “the use outside CEMAC of electronic payment instruments is restricted to current transactions within the limits of the thresholds provided for in this Regulation”.
5.3	Customs rules fail to impose de minimis rule	No trade restriction	Since 2019	
5.4	Restrictions on domain names such as the registration of a local domain name being a requirement for electronic retail, or a physical presence required for the registration of a local domain name	No trade restriction		
5.5	Lack of legal framework for consumer protection when purchasing online	No trade restriction	<ul style="list-style-type: none"> Framework Act No. 2011/012 of 6 May 2011 on consumer protection in Cameroon Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon 	

Abbreviation: CEMAC, Central African Economic and Monetary Community.

Annex II: Measures related to the digital services trade restrictiveness index in Cameroon

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
6. Infrastructure and connectivity					
6_1_1	Interconnection is mandated (fixed)	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015; chapter IV, articles 42 (1), 43 (1) Decree No. 2012/1640/PM of 14 June 2012 setting the conditions for interconnection, access to electronic communications networks open to the public and infrastructure sharing, adopted on 14 June 2012, chapter II, article 12 	
6_1_1	Interconnection is mandated (mobile)	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015; chapter IV, articles 42 (1), 43 (1) Decree No. 2012/1640/PM of 14 June 2012 setting the conditions for interconnection, access to electronic communications networks open to the public and infrastructure sharing, adopted on 14 June 2012, chapter II, article 12 	
6_2_1	Interconnection prices and conditions are regulated (fixed)	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015, chapter IV, article 42 (5) Decree No. 2012/1640/PM of 14 June 2012 setting the conditions for interconnection, access to electronic communications networks open to the public and infrastructure sharing, adopted on 14 June 2012, section II (Interconnection tariffs and access) 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
6_2_1	Interconnection prices and conditions are regulated (mobile)	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015, chapter IV, article 42 (5) Decree No. 2012/1640/PM of 14 June 2012 setting the conditions for interconnection, access to electronic communications networks open to the public and infrastructure sharing, adopted on 14 June 2012, section II (Interconnection tariffs and access) 	
6_3_1	Interconnection reference offers are made public (fixed)	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015; chapter IV, article 42 (7) Decree No. 2012/1640/PM of 14 June 2012 setting the conditions for interconnection, access to electronic communications networks open to the public and infrastructure sharing, adopted on 14 June 2012, article 28 (1) 	
6_3_1	Interconnection reference offers are made public (mobile)	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015, chapter IV, article 42 (7) Decree No. 2012/1640/PM of 14 June 2012 setting the conditions for interconnection, access to electronic communications networks open to the public and infrastructure sharing, adopted on 14 June 2012, article 28 (1) 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
6_4_1	Vertical separation is required (fixed)	Yes	Total restriction	<ul style="list-style-type: none"> Decree No. 2012/1638/PM fixing the terms of establishment and/or operation of networks and supply of electronic communications services subject to the authorization regime, adopted on 14 June 2012, article 10 	Article 10 of Decree No. 2012/1638/PM fixing the terms of establishment and/or operation of networks and supply of electronic communications services subject to the authorization regime, adopted on 14 June 2012, provides that each operator must keep cost accounting.
6_4_1	Vertical separation is required (mobile)	Yes	Total restriction	<ul style="list-style-type: none"> Decree No. 2012/1638/PM fixing the terms of establishment and/or operation of networks and supply of electronic communications services subject to the authorization regime, adopted on 14 June 2012, article 10 	Article 10 of Decree No. 2012/1638/PM fixing the terms of establishment and/or operation of networks and supply of electronic communications services subject to the authorization regime, adopted on 14 June 2012, provides that each operator must keep cost accounting.
6_5_1	Non-discriminatory Internet traffic management is mandated	No	Total restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015 	There is no particular provision regulating the use of Internet traffic in a territorial space.
6_25_1	There is at least one dominant firm in the market segment considered (fixed)	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015, article 5 (32) 2017 Annual Observatory of the Electronic Communications Market, published in July 2018, page 19 	
6_25_1	There is at least one dominant firm in the market segment considered, mobile termination	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015, article 5 (32) 2017 Annual Observatory of the Electronic Communications Market, published in July 2018, page 39 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
6_25_1	There is at least one dominant firm in the market segment considered, mobile origin	Yes	Total restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015, article 5 (32) 2017 Annual Observatory of the Electronic Communications Market, published in July 2018, page 39 	The 2017 Annual Electronic Communications Market Observatory, published in July 2018, which is an annual report published by the Telecommunications Regulatory Board in Cameroon, indicates on page 39 the foreign-invested company, MTN, as the dominant operator in the mobile telephony segment. Article 5 (32) of the Act governing electronic communications in Cameroon defines the dominant operator in relation to market share (percentage of revenues or traffic of this operator in relation to the revenues or traffic of all operators) of the market segment considered.
6_6_1	Restrictions on the use of communication services	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, adopted on 21 December 2010 and revised in 2015, article 18 	
6_7_1	Free cross-border transfer of personal data or application of the accountability principle	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 32 Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon (article 40 (1)) Decree No. 2013/0399/PM of 27 February 2013 setting out the terms and conditions for the protection of consumers of electronic communication services (article 5) 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
6_7_2	Cross-border transfer is possible when certain private sector safeguards are in place	No	Total restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 32 Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon (article 40 (1)) Decree No. 2013/0399/PM of 27 February 2013 setting out the terms and conditions for the protection of consumers of electronic communication services (article 5) 	There is no legislation on this issue. A bill on the protection of personal data is in preparation. It was drafted by the Ministry of Posts and Telecommunications two years ago and submitted to the hierarchy for assessment prior to adoption.
6_7_3	Cross-border data flows: cross-border transfer of personal data is possible to countries with substantially similar privacy protection laws	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 32 Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon (article 40 (1)) Decree No. 2013/0399/PM of 27 February 2013 setting out the terms and conditions for the protection of consumers of electronic communication services (article 5) 	
6_7_4	Cross-border data flows: cross-border transfer is subject to approval on a case-by-case basis	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 32 Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon (article 40 (1)) Decree No. 2013/0399/PM of 27 February 2013 setting out the terms and conditions for the protection of consumers of electronic communication services (article 5) 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
6_7_5	Cross-border data flows: certain data must be stored locally	Yes	Total restriction	<ul style="list-style-type: none"> • Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, article 25 (1) • Regulation No. 03/16-CEMAC-UMAC-CM of 21 December 2016 relating to payment systems, means and incidents, article 218 (new) 	In Cameroon, there is no specific legal provision on the location of data and their transmission outside the national territory, but data must be stored in a device or system in the Cameroonian territory on which they were generated. For example, in telecommunications, network operators and providers of electronic communications services are required to keep connection and traffic data for a period of 10 years under the Cybersecurity and Cybercrime Act (article 25 (1)). Personal financial data are stored by the central bank, which ensures their security and confidentiality (article 218 (new) of Regulation No. 03/16-CEMAC-UMAC-CM of 21 December 2016 relating to systems, resources and payment incidents.
6_7_6	Cross-border data flows: transfer of personal data is prohibited	No	No trade restriction	<ul style="list-style-type: none"> • Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 32 • Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon (article 40 (1)) • Decree No. 2013/0399/PM of 27 February 2013 setting out the terms and conditions for the protection of consumers of electronic communication services (article 5) 	
7. Electronic transactions					

