



**Cameroon's Compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

**Suggested List of Issues Prior to Reporting Relating to the Social crisis in the North-Western and South-Western regions (Anglophone Crisis) in Cameroon**

**Submitted by The Advocates for Human Rights**

a non-governmental organization in special consultative status with ECOSOC since 1996

**70th Session of the Committee against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment**

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**The Advocates for Human Rights** (The Advocates) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. Established in 1983, The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publications. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States. A growing number of victims fleeing persecution based on political opinion in Cameroon have requested legal assistance from The Advocates in applying for asylum in the United States. First-hand information from asylum-seekers about the human rights violations that they experienced in Cameroon has been used in this submission with their permission.

## EXECUTIVE SUMMARY

1. The Advocates for Human Rights submits this report to the Committee against Torture to assist the Committee in preparing for the Republic of Cameroon's upcoming periodic report on its efforts to implement the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment<sup>1</sup> and the Committee's 2017 Concluding Observations.<sup>2</sup> In particular, this report addresses the crisis affecting Cameroon's English-speaking minority in the Northwest Region and Southwest Region of Cameroon.
2. The Republic of Cameroon fails to uphold its obligations under the Convention. The Convention recognizes "the obligation of States under the Charter, in particular Article 55, to promote universal respect for, and observance of, human rights and fundamental freedoms" and states "that no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."<sup>3</sup> The State routinely detains people based on perceived support for the Anglophone separatist movement. In detention, Cameroonian authorities subject Anglophones and people suspected of supporting them to torture and cruel, inhuman, and degrading treatment, in direct contravention of Articles 2 and 16 of the Convention.<sup>4</sup> The State fails to appropriately censure the marginalization, persecution, discrimination, and violence directed toward these people and to provide a remedy to victims, as required by Articles 12, 13, and 14 of the Convention.<sup>5</sup> The continued criminalization of the Anglophone separatist movement has created a hostile and unsafe environment for Cameroon's English-speaking minority.
3. Multiple sources report that security and defense forces have beaten and even killed scores of people, have arrested people without a warrant, and have sought charges against them in military courts for terrorism, all based on their actual or imputed support for the Anglophone movement. Cameroon's position is that the use of force has been necessary and proportionate in order to suppress the separatist claims of the Anglophone movement.<sup>6</sup> Cameroon has failed to respond to the Committee's requests for information on the number of protesters who remain in detention and the status of the State's investigations into the deaths that had occurred and whether other investigations are planned or have been launched into the arbitrary detentions and excessive use of force in response to the protests.<sup>7</sup>
4. This report offers summaries of reports of violence, persecution, and discrimination toward Anglophones in Cameroon. In particular, this report discusses the following topics: murder, torture, violence, and rape of Anglophone persons; criminalization of the separatist movement; arbitrary arrests; destruction and theft of property in the Anglophone region; lack of police response; discrimination and hate crimes against human rights defenders; lack of access to health care; and withholding of identification documents. The information gathered for this

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<sup>1</sup> United Nations General Assembly, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, Treaty Series, vol. 1465, p. 85, 10 December 1984.

<sup>2</sup> Committee against Torture, *Concluding Observations on the Fifth Periodic Report of Cameroon* (December 18, 2017), U.N. Doc. CAT/C/CMR/CO/5.

<sup>3</sup> United Nations General Assembly, *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, Treaty Series, vol. 1465, p. 85, 10 December 1984.

<sup>4</sup> *Id.* at Art. 2, 16.

<sup>5</sup> *Id.* at Arts. 12, 13, 14.

<sup>6</sup> Committee against Torture, *Concluding Observations on the Fifth Periodic Report of Cameroon* (December 18, 2017), U.N. Doc. CAT/C/CMR/CO/5 at 5-6.

<sup>7</sup> *Id.* at 6.

report is based on the experiences of asylum-seekers who have fled Cameroon, as supplemented by NGO fact-finding and reports, country reports, journal articles, and news articles.

5. Finally, this report offers the Committee suggested questions to be included in the List of Issues Prior to Reporting for the Government of Cameroon.

### **Cameroon fails to uphold its obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment**

#### **I. Allegations of excessive use of force, extrajudicial executions, ill-treatment, and arbitrary arrest by State officials are not subject to impartial investigation, State officials are not prosecuted or punished, and victims do not receive redress. (Concluding Observations Paragraph 20(a))**

6. The military often detains and tortures people in the Anglophone region on mere suspicion of their participation in or aid to the separatist movement.<sup>8</sup> The military often provides no notice before an arrest and arrest people simply because of their proximity to a protest or other separatist activity.<sup>9</sup> The military restricts detainees' ability to contact their family or speak to a lawyer and often only releases them if they pay a bribe.
7. Victims of such arbitrary and unlawful detentions have no access to redress and even fear seeking medical care at public hospitals because, after incidents of excessive use of force against protesters, the military patrols hospitals for suspected separatists. Often, they are left with no choice but to try to flee the country.
8. The Government contends that although it conducts investigations into allegations of crimes committed by security forces, it does not make the results of those investigations public to avoid undermining the morale of government troops. But this lack of transparency appears to create a climate of impunity and fuel further human rights violations, including the arbitrary detention and torture of Anglophones.<sup>10</sup>
9. During the Committee's last periodic review of Cameroon, the Committee highlighted this issue. In its 2017 Concluding Observations, the Commission noted:

