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Mr. Ambassador,

In my capacity as Rapporteur for follow-up on Concluding Observations of the United Nations Committee against Torture, I refer to the examination of the fourth periodic report of Cameroon (CAT/C/CMR/4) by this Committee, at its 44<sup>th</sup> session, held from 26 April to 14 May 2010. At the end of that session, the Committee's Concluding Observations (CAT/C/CMR/CO/4) were transmitted to your Permanent Mission. In paragraph 38 of those Concluding Observations, the Committee requested, pursuant to its rules of procedure, that the State party provide, within one year (by May 2011) further information regarding areas of particular concern identified by the Committee in paragraphs 14, 18, 19 and 25 (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective.

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's Concluding Observations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Cameroon on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry.

Accept, Mr. Ambassador, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'Felice D. Gaer'.

Felice D. Gaer

Rapporteur for Follow-up on Concluding Observations  
Committee against Torture

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COMMITTEE AGAINST TORTURE  
 Forty-fourth session  
 26 April – 14 May 2010

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
 UNDER ARTICLE 19 OF THE CONVENTION**

**Concluding observations of the Committee against Torture**  
*(Extracts for follow-up of CAT/C/CMR/CO/4)*

**CAMEROON**

(...)

**C. Main subjects of concern and recommendations**

(...)

**Pretrial detention**

14. In spite of the State party's explanations, the Committee remains deeply concerned by the high number of persons held in pretrial detention – 14,265 compared with 8,931 convicted prisoners in 2009. It is also concerned that the maximum period of pretrial detention provided for under article 221 of the Code of Criminal Procedure, 12 months in the case of ordinary offences and 18 months for serious offences, is not observed (art. 2).

**The State party should take urgent steps to reduce the period of pretrial detention, in particular by ensuring that the maximum detention periods provided for under pretrial detention legislation are observed and by applying the principle that pretrial detention should be viewed as an exceptional measure.**

(...)

18. The Committee is concerned about allegations that journalists and human rights defenders are the subject of harassment, arbitrary arrest, torture, cruel, inhuman or degrading treatment, and death threats, and that such acts go unpunished. Although taking note of the detailed information supplied by the State party and, in particular, of the administrative investigation into the death in custody, on 22 April 2010, of the journalist Mr. Germain Cyrille Ngota (also known as Bibi Ngota) the Committee is concerned about the high number of journalists and human rights defenders who have been imprisoned and about allegations of torture and cruel, inhuman or degrading treatment. It is also concerned about reports that the security forces put down demonstrations by journalists who were protesting over the circumstances of the death in custody of a journalist (arts. 2, 11, 12 and 16).

**The State party should take effective measures to put an end to the harassment, arbitrary arrest, torture, cruel, inhuman or degrading treatment, and death threats to which journalists and human rights defenders are exposed, and to prevent further acts of violence. In addition, it should ensure that a thorough and effective inquiry is carried out quickly and that the perpetrators of such acts are duly punished. Moreover, the Committee joins the United Nations Educational, Scientific and Cultural Organization (UNESCO) in its call for a thorough forensic medical investigation into the death of the journalist Mr. Ngota in Kondengui prison.**

## Events of February 2008

19. The Committee takes note of the investigations into the events of February 2008 and of the report drawn up in 2009, although it has not received a copy. It also notes the administrative inquiry made into allegations of human rights violations, especially the right to life, by security forces, which concluded that they had acted in self-defence. However, the Committee is concerned about credible reports from a variety of sources alleging that the security forces have carried out, against adults and children, extrajudicial killings, arbitrary detention, acts of torture and cruel, inhuman or degrading treatment, and violations of the right to a fair trial. It is also concerned about the lack of thorough individual, impartial and forensic medical investigations of alleged extrajudicial killings and acts of torture and cruel, inhuman or degrading treatment by the security forces (arts. 2, 11, 12 and 16).

**The Committee recommends that a full, thorough and independent inquiry be opened into the events of February 2008. The State party should also publish the report on the inquiries it has carried out and submit a copy of it to the Committee for appraisal. At the same time, the State party should promptly begin thorough, impartial and forensic medical investigations into allegations of extrajudicial killings, acts of torture and cruel, inhuman or degrading treatment by the security forces and ensure that the perpetrators are brought to justice and sentenced appropriately.**

(...)

## Acts regarding the state of emergency and the maintenance of law and order

25. The Committee notes with concern that Act No. 90/047 of 19 December 1990 on the state of emergency is in force. Given the guarantees in article 2, paragraph 2, of the Convention, the Committee notes with concern that the legislation on the state of emergency and Act No. 90/054 concerning the maintenance of law and order allow, under a state of emergency, for periods in police custody of two months, renewable once, and, in cases of banditry, for periods of police custody set at 15 days, also renewable (art. 2).

**The State party should ensure that international principles governing states of emergency are respected, and in particular review the need for maintaining its state of emergency legislation in the light of the criteria laid down in article 4 of the International Covenant on Civil and Political Rights, to which Cameroon has been a party since 1984. The State party should also adhere strictly to the absolute prohibition of torture, in accordance with article 2, paragraph 2, of the Convention, which states that no exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture.**

(...)

38. The Committee requests the State party to provide it, within one year, with information on the follow-up to the Committee's recommendations in paragraphs 14, 18, 19 and 25 above.

(...)