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
7_1_1	Discriminatory conditions for licences to engage in e-commerce	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 3 Decree No. 2011/1521/PM of 15 June 2011 setting the terms of application of the law governing electronic commerce in Cameroon, adopted on 15 June 2011, article 4 	
7_2_1	Licence or authorization is required to engage in e-commerce	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 3 Decree No. 2011/1521/PM of 15 June 2011 setting the terms of application of the law governing electronic commerce in Cameroon, article 4 	
7_3_1	Online tax registration and declaration is available to non-resident foreign providers	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2019/023 of 24 December 2019 on the Finance Law of the Republic of Cameroon for the Fiscal Year 2020, chapter III (Modalities of collection and declaration), section I (Collection), article 149 quarter (2), article L2 (3), article C 24 (1) 	
7_4_1	National contract rules for cross-border transactions deviate from internationally standardized rules	No	No trade restriction	<ul style="list-style-type: none"> United Nations Convention on the Use of Electronic Communications in International Contracts, adopted in New York, 23 November 2005; entered into force 1 March 2013 United Nations Convention on Contracts for the International Sale of Goods, adopted on 11 April 1980, entered into force 1 January 1988 	
7_5_1	Laws or regulations explicitly protect confidential information	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2016/007 of 12 July 2016 relating to the Penal Code, chapter III (Breaches of personal confidence), article 311 (Breach of trade secrets) Bangui Agreement relating to the creation of an African Intellectual Property Organization, constituting a revision of the Agreement relating to the creation of an African and Malagasy Industrial Property Office, adopted in Bangui on 2 March 1977, revised 24 February 1999 and 14 December 2015, article 67 (2) TRIPS Agreement, section 7: Protection of undisclosed information, article 67 (Evidence), paragraph 2 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
7_6_1	Laws or regulations provide electronic signature with equivalent legal validity to handwritten signature	Yes	No trade restriction	• Act No. 2010/012 of 21 December 2010 on Cyber-crime and Cybersecurity, article 17	
7_7_1	Dispute settlement mechanism to resolve disputes arising from cross-border digital trade	Yes	No trade restriction	• CM Domain Name Dispute Management Policy	
8. Payment systems					
8_1_1	Discriminatory access to payment settlement methods	No	No trade restriction	• Regulation No. 04/18/CEMAC/UMAC/COBAC relating to payment services in CEMAC, article 5 • Circular letter 006 of 27 March 2020: For the attention of all payment service providers in CEMAC	
8_2_1	National payment security standards deviate from international standards	No	No trade restriction		