[I]t is the State party's position that the use of force was both necessary and proportionate to suppress the separatist, corporatist claims of the Anglophone social movement during the protests that took place in November and December 2016 and on 1 October 2017 in north-western and south-western Cameroon. According to various sources, however, a number of people were severely beaten by members of the security and defence forces, at least 17 persons died from gunshot wounds, over 500 persons were arrested without a warrant, sometimes even while in hospital, and

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<sup>8</sup> Human Rights Watch, "Cameroon: Detainees Tortured," (August 20, 2019), <https://www.hrw.org/news/2019/08/20/cameroon-detainees-tortured> (accessed June 11, 2020).

<sup>9</sup> Interviews conducted by The Advocates (2015-2020).

<sup>10</sup> Human Rights Watch, "Cameroon: Events of 2018," 2018, <https://www.hrw.org/world-report/2019/country-chapters/cameroon>.

at least 362 persons were tried for terrorism before military courts.<sup>11</sup>

10. While noting that the President ordered the release of some of the protesters and that the State launched investigations into the deaths that had occurred, the Committee found it regrettable that the State did not reply to the Committee's requests for information on the number of protesters still in detention, the status of the investigations, and whether other investigations were planned or launched into the excessive use of force at the protests and into arbitrary detentions.<sup>12</sup>
11. The Committee recommended that Cameroon:
  - Ensure that impartial investigations are conducted into all allegations of excessive use of force, extrajudicial execution, ill-treatment or arbitrary arrest by State officials during or after the protests in the Anglophone area; that those responsible are prosecuted and, if found guilty, punished; and that victims receive redress.<sup>13</sup>
12. The Cameroonian Government has failed to implement the Committee's recommendations.
13. Law enforcement authorities routinely beat, torture, sexually assault, and murder people who protest the marginalization of Anglophones. These authorities also threaten the lives of protesters who continue speaking out against the State's actions. In one instance before the current reporting period, after a university student publicly spoke out against the marginalization of Anglophones, the police came to her home without any notice, beat her, and arrested her.<sup>14</sup> The police detained her for six days, during which time they sexually assaulted her on multiple occasions. Although she wanted to press charges against the officers, her lawyer advised her that it would be a waste of resources and time because the police wanted her dead and she would be better off paying the police commissioner a bribe of 5 million francs to release her. After doing so and fleeing the country, she now stays away from political activities related to Cameroon despite her dream of helping to change the country. As a victim of torture, to this day she has never received any form of redress from Cameroonian authorities.
14. After a politically active woman attended a political event, military police arrested her without a warrant, beat her, and subjected her to cruel and inhuman conditions while in detention. After she was released and attended another political event, military police again arrested her without a warrant, imprisoned her, and subjected her to sexual violence. After she escaped, her family faced retribution and had to flee to the bush.<sup>15</sup>
15. Anglophones fear State retaliation for continuing to engage in political activity, let alone for seeking redress. The military continues to retaliate against separatists by killing or harming their family members, destroying their homes and businesses, and destroying entire Anglophone neighborhoods.<sup>16</sup> NGOs have documented several instances of Cameroonian

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<sup>11</sup> Committee against Torture, *Concluding Observations on the Fifth Periodic Report of Cameroon* (December 18, 2017), U.N. Doc. CAT/C/CMR/CO/5, ¶ 19.

<sup>12</sup> *Id.*

<sup>13</sup> Committee against Torture, *Concluding Observations on the Fifth Periodic Report of Cameroon* (December 18, 2017), U.N. Doc. CAT/C/CMR/CO/5, ¶ 20(a).

<sup>14</sup> Interviews conducted by The Advocates (2015-2020).

<sup>15</sup> Roundtable Discussion on the Anglophone Crisis in Cameroon Part II with Immigration Attorneys representing Asylum Clients, via Zoom hosted by the Advocates for Human Rights, May 22, 2020.

<sup>16</sup> Amnesty International, "Cameroon: Rise in killings in Anglophone regions ahead of parliamentary elections," Feb. 2020, <https://www.amnesty.org/en/latest/news/2020/02/cameroon-rise-in-killings-in-anglophone-regions/>.

forces looting, burning down homes and properties, and killing Anglophone civilians in retaliation against separatist attacks on the military.<sup>17</sup>

