



September 2018

### Submission to the Commonwealth Ministerial Action Group (CMAG)

The Commonwealth Human Rights Initiative (CHRI) joined by the undersigned Commonwealth, international, and regional civil society groups draw the attention of CMAG to the number of indiscriminate killings, arbitrary arrests, detention without recourse to justice, and torture in Cameroon. Amnesty International have reported that 20 protesters have been killed, and information from UN agencies and Cameroonian civil society indicate that as a result of the ongoing crisis, more than 411,000 have now been displaced, 128 villages burnt, and more than 1,000 individuals are in detention.

It is clear that the Government of Cameroon is now in breach of the Commonwealth Charter, the Latimer House Principles, and the Harare Declaration. In the spirit of that Declaration's call for *'non-governmental Commonwealth organisations to play their full part in promoting these objectives, in a spirit of co-operation and mutual support,'* CHRI, joined by the undersigned groups, call on CMAG to now add Cameroon to its formal agenda.

It is imperative that CMAG act; the crisis has moved beyond the stage where considering lessons learnt from other bilingual states is either appropriate or acceptable. Indeed, a crisis which began with protests by lawyers, students, teachers and civil society groups from the Anglophone community against marginalisation and discrimination has deteriorated to a situation where security forces have brutally dispersed demonstrators resulting in deaths and injury. Protestors have been detained unlawfully, freedom of assembly, access to the internet and information constrained, and access to justice severely impaired.

The appendix to this statement goes into more detail, but of major concern are the fact that:

- Security forces have reacted to protests with excessive force resulting in protestors death
- Counter terrorism laws have been used to arrest protestors and journalists
- Prisoners have been denied due process
- Protestors in police custody, including minors, have been tortured to extract confessions
- The independence of the judiciary has been compromised
- Internet connections and access to social media platforms have been blocked

## **Signed**

The Commonwealth Human Rights Initiative (CHRI)

African Centre for Democracy and Governance

Africans Rising

Afrika Youth Movement

All Party Parliamentary Human Rights Group (UK)

Association for the Protection of Natural Resources in Cameroon

CIVICUS: World Alliance for Citizen Participation

Centre for Human Rights and Democracy in Africa

Commonwealth Association for Health and Disability

Commonwealth Lawyers Association

Commonwealth Journalists Association

Crisis Action

Dominicans for Justice and Peace

East African Civil Society Organizations' Forum

Freedom House

Friends of Assam and Seven Sisters

Institute of Commonwealth Studies

International Bar Association's Human Rights Institute

International Federation for Human Rights (FIDH)

Minority Rights Group International

Nouveaux Droits de l'Homme Cameroun

Public Media Alliance

Royal Commonwealth Society, Cameroon

Soroptimist International: a Global Voice for Women

The Commonwealth Equality Network

Un Monde Avenir

United Nations Association - UK

World Dynamics of Young People (WDYP) - Cameroon

Appendix:

- **Security forces have exercised excessive use of force in reacted to protests, resulting in the death of protestors<sup>i</sup>**

As Amnesty International and Human Rights Watch have verified, between 21<sup>st</sup> September and 1<sup>st</sup> of October 2017 Cameroonian security forces shot dead 20 protesters by firing indiscriminately on crowds in Buea, Kumba, and Bamenda.<sup>ii</sup>

In November 2017, a group of lawyers staging a small protest outside the courthouse in Bamenda, to demand the withdrawal of judges who lacked competence to preside over common law courts were dispersed with tear gas. During an operation on 13<sup>th</sup> December 2017 by Rapid Intervention Battalion (BIR) in the village of Dadi, at least four unlawful killings, 23 arbitrary arrests and destruction of property was reported by Amnesty International.<sup>iii</sup>

- **2014 anti-terror legislation,<sup>iv</sup> enacted to counter the so-called Islamic State in West Africa, is vaguely drafted, and has been used to arrest protestors and journalists.<sup>v</sup>**

In December 2016, 100 protestors were “violently arrested,” and in October 2017 500 were arrested at the protests described above where 20 were killed.<sup>vi</sup>

Dissent, and even impartial reportage has been tagged as “terrorism,” for example in February 2017 university lecturer Fontem Neba, were arrested and charged under this legislation for organising peaceful protests;<sup>vii</sup> and, International Press Freedom Award winner Ahmed Abba was arrested and sentenced to 10 years imprisonment by a military tribunal for “non-denunciation of terrorist acts,” on appeal his sentence was reduced by another military court, but the charge upheld.<sup>viii</sup> The Committee to Protect Journalist (CPJ) has stated that journalists are now too afraid of covering any political news or sensitive issue due to fear of arrest and detainment.