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
8_3_1	Restrictions on Internet banking or insurance	Yes	Total restriction	<ul style="list-style-type: none"> Instruction No. 008/GR/2019 relating to the terms and conditions of use outside CEMAC of electronic payment instruments, issued on 10 June 2019 with a view to facilitating the implementation of the regulation of 21 December 2018 regulating exchange rates in CEMAC, article 5, article 7 	For the same payment instruments (bank card with immediate debit, deferred debit or credit card and prepaid cards), Instruction No. 008/GR/2019 relating to the terms and conditions of use outside CEMAC of electronic payment instruments, issued on 10 June 2019, discriminates between means of payment. It limits remote settlement of transactions (including online payments) to CFAF 1 million (\$1,793.66), per person per month (article 7), while for payment and withdrawal operations at counters and terminals, this ceiling is raised to CFAF 5 million (\$8,967.97).
9. Intellectual property rights					
9_1_1	Foreign firms are discriminated against on trademark protection	No	No trade restriction	<ul style="list-style-type: none"> Bangui Agreement relating to the creation of an African Intellectual Property Organization, constituting a revision of the Agreement relating to the creation of an African and Malagasy Industrial Property Office, adopted in Bangui on 2 March 1977, revised 24 February 1999 and 14 December 2015, article 5 (3), article 25 (1) Act No. 2016/007 of 12 July 2016 relating to the Penal Code, chapter III (Attack on property), article 330 (Trademarks) TRIPS Agreement, Part I, General Provisions and Basic Principles, article 3 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
9_2_1	Discriminatory treatment for the protection of copyrights and related rights	Yes	Total restriction	<ul style="list-style-type: none"> Act No. 2000/011 of 19 December 2000 on copyright and neighbouring rights, article 93 (1) 	Article 93 (1) of Act No. 2000/011 of 19 December 2000 on copyright and neighbouring rights provides that foreigners in Cameroon enjoy copyright or neighbouring rights of which they are holders, on the condition that the law of the State of which they are nationals or on the territory of which they have their domicile, their registered office or an establishment protects the rights of Cameroonians (principle of reciprocity). In addition, while it joined WIPO in 1973, Cameroon has not ratified either the WIPO Copyright Treaty or the WIPO Performances and Phonograms Treaty. Cameroon has been a member of the World Trade Organization since January 1995 and is therefore a signatory of the TRIPS Agreement. It is a member of the International Union for the Protection of Industrial Property (Paris Union) (accession: 10 February 1964, effective from 10 May 1964) and a member of the International Union for the Protection of Literary and Artistic Works (Berne Union) (declaration of continued application: 21 September 1964; effective 1 January 1960).
9_3_1	Exceptions to copyright protection are limited in accordance with international rules	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2000/011 of 19 December 2000 on copyright and related rights of 19 December 2000, article 36 (2) 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
9_4_1	Enforcement of intellectual property rights: judicial or administrative enforcement measures and remedies are available	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2000/011 of 19 December 2000 on copyright and related rights, article 85 (1) Bangui Agreement relating to the creation of an African Intellectual Property Organization, constituting a revision of the Agreement relating to the creation of an African and Malagasy Industrial Property Office, adopted in Bangui on 2 March 1977, revised 24 February 1999 and 14 December 2015, title VI, Other legal actions and proceedings for annex I (patents for invention), title VII, Infringement, prosecutions and penalties for annex II (utility models), etc. 	
9_4_2	Enforcement of intellectual property rights: provisional measures are available	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2000/011 of 19 December 2000 on copyright and related rights, article 85 (2) 	
9_4_3	Enforcement of intellectual property rights: criminal enforcement proceedings and penalties are available	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 2000/011 of 19 December 2000 on copyright and related rights, title VI 	
	Other barriers affecting trade in digitally enabled services				