16. A man was detained for three days after attending protests in Bamenda. Authorities released him after his father paid government officials to obtain his release. He was arrested again months later and detained for three weeks for perceived anti-government activism and humanitarian efforts. Authorities released him only after his family made another, larger payment to government officials. During these two detentions, officials beat him on a daily basis and provided him with very little food and water. The Cameroonian military again targeted him after he attended the widespread Anglophone protests in October 2017. He eventually managed to escape and flee Cameroon, but even in his absence, the military came to his family home to search for him, and they shot and killed his brother. He carries scars from the beatings he received which have since been documented by medical forensic experts as corroboration of the beatings. Because his torture and ill-treatment occurred at the hands of the Cameroon government, military, and *gendarmes*, the victim believed it would have been futile to report his mistreatment to anyone.<sup>18</sup>
17. A graduate student who volunteered to interpret public health information for the Peace Corps was brutally attacked by members of Boko Haram. They told her to quit school, get married, and convert to Islam. The 13-15 male attackers left her to die. She knew that if she went to the police, then she would be killed. While she recovered, she hid in the home of a sympathetic friend who was a member of the Cameroonian police. He was murdered. She was able to graduate, relocate, and became a French teacher. Anonymous death threats continued, however, by people whom she believes to have ties to Boko Haram and the secret police who interrogated her about the initial attack. She fled the country under an assumed name.<sup>19</sup>
18. A Human Rights Watch report<sup>20</sup> noted that, on February 14, 2020, government forces and armed ethnic Fulani people killed at least 21 civilians in Cameroon's Ngarbuh village (in the North West Region), including 13 children and one pregnant woman. They also burned five homes, pillaged scores of other properties, and beat residents. Some of the bodies of the victims were found burned inside their homes.<sup>21</sup>
19. The government denies that its troops committed the crimes. On February 17, 2020, Cameroon's defense minister announced that the government had opened an investigation into the deaths and that its findings would be made public "at an appropriate time."<sup>22</sup> The minister

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<sup>17</sup> Amnesty International, "A Turn for the Worse: Violence and Human Rights Violations in Anglophone Cameroon," Jun. 2018, <https://www.amnesty.org/download/Documents/AFR1784812018ENGLISH.PDF>, at 23-24 (documenting the "massive destruction of houses and property" in the village of Kwakwa by the Cameroonian military in January 2018); Human Rights Watch, *Cameroon: Events of 2019* (2019), <https://www.hrw.org/world-report/2020/country-chapters/cameroon> (reporting that security forces had "killed scores of people" and "burned hundreds of homes and other property in villages and cities across the North-West and South-West regions, including in Meluf, Mankon, and Bole Bakundu).

<sup>18</sup> *Id.*

<sup>19</sup> *Id.*

<sup>20</sup> Human Rights Watch, "Cameroon: Massacre Findings Made Public," Apr. 2020, <https://www.hrw.org/news/2020/04/24/cameroon-massacre-findings-made-public>.

<sup>21</sup> U.K. Home Office, Country Policy and Information Note, Cameroon: Anglophones, March 2020, p. 42, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/873402/Cameroon\\_-\\_Anglophones\\_-\\_CPIN\\_-\\_v1.0\\_\\_March\\_2020\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873402/Cameroon_-_Anglophones_-_CPIN_-_v1.0__March_2020_.pdf).

<sup>22</sup> *Id.*

asserted that armed “terrorists” attacked government security forces and that the fighting led to an explosion of fuel containers, which destroyed several homes and killed one woman and four children.<sup>23</sup> But Human Rights Watch reported that:

[W]itnesses and residents with whom Human Rights Watch spoke said that “there was no confrontation between armed separatists and security forces, that they heard no explosions, and that the killings were deliberate. Residents said the attack was to punish civilians suspected of harboring separatist fighters. Twelve witnesses said that, after the killings, the military addressed residents in Ngarbuh, warning that their village would be destroyed if they continued to shelter separatists.”<sup>24</sup>

20. Human Rights Watch also reported in March of 2019 that Government forces in Cameroon’s Anglophone regions had killed scores of civilians, used indiscriminate force, and torched hundreds of homes during the previous six months.<sup>25</sup>
21. People are persecuted, detained, beaten, and even killed simply for being related to separatists. For example, in August 2017, the military came to the home of a man who was involved with a separatist group, beat his son with clubs, and threatened to kill the son if he did not give them the names of others involved. The son ran and hid in the bush for six months before fleeing the country. He has learned that the military still comes to the family home looking for him.<sup>26</sup>
22. During the summer of 2016, a group of students participating in a peaceful protest and campaign for educational rights was arrested by police, beaten, and held in military barracks. Following the arrest, several officers went to the home of one student affiliated with the Southern Cameroons National Council (SCNC), a non-violent separatist organization that the government has declared illegal,<sup>27</sup> to search for evidence of the student’s involvement with the group. The officers beat the student’s mother and threatened to kill her if she did not provide them with evidence.<sup>28</sup>
23. In September 2017, a youth leader was summarily detained for her involvement in peaceful protests. Uniformed security forces identified her as a separatist leader, beat her with rubber batons, arrested her, and tortured her. She eventually had to flee the country.<sup>29</sup>
24. As a result of these reprisals, victims sometimes have to cut off all contact with family members. Family members can be in danger either by virtue of their association with the victim or due to suspicions that the family members have information about the victim and the victim’s whereabouts.<sup>30</sup>
25. Detainees are subject to torture, sexual assault, and other inhuman and degrading conditions. The military regularly subjects Anglophones to cruel, degrading, and inhumane treatment in

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<sup>23</sup> *Id.*

<sup>24</sup> Human Rights Watch, “Cameroon: Massacre Findings Made Public,” Apr. 2020, <https://www.hrw.org/news/2020/04/24/cameroon-massacre-findings-made-public>.

<sup>25</sup> *Id.*

<sup>26</sup> Interviews conducted by The Advocates (2015-2020).