These actions have fostered a fear of reprisal amongst protestors and journalists alike.<sup>ix</sup>

- **Protestors in police custody, including minors, have been tortured to extract confessions and prisoners denied due process<sup>x</sup>**

Human rights defenders from Cameroon have confirmed to CHRI that people have been arbitrarily arrested and tortured while detained in illegal detention facilities and in secret.

On 15 September 2018, CHRI received reports that more than 50 Anglophone detainees are held incommunicado currently at Secretariat d'État à la Défense (SED) in Yaoundé without access to legal counsel. Amnesty International also reported that on 13 December 2017, that at least 23 people, including minors were arrested and kept in incommunicado detention for three days. Previously, in January 2017, Cameroon Government banned Cameroon Anglophone Civil Society Consortium (CACSC) and Southern Cameroons National Council (SCNC) holding them responsible for the protests and charged President Nkongho Felix Agbor-Balla and Secretary General Dr. Fontem Neba of CASC for terrorism.<sup>xi</sup>

Additionally, 27 Cameroonian activists arrested by Nigerian Authorities in January were held incommunicado following their deportation to Cameroon for six months until June 2018.<sup>xii</sup> Their statements to Amnesty International revealed that they were tortured to extract the confession that they were in support of the armed separatist group.<sup>xiii</sup> Seven were sentenced to up to 15 years in prison for rebellion and acts of “terrorism.”<sup>xiv</sup>

- **The independence of judiciary has been compromised**

Cameroon's English-speaking regions operate under Common Law. This creates a disparity with Francophone areas operating under the French Civil Law. Lawyers from Anglophone region of Cameroon have complained for long that legislations aren't translated into English and often French-speaking judges are appointed in Anglophone region of Cameroon.<sup>xv</sup>

Furthermore, in early 2017, the Deputy Attorney General of the Cameroonian Supreme Court, Hon Ayah Paul was arrested and detained on suspicion of his support for Cameroonian federalism.<sup>xvi</sup> Aboubakary Siddiki a prominent voice for the opposition was indicted and sentenced to 25 years by a military court on charges of hostility against the homeland, revolution, and contempt of the President. Amnesty international described this trial as unfair and deeply flawed.<sup>xvii</sup> These arrests reflect a trend of state orientated juridical application that has served to silence critics.

- **Internet connections and access to social media platforms have been blocked<sup>xviii</sup>**

The Government of Cameroon has blocked internet connections and of access to social media platforms.<sup>xix</sup>

Between January 2017 and March 2018, the government shut the internet in Anglophone regions for 240 days.<sup>xx</sup> The government further passed a regressive law that included the assertion that "irresponsible use of social media is punishable by the law."<sup>xxi</sup>

---

<sup>i</sup> Amnesty International. Cameroon: Anglophone regions gripped by deadly violence. Available at: <https://www.amnesty.org/en/latest/news/2018/06/cameroon-anglophone-regions-gripped-by-deadly-violence/>, and Africa Quartz. Cameroon's "Anglophone" crisis has reached a boiling point as security forces kill 17 protesters. Available at: <https://qz.com/africa/1092006/cameroon-anglophone-crisis-police-kill-15-southern-camerootns-independence-protestors/>

<sup>ii</sup> Amnesty International, 'A turn for the worse: Violence and human rights violations in Anglophone Cameroon', June 2018. Available at <https://www.amnesty.org/download/Documents/AFR1784812018ENGLISH.PDF>; Human Rights Watch, 'Cameroon: Killings, Destruction in Anglophone Regions', July 2018. Available at <https://www.hrw.org/report/2018/07/19/these-killings-can-be-stopped/abuses-government-and-separatist-groups-camerootns>