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
9_6_1	Performance requirements affecting cross-border digital trade	Yes	Total restriction	<ul style="list-style-type: none"> Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, revised in 2015, article 22 	<p>The regulations in force in Cameroon require the hiring of Cameroonians in preference to foreigners: this is provided for in article 22 of the Act on electronic communication in Cameroon:</p> <p>The opening to nationals, under public or private law, of the capital of concession agreement holders, when it is held by foreigners, from the start of commercial exploitation</p> <p>Integration of nationals, under public or private law, into the governing bodies of companies with predominantly foreign capital.</p>

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
9_7_1	Limitations on downloading and streaming affecting cross-border digital trade	Yes	Total restriction	<ul style="list-style-type: none"> Act No. 2010/012 of 21 December 2010 on Cybersecurity and Cybercrime in Cameroon, article 25 (2) Act No. 2010/013 of 21 December 2010 governing electronic communications in Cameroon, revised in 2015, article 72 (1) 	<p>In accordance with article 25 (2), section I (Protection of communication networks) of Act No. 2010/012 of December 2010 on Cybersecurity and Cybercrime in Cameroon, network operators and service providers of electronic communications must put in place mechanisms to monitor the data traffic of their networks. These data may be consulted during judicial investigations. Under article 72 (1), in the event of a serious event affecting the security of the State, the President of the Republic may impose on operators and service providers any measure, ranging from the restriction of access to certain services to the temporary suspension of electronic communications, on all or part of the national territory. This was the case in 2017 when the Government of Cameroon ordered telecommunications service providers to completely shut down the Internet network in the English-speaking region.</p>
10_1_1	Restrictions on online advertising	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon Act No. 2006/018 of 29 December 2006 governing advertising in Cameroon 	
10_2_1	Commercial presence is required in order to provide cross-border services	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 3, article 4 Act No. 2016/004 of 18 April 2016 governing foreign trade in Cameroon, article 6 (1) 	

Digital services trade restrictiveness index code	Measure	Response	Level of digital trade protection	Law/Act	Trade restriction
10_3_1	Local presence is required in order to provide cross-border services	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 3, article 5 Act No. 2016/004 of 18 April 2016 governing foreign trade in Cameroon, article 6 (1) Naming charter in the “.CM” zone, article 2 	
10_4_1	Firms have redress when business practices restrict competition in a given market	Yes	No trade restriction	<ul style="list-style-type: none"> Act No. 98/013 of 14 July 1998 relating to competition, article 33 	
10_50_1	Other restrictions on digitally enabled services	No	No trade restriction	<ul style="list-style-type: none"> Act No. 2010/021 of 21 December 2010 governing electronic commerce in Cameroon, article 3 	

Abbreviations: TRIPS Agreement, Agreement on Trade-Related Aspects of Intellectual Property Rights; WIPO, World Intellectual Property Organization.

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