<sup>27</sup> Amnesty International, “Cameroon: Arrests and Civil Society Bans Risk Inflaming Tensions in English-Speaking Regions” Jan. 2017, <https://www.amnesty.org/en/press-releases/2017/01/cameroon-arrests-and-civil-society-bans-risk-inflaming-tensions-in-english-speaking-regions/>.

<sup>28</sup> Interviews conducted by The Advocates (2015-2020).

<sup>29</sup> Interviews conducted by The Advocates (2015-2020).

<sup>30</sup> Interviews conducted by The Advocates (2015-2020).

detention.<sup>31</sup> From 23 July to 4 August 2019, Cameroonian authorities detained in a Yaoundé detention facility 100 people suspected of involvement with Anglophone separatist groups, held them incommunicado, and tortured many of them.<sup>32</sup> Lawyers representing some of the detainees corroborated their allegations of torture and other ill-treatment, which included beatings with wooden clubs, machetes, and guns, interrogations at gunpoint, and detention conditions requiring them to sleep on wet floors.<sup>33</sup>

26. The military continued to search for one individual who had been detained and tortured, forcing him to flee Cameroon. To date, no Cameroonian official has been held accountable for the crimes committed against the man and his family.<sup>34</sup>
27. An IT specialist experienced retaliation after he helped restore internet access to some small businesses after a government blackout of internet access. These businesses were then used to disseminate information about the government crackdown. The government identified the man as someone who had worked on restoring internet. He was arrested and held in a 4 meter by 4 meter room with 13 other prisoners. The room was filthy and hot. The man had cold water poured on him and was beaten with a baton. Prison officials fed the prisoners only every second or third day, and they occasionally gave them rotten food. After about one week, the man was gang raped. Over the course of the detention, the man developed pneumonia. Someone beat him to the point of unconsciousness, requiring hospitalization.<sup>35</sup>
28. Cameroonian authorities twice detained a young woman for alleged SCNC sympathies. She and the other detainees were kept in unsanitary conditions. Prison authorities held them without light, food, water, or toilet facilities for several days. Prison staff taunted them as “Anglo fools,” “slaves,” and second-class citizens. During her second detention, several prison staff gang-raped her and threatened to kill her if she reported the incident to the authorities.<sup>36</sup>
29. Anglophones are caught in the middle of what amounts to a civil war. Many Anglophones, despite efforts to remain neutral or to support peaceful efforts to achieve greater autonomy, are caught in the middle of the violence between separatists and the military. According to the International Crisis Group, as of October 2018, government forces and armed separatists had killed over 420 civilians in the region since the crisis escalated in 2017.<sup>37</sup>
30. For example, members of a separatist group tried to extort a business-owner in the Anglophone region and enlist him into their group.<sup>38</sup> When he refused, they beat him and his family. After the military police heard about the incident, they concluded that the business-owner was supporting the separatists. They arrested and beat him, his pregnant wife, and his sister-in-law,

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<sup>31</sup> United States Department of State, “2019 Country Reports on Human Rights Practices: Cameroon,” <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/cameroon/>, at 6-7 (documenting “harsh and life threatening” conditions in priors due to food shortages, poor-quality food, gross overcrowding, physical abuse, as well as inadequate sanitary conditions and medical care).

<sup>32</sup> Human Rights Watch, “Cameroon: Detainees Tortured,” Aug. 2019, <https://www.hrw.org/news/2019/08/20/cameroon-detainees-tortured> (accessed June 11, 2020).

<sup>33</sup> *Id.*

<sup>34</sup> Interviews conducted by The Advocates (2015-2020).

<sup>35</sup> Interviews conducted by The Advocates (2015-2020).

<sup>36</sup> Interviews conducted by The Advocates (2015-2020).

<sup>37</sup> International Crisis Group, “Cameroon: Divisions Widen Ahead of Presidential Vote,” Oct. 2018, <https://www.crisisgroup.org/africa/central-africa/cameroon/b142-election-presidentielle-au-cameroun-les-fractures-se-multiplient>.

<sup>38</sup> Interviews conducted by The Advocates (2015-2020).

and they also stole from them. The military police accused them of supporting the separatists and of being involved in the murder of two police officers near the man's business. When the man's sister-in-law resisted arrest, military police shot her at point-blank range. They took the man to solitary confinement and denied him food and water for two days. They took his wife and daughter to another cell. They then detained the man for seven days in a small and very crowded cell. The police tried to compel him and others to sign statements that would have resulted in their indefinite imprisonment. When they refused, the police beat them. The threesome finally managed to escape after paying an officer for assistance. The beatings and poor prison conditions caused the man's wife to miscarry. The separatist group burned down their house and business.<sup>39</sup>

31. The military also routinely persecutes teachers in the Anglophone region, even if they are not separatists. A teacher in the Anglophone region was targeted because she did not attend the government-sponsored Youth Day parade, in which teachers and students march in the streets.<sup>40</sup> The military came to her home and arrested her on suspicion that she was a separatist. She was taken to a detention center where guards tortured and raped her. She eventually fled but soldiers killed her uncle, burned down her husband's business, shot the family dog, and shot at her house and broke the windows.
32. Anglophones are denied access to health care. Soldiers threaten healthcare workers and hospitals if they provide medical treatment to suspected separatists and, in at least one instance, they attacked and looted a healthcare center.<sup>41</sup> Some Anglophones do not feel safe going to public hospitals because the military searches hospitals after violent government crackdowns on protests or military raids.<sup>42</sup>

