

**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.

(...)