<sup>iii</sup> *Ibid*

<sup>iv</sup> Al Jazeera. Cameroon using 'anti-terror' law to silence media: CPJ. Available at: <https://www.aljazeera.com/news/2017/09/cameroon-anti-terror-law-silence-media-cpj-170920112612527.html>

<sup>v</sup> *Ibid*

<sup>vi</sup> Reuters, *Over 500 Anglophones arrested in Cameroon after demonstrations*, 13 October 2017. Available at <https://www.reuters.com/article/us-cameroon-politics/over-500-anglophones-arrested-in-cameroon-after-demonstrations-amnesty-idUSKBN1C11QY>

<sup>vii</sup> The Guardian, *Fears for jailed activists as Cameroon cracks down on Anglophone minority*, 2 February 2017. Available at <https://www.theguardian.com/world/2017/feb/01/cameroon-activists-to-remain-in-jail-as-terrorism-trial-is-delayed>

<sup>viii</sup> Committee to Protect Journalists (CPJ), *Cameroon uses anti-terror law to silence critical press*, 20 September 2018. Available at <https://cpj.org/2017/09/cameroon-uses-anti-terror-law-to-silence-critical.php> See also Amnesty International Report.

<sup>ix</sup> CPJ. *Journalists Not Terrorists*. Available at: <https://cpj.org/reports/2017/09/journalists-not-terrorists-cameroon-ahmed-abba-anti-terror-imprisoned.php>

<sup>x</sup> Gvnet. *Torture by Police, Forced Disappearance & Other Ill Treatment*. Available at: <http://gvnet.com/torture/Cameroon.htm>

<sup>xi</sup> CNN, *Cameroon goes offline after Anglophone revolt*, 2 January 2018. Available at <https://edition.cnn.com/2017/02/03/africa/internet-shutdown-cameroon/index.html>

<sup>xii</sup> Human Rights Watch Report on Cameroon

<sup>xiii</sup> UNPO. *Timeline: Unfolding of the Independence Movement in Ambazonia*. Available at: <http://unpo.org/article/21073>

<sup>xiv</sup> Al Jazeera, *Anglophone activists convicted of 'terrorism' in Cameroon*, 26 May 2018. Available at <https://www.aljazeera.com/news/2018/05/anglophone-activists-convicted-terrorism-cameroon-180526071518428.html>

<sup>xv</sup> New York Times, *'A Bilingual Cameroon Teeters After English Speakers Protest Treatment'*, 9 February 2017. Available at <https://www.nytimes.com/2017/02/09/world/africa/a-bilingual-cameroon-teeters-after-english-speakers-protest-treatment.html>

<sup>xvi</sup> Journal du Cameroun, *Justice Ayah Paul: as profiled by Solomon Amabo*, 10 August 2017. Available at <https://www.journalducameroun.com/en/justice-ayah-paul-profiled-solomon-amabo/>

<sup>xvii</sup> Reuters, *'Cameroon court sentences opposition leader to 25 years in prison'*, 30 October 2017. Available at <https://www.reuters.com/article/us-cameroon-justice/cameroon-court-sentences-opposition-leader-to-25-years-in-prison-idUSKBN1CZ2JL>

<sup>xviii</sup> Quartz Africa. *The internet, slow and sketchy, is back in Cameroon's Anglophone regions—for now*. Available at: <https://qz.com/africa/1221011/the-internet-slow-and-unstable-is-back-in-camerootns-anglophone-regions/>

<sup>xix</sup> OHCHR, *'UN expert urges Cameroon to restore internet services cut off in rights violation'*, 10 February 2017. Available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21165&LangID=E>

<sup>xx</sup> <https://qz.com/africa/1221011/the-internet-slow-and-unstable-is-back-in-camerootns-anglophone-regions/>

<sup>xxi</sup> <https://allafrica.com/stories/201701180379.html>