## **II. Authorities take Anglophones into custody without informing them of the charges against them and without giving them access to legal procedures to challenge the legality of their detention. (Concluding Observations Paragraph 20(b))**

33. Although Cameroon's constitution and laws provide for the right to an independent judiciary and a fair and public trial without undue delay,<sup>43</sup> security forces routinely deny this right to Anglophone detainees and other victims of human rights violations. There are numerous reports of lawyers being denied access to their clients during the pretrial and trial process, and of lawyers themselves facing threats of violence for defending their clients' legal rights.<sup>44</sup>
34. During its last periodic review of Cameroon, the Committee recommended that Cameroon:  

Ensure that all persons taken into custody are brought promptly before an independent civilian court, are informed of the charges against them and are aware

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<sup>39</sup> Interviews conducted by The Advocates (2015-2020).

<sup>40</sup> Interviews conducted by The Advocates (2015-2020).

<sup>41</sup> United States Department of State, 2019 "Country Reports on Human Rights Practices: Cameroon," <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/cameroon/>, at 15 (reporting a February 2019 attack on the Bangolan Baptist Health Center).

<sup>42</sup> Interviews conducted by The Advocates (2015-2020).

<sup>43</sup> United States Department of State, "2019 Country Reports on Human Rights Practices: Cameroon," <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/cameroon/>.

<sup>44</sup> University of Oxford, "Human Rights Abuses in the Cameroon Anglophone Crisis," para. 64 <http://ohrh.law.ox.ac.uk/wordpress/wp-content/uploads/2019/11/Cameroon-Anglophone-Crisis-Report-.pdf>); B.B.C. News, "Newsday: Cameroon's Lawyers on Strike," Sept. 2019, <https://www.bbc.co.uk/programmes/p07njmsz>.



of and have access to the legal procedures that would allow them to challenge the legality of their detention.<sup>45</sup>

35. Cameroonian authorities continue to detain Anglophones arbitrarily, and some people are subject to repeated arbitrary detentions.<sup>46</sup> Authorities rarely involve the court in these detentions. In many cases reported to The Advocates,<sup>47</sup> arrest and detention serve as a means to extort family members (sometimes under the guise of “bail”), suppress dissent, and humiliate politically involved Cameroonians.
36. A woman who was involved with the Social Democratic Front (SDF) (the main opposition party) received a notice ordering her to close her establishment and police then arrested her.<sup>48</sup> They did not inform her of the reason for her arrest. They threw her in a jail cell, where they raped and sodomized her multiple times. Her assailants applied pressure on her eyes while raping her. As a result, she experiences eye issues to this day. The officers released the woman only after an SDF member threatened to expose the prison to the media. The woman was involved with organizing a peaceful march. Two months later, the police arrested her again, calling her a secessionist and a rebel. The police officers forced her to bring her infant to the jail. She was able to escape with the help of her sister. The woman subsequently fled Cameroon.<sup>49</sup>

### **III. Cameroon routinely invokes the Anti-Terrorism Act and military jurisdiction to prosecute peaceful protesters. (Concluding Observations Paragraph 20(c))**

37. Cameroon enacted its “anti-terror” law in 2014 to counter the Boko Haram armed group, but authorities use that law to arrest and threaten separatists, perceived separatists, and journalists.<sup>50</sup>
38. The 2014 anti-terrorism law gives military tribunals exclusive jurisdiction over civil unrest, permits detention of individuals suspected of terrorism for 15 days, renewable with the authorization of the prosecutor,<sup>51</sup> and authorizes the death penalty.<sup>52</sup> The anti-terrorism law does not require authorities to present individuals charged with terrorism to an investigating judge.<sup>53</sup>
39. In practice, the law’s fair trial provisions and protections against torture and unlawful detention

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<sup>45</sup> Committee against Torture, *Concluding Observations on the Fifth Periodic Report of Cameroon* (December 18, 2017), U.N. Doc. CAT/C/CMR/CO/5, ¶ 20(b).

<sup>46</sup> United States Department of State, “2019 Country Reports on Human Rights Practices: Cameroon,” <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/cameroon/>, at 9 (reporting that Cameroonian authorities continue to “arrest and detain people arbitrarily, often holding them for prolonged periods without charge or trial and at times incommunicado”); Interviews conducted by The Advocates (2015-2020).

<sup>47</sup> Interviews conducted by The Advocates (2015-2020).

<sup>48</sup> Interviews conducted by The Advocates (2015-2020).

<sup>49</sup> Interviews conducted by The Advocates (2015-2020).

<sup>50</sup> Al Jazeera, “Cameroon using ‘anti-terror’ law to silence media,” Sept. 2017, <https://www.aljazeera.com/news/2017/09/cameroon-anti-terror-law-silence-media-cpj-170920112612527.html>.

<sup>51</sup> U.S. Department of State, Country Reports on Human Rights Practices for 2019, Cameroon 2019 Human Rights Report, at 9-10, <https://www.state.gov/wp-content/uploads/2020/03/CAMEROON-2019-HUMAN-RIGHTS-REPORT.pdf>.

<sup>52</sup> U.K. Home Office, Country Policy and Information Note, Cameroon: Anglophones, March 2020, p. 45, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/873402/Cameroon\\_-\\_Anglophones\\_-\\_CPIN\\_-\\_v1.0\\_\\_March\\_2020\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873402/Cameroon_-_Anglophones_-_CPIN_-_v1.0__March_2020_.pdf).

<sup>53</sup> *Id.*

are not followed. The law provides for detainees to have access to legal counsel and family members, although in practice police frequently deny detainees access to both.<sup>54</sup> The law prohibits incommunicado detention, but such cases occur, especially in connection with the Anglophone crisis.<sup>55</sup> The law also permits bail, allows citizens the right to appeal, and provides the right to sue for unlawful arrest, but these rights are seldom respected.<sup>56</sup>

40. In November 2017, President Biya declared war on the separatists, stating, “it is now clear that Cameroon was at war and under attack by terrorists masking [themselves] as secessionists.”<sup>57</sup> He declared that all security measures would be taken to restore peace and order<sup>58</sup> and to “eradicate these criminals.”<sup>59</sup>
41. The Government of Cameroon has arrested and detained hundreds of Anglophone activists and suspected activists, labeling them extremists and terrorists.<sup>60</sup> Many of these people have faced various charges, including terrorism-related charges under the auspices of military tribunals.<sup>61</sup>
42. Reports by the International Crisis Group and Amnesty International state that authorities frequently engage in torture and inhuman treatment of detainees.<sup>62</sup> Anglophone groups such as the Southern Cameroons Ambazonia Consortium United Front (SCACUF) have accused the government of genocide.<sup>63</sup>
43. During its last periodic review of Cameroon, the Committee recommended that Cameroon:  

Refrain from invoking the Anti-Terrorism Act or military jurisdiction to prosecute persons who have availed themselves of the right to protest peacefully.<sup>64</sup>
44. As illustrated by the incidents described above, and those that follow, the Cameroonian Government has failed to implement the Committee’s recommendation.
45. In early January 2018, Nigerian authorities arrested 47 Cameroonian Anglophone activists in Nigeria and handed them over to Cameroonian authorities.<sup>65</sup> Cameroonian authorities held the 47 activists incommunicado for six months at the State Defense Secretariat detention facility

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<sup>54</sup> *Id.*

<sup>55</sup> *Id.*

<sup>56</sup> *Id.*

<sup>57</sup> Okereke, C. Nna-Emeka, “Analysing Cameroon’s Anglophone Crisis,” 10:3 *Counter Terrorist Trends and Analyses* 8, 12 (Int’l Centre for Political Violence and Terrorism Research) (March 2018), [www.jstor.org/stable/26380430](http://www.jstor.org/stable/26380430).

<sup>58</sup> *Id.*

<sup>59</sup> U.K. Home Office, Country Policy and Information Note, Cameroon: Anglophones, March 2020, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/873402/Cameroon\\_-\\_Anglophones\\_-\\_CPIN\\_-\\_v1.0\\_\\_March\\_2020\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873402/Cameroon_-_Anglophones_-_CPIN_-_v1.0__March_2020_.pdf).

<sup>60</sup> *Id.*

<sup>61</sup> Okereke, C. Nna-Emeka, “Analysing Cameroon’s Anglophone Crisis,” 10:3 *Counter Terrorist Trends and Analyses* 8, 11 (Int’l Centre for Political Violence and Terrorism Research) (March 2018), [www.jstor.org/stable/26380430](http://www.jstor.org/stable/26380430).

<sup>62</sup> *Id.*

<sup>63</sup> *Id.*

<sup>64</sup> Committee against Torture, *Concluding Observations on the Fifth Periodic Report of Cameroon* (December 18, 2017), U.N. Doc. CAT/C/CMR/CO/5, ¶ 20(c).

<sup>65</sup> U.K. Home Office, *Country Policy and Information Note, Cameroon: Anglophones*, March 2020, 45-46. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/873402/Cameroon\\_-\\_Anglophones\\_-\\_CPIN\\_-\\_v1.0\\_\\_March\\_2020\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873402/Cameroon_-_Anglophones_-_CPIN_-_v1.0__March_2020_.pdf).

(SED). They had no access to their lawyers or families.<sup>66</sup> Human Rights Watch has documented that torture and other forms of ill-treatment are endemic at the SED.<sup>67</sup> In August 2018, a military court sentenced ten of these activists to life imprisonment. These activists included leaders of the separatist Ambazonia Interim Government, including the head of the county's Anglophone separatist movement, Julius Sisiku Ayuk Tabe, who is widely seen as a moderate.<sup>68</sup> Authorities charged them with "terrorism and secession" and fined them each CFA 250 billion.<sup>69</sup> Authorities have sentenced seven others to 10 to 15 years in prison on terrorism and rebellion charges.<sup>70</sup> One of the arrested men, a radio journalist, received a 15-year prison term for "acts of terrorism, hostility against the homeland, secession, revolution and insurrection."<sup>71</sup>

