

**SUBMISSION TO THE COMMONWEALTH MINISTERIAL ACTION GROUP ON CAMEROON**

19 September 2017

The Commonwealth Human Rights Initiative (CHRI) writes to draw the attention of the Commonwealth Ministerial Action Group (CMAG) to the human rights and civil liberties situation in Cameroon. We urge the CMAG to take effective steps towards release all political prisoners, investigate allegations of illegal detention, ensure an enabling environment for dialogue and honour its international human rights obligations. CHRI also welcomes the release of Felix Balla, Fontem Neba, Mancho Bibixy and Justice Paul Ayah detained for over six months, and hopes that this will continue in the process of building a stable, peaceful and democratic Cameroon.

Beginning with the lawyers' strike on 11 October 2016 in Bamenda, the provinces of Northwest and Southwest Cameroon have witnessed continued protests and demonstrations against the government's linguistic and cultural policies and practices; "francophonisation" of courts, the education system and the marginalisation of the Anglophone population are some of the long-standing grievances against the central Francophone administration. Anglophones comprise approximately 19 percent of Cameroon's 23 million population. To counter the protests, the government in Yaoundé has repeatedly responded with excessive use of force by security forces. The Anglophone crisis has further curtailed civil and political rights in an already restrictive space. Cameroon's military operations against the armed regional group Boko Haram in the country's Far North has led to severe restrictions on the exercise of fundamental freedoms and widespread violations of human rights.

Use of Excessive Force

During the 21 November 2016 teachers' strike and rally, several people were severely beaten, dozens were arrested and at least two persons were shot dead, according to a report by the National Commission of Human Rights and Freedoms (*Commission nationale des droits de l'homme et des libertes*). A peaceful march organised by the students of Buea University was met with brutal repression by the police, including female students being beaten, stripped, rolled in mud and one was allegedly raped.ⁱ The violence elicited response from the UN Special Rapporteur on the rights to freedom of peaceful assembly and association regarding the use of excessive force by security forces during the demonstrations.ⁱⁱ Between October 2016 and February 2017, at least nine people were killed and many sustained gunshot wounds

Arbitrary Arrests and Illegal Detentions

In the same period, the Cameroonian communications minister reported 82 arrests, including journalists and lawyers; the opposition party Social Democratic Front (SDF) says 150 have been arrested. According to the Centre for Human Rights and Peace Advocacy (CHRAPA) in Cameroon, approximately 200 youths were arrested after the November teachers' strike. Those who could not furnish the bail amount were moved to Yaoundé and detained in unknown places. Others such as Fomsoh Ivo Feh and his two friends have been imprisoned for 10 years for sharing a private joke about Boko Haram by text message.ⁱⁱⁱ

Freedom of Speech and Expression

In January 2017, the government of Cameroon shutdown Internet services in the two Anglophone provinces. Albeit restored after 92 days, the UN Special Rapporteur on the Right to Freedom of Opinion and Expression described the move as “an appalling violation of their right to freedom of expression.”^{iv} Freedom of opinion and expression are guaranteed under Article 19 of the International Covenant on Civil and Political Rights (ICCPR) to which Cameroon is a signatory. Further, the Human Rights Council (HRC) passed a resolution in 2016 which condemned measures to intentionally prevent or disrupt access to or dissemination of information online in violation of international human rights law.^v

Since the protests have started, the government has taken action against 20 journalists for allegedly flouting professional ethics.^{vi} Bamenda-based Radio Hot Cocoa was shut down ostensibly on the grounds of illegal exploitation and broadcasting which incited violence.^{vii} The government also banned three newspapers, including the French language weekly newspapers, *Aurore* and *Aurore Plus*, and prohibited its publisher from practising journalism in the country.^{viii}

Media Freedoms

The Anglophone crisis and the government's response to it has further deepened Cameroon's democratic and human rights deficit. The country's war against Boko Haram in its Far North has allowed the discourse of securitization to overshadow freedoms of speech, expression and basic civil liberties.

On 24 April 2017, Ahmed Abba, a correspondent for Radio France International covering Boko Haram, was sentenced to ten years in prison for “non-denunciation of terrorism” and “laundering of the proceeds of terrorist acts”.^{ix} Others journalists and media personnel—Atia Azohnwi, Amos Fofung, Thomas Awah Junior, Mfor Ndong, Medjo Lewis, Jean Claude Agbortem, Tim Finnian and Hans Achomba—too have been arrested for exercising their freedom of expression.^x

Counter-Terrorism and Civil Liberties

Since Cameroon began security operations in its Far North in 2014, instances of arbitrary arrest, enforced disappearance, torture, custodial deaths and unlawful killings have increased manifold.^{xi} In December 2014, more than 200 people were arrested during cordon-and-search operations in the villages of Magdeme and Doublé in the Far North region. Of those arrested, at least 25 died in custody on the night of the arrests; 130 continue to remain unaccounted for without any information from the government on their whereabouts.^{xii}

Torture and Custodial Deaths

Amnesty International's latest report on Cameroon focusses on illegal detention, torture and custodial deaths.^{xiii} Based on testimonies which are corroborated with satellite imagery, photographic and video evidence, the report documents 101 cases of incommunicado detention, custodial torture and deaths between 2013 and 2017 at over 20 different sites across the country, which are in violation of Cameroon's international human rights obligations, including the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.^{xiv}

According to the report, a school in the northern town of Fotokol continues to be partially used by Cameroon's elite security force where they held detainees. Using the school as a military base while children are present violates Cameroon's obligations under international humanitarian law to protect civilians in armed conflict and puts children at risk.^{xv}

Recommendations

The situation in Cameroon is characterized by flagrant violations of human rights, lack of space for opposition and systematic constraints on civil society and the media. As part of its mandate which includes "serious or persistent violation of Commonwealth values" and the "systematic denial of political space, such as through detention of political leaders or restriction of freedom of association, assembly or expression", CHRI urges CMAG to press upon the country to^{xvi}:

- Release from detention all political prisoners, including civil society leaders and human rights advocates; drop terrorism charges against journalists and media personnel and cease military court proceedings against them.
- Investigate allegations of illegal detention, enforced disappearance and torture of civilians by state security and intelligence officials, and hold perpetrators to account.
- Honour its international human rights and Treaty Body obligations.
- Ensure an enabling environment for dialogue between the central government and Anglophone representatives to address concerns regarding minority linguistic and cultural rights issues.

References:

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