46. In a 20 August 2018 press release following the sentencing of Ayuk Tabe and others, the Central Africa Human Rights Defenders Network (REDHAC) reported that 174 individuals arrested during the Anglophone had been in detention in Yaoundé for more than one year without being presented to an investigating judge.<sup>72</sup>
47. Authorities arrested an outspoken Anglophone activist and political analyst on 25 September 2019 and denied him access to a lawyer for five days, in violation of Cameroonian law.<sup>73</sup> He was taken to SED and his whereabouts were finally made public on 30 September 2019, when he was taken before the Yaoundé Military Court and charged with acts of terrorism, financing terrorism, and secession.<sup>74</sup>

**IV. Members of the security forces are inadequately trained in the use of force; rather, excessive use of force against protesters is routine. (Concluding Observations Paragraph 20(d))**

48. The State uses excessive force and torture to silence even suspected supporters of equal treatment and rights for Anglophones. Members of the Anglophone community, particularly people who protest the marginalization of Anglophones, risk murder, torture, beatings, and sexual assault.
49. During its last periodic review of Cameroon, the Committee recommended that Cameroon:  

Ensure that the responsibility for public security is entrusted to civilian bodies, and step up efforts to systematically provide all members of the security forces with training in the use of force, in particular at protests, taking due account of the Basic

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<sup>66</sup> *Id.*

<sup>67</sup> *Id.* at 46.

<sup>68</sup> *Cameroon Anglophone Separatist Leader Handed Life Sentence*, France24, Aug. 21, 2019, <https://www.france24.com/en/20190820-cameroon-anglophone-separatist-leader-life-sentence-lawyers>.

<sup>69</sup> *Id.*

<sup>70</sup> *Cameroon Jails English-Speaking Activists on Terrorism Charges*, Deutsche Welle, Jan. 1, 2018, <https://www.dw.com/en/about-dw/profile/s-30688>.

<sup>71</sup> *Id.*

<sup>72</sup> U.K. Home Office, *Country Policy and Information Note, Cameroon: Anglophones*, March 2020, 45 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/873402/Cameroon\\_-\\_Anglophones\\_-\\_CPIN\\_-\\_v1.0\\_March\\_2020\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/873402/Cameroon_-_Anglophones_-_CPIN_-_v1.0_March_2020_.pdf).

<sup>73</sup> *Id.* at 48.

<sup>74</sup> *Id.*

Principles on the Use of Force and Firearms by Law Enforcement Officials.<sup>75</sup>

50. This report provides evidence that the Cameroonian Government has failed to implement the Committee's recommendation.
51. During protests in late 2017, government forces used live ammunition, including from helicopters, against protestors and bystanders, killing at least one dozen people and injuring many more.<sup>76</sup>
52. Authorities attack and arrest members of the SCNC when they are participating in peaceful protests. Armed military raid their meetings and beat and arrest attendees. In one instance, using water cannons and tear gas, the military attacked attendees of a protest in support of the teachers and lawyers attempting to restore the common law system and against the presidential elections and human rights violations against Anglophones.<sup>77</sup> Police grabbed one attendee as she was running away and took her to a police station where they kept her for five days without food or water. She was forced to sleep on the floor in dirty, crowded conditions, and the military tortured her and other detainees by pouring water on her, beating her with sticks, planks, and batons, and verbally assaulting her. Her family and lawyer were not permitted to see her. Upon her release, she was told to sign a declaration that she would never participate in SCNC activities again. Soon after, the military raided her town, made extra-judicial arrests, and beat people. This incident angered her so much that she joined another SCNC meeting. Armed military raided a subsequent the meeting and arrested her again. While detained, the woman was beaten, tortured, and raped. Eventually she escaped to the bush and her mother arranged to help her leave Cameroon. Since her escape, the military has visited her home several times looking for her and threatened to kill her mother if she did not tell them where her daughter was.<sup>78</sup>
53. In another instance, the military severely beat attendees of a peaceful march organized by Ambazonian leaders to demand rights for Anglophones, such as fair job opportunities and freedom of expression. A man who attended this march was later arrested, along with his brother-in-law, for buying supplies from a bookstore to make fliers.<sup>79</sup> The military detained them for approximately ten days, during which time guards beat them and threw "itchy water" on them. Prison guards gave them very little food and spoke to them mostly in French, which they were unable to understand. To the best of their understanding, the military was accusing them of trying to destroy the country. They escaped only after a family member who was in the military intervened. A few days later the military invaded their home town, shot and killed the brother-in-law, and arrested the other man's brother because they could not find the man. Not long afterward, the man fled the country.
54. Police routinely use cruel forms of violence when stopping protests, including spraying "itchy water" on victims. For example, on one occasion students were in the streets protesting in support of teachers and lawyers who were on strike. Police entered a student residence near the university, broke down the doors and sprayed "itchy water" from tanks. One of the victims

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<sup>75</sup> Committee against Torture, *Concluding Observations on the Fifth Periodic Report of Cameroon* (December 18, 2017), U.N. Doc. CAT/C/CMR/CO/5, ¶ 20(d).

<sup>76</sup> Human Rights Watch, *Cameroon: Events of 2018* (2018), <https://www.hrw.org/world-report/2019/country-chapters/cameroon>.

<sup>77</sup> Interviews conducted by The Advocates (2015-2020).

<sup>78</sup> Interviews conducted by The Advocates (2015-2020).

<sup>79</sup> Interviews conducted by The Advocates (2015-2020).

was a student who was not involved in the protests.<sup>80</sup> The police began beating the woman and her friends and she eventually lost consciousness. After spending time in the hospital, an arrest warrant was issued for her and her uncle for disturbing the peace and promoting protests. She believes the arrest warrant was issued in her name so as to apply pressure on her uncle who, despite not participating as a formal member of the SCNC, was visible during demonstrations. She and her uncle fled the country.<sup>81</sup>

55. A student at the University of Buea was not present at the protests that took place there in. When, sometime later, she and health workers were raising awareness of an upcoming HIV screening, a group of police officers violently arrested the whole group because they were carrying student IDs. The police raped her and blinded her in one eye. Authorities arrested the woman again after she participated in a Youth Day march.<sup>82</sup>
56. One a woman was participating in a peaceful protest when police started to shoot at the crowd, throw tear gas, and use water cannons. When she tried to help the injured using her medical training, policemen found her and began beating her and others with batons. A few days later, when the same woman was helping protestors who had been shot, the police once again interrupted her efforts to administer first aid. They hit her in the back and arrested her.<sup>83</sup>

**V. Victims of torture and degrading treatment, and arbitrary arrests and detentions prior to 2017 have not received remedies and responsible authorities have not been held accountable.**

57. In 2013, an accounting student attended an SCNC rally, despite not identifying as an active SCNC member at the time.<sup>84</sup> The speaker expressed dissatisfaction with the condition of public services and advocated for certain political changes. Almost immediately after the speaker finished the talk, security forces began shooting. The student fled the rally but soldiers eventually apprehended him and continued to beat him, after which he was placed in a cell where he was beaten further. At the rally, during his arrest, and throughout his detention, the soldiers shouted insults in French, sometimes using the phrase “Anglo fools” and accused the former student and others of being terrorists. He was not allowed to contact an attorney or his family, but his family eventually learned of his detention and raised enough money to pay a police commissioner to secure his release. He was allowed to leave jail only on the condition that he sign an agreement stating that he would avoid all political activity (especially activities connected with the SCNC). After graduating, he attended another SCNC assembly in 2015 within a different city. Security forces barged in, beat the attendees, and made arrests. Although he escaped, he was stopped and beaten at a checkpoint on his way home. He woke up chained to a hospital bed and in a severe amount of pain. He did not receive proper medical care and continues to experience after-effects of his injuries to this day. His family helped him escape the hospital and he eventually managed to escape Cameroon.<sup>85</sup>

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<sup>80</sup> Interviews conducted by The Advocates (2015-2020).

<sup>81</sup> Interviews conducted by The Advocates (2015-2020).

<sup>82</sup> Interviews conducted by The Advocates (2015-2020).

<sup>83</sup> Interviews conducted by The Advocates (2015-2020).

<sup>84</sup> Interviews conducted by The Advocates (2015-2020).

<sup>85</sup> Interviews conducted by The Advocates (2015-2020).

## **VI. Suggested questions for the Government of Cameroon:**

- What measures has the State Party undertaken to ensure that all allegations of excessive use of force, extrajudicial execution, and arbitrary arrest are investigated by an independent and impartial authority, particularly in Anglophone areas?
- How has the State Party ensured that people in Anglophone areas are able to exercise their right to peaceful assembly and protest?
- What is the procedure for reporting torture or ill-treatment in detention and for investigating those reports? How many complaints of torture or other ill-treatment in detention have authorities received during the reporting period? What was the follow-up in each case, and what was the outcome?
- Please identify all cases in which officials have been held accountable for excessive use of force in Anglophone areas during the reporting period and in which victims of excessive use of force have received redress.
- Please identify how many protesters in Anglophone areas have been detained during the reporting period. For each case, please provide the length of detention, whether detention is ongoing, whether the person had to agree to cease protest activities or political activities as a condition of release, whether charges have been brought, and any outcome of those charges.
- What concrete steps is the State Party taking to protect Anglophones from excessive use of force, torture, and sexual assault?
- What measures has the State Party taken to prevent and condemn excessive use of force and torture toward actual and perceived separatists?
- What measures has the State Party taken to ensure that its police and military forces abide by the applicable legal procedures for arrest and detention?
- What measures has the State taken to ensure that all Anglophone detainees have timely access to counsel and are timely brought before a judicial tribunal?
- When will the government make public the results of its investigation into the events of 14 February 2020 in Ngarbuh village in the North West Region?
- Please respond to allegations that authorities spray individuals and groups of protesters with water that causes them to itch.
- What measures are in place to ensure that individuals are not arrested or prosecuted for providing medical assistance to people accused of terrorism-related offenses?
- Please provide disaggregated data for all cases in which a person has been charged with violation of the Anti-Terror Law, including: location and date of arrest, date of charge, nature of charge and factual basis for charge, date of initial presentment before an investigating judge, date of first meeting with legal counsel, nature of tribunal (military or civilian), dates of trial (if any), crime(s) of conviction (if applicable), date of conviction (if applicable), date of sentencing (if applicable), nature of sentence (if applicable); current location of detention (if applicable); date of release (if applicable).

- What procedures are in place to ensure that all arrestees accused of terrorism-related offenses have timely access to counsel before they are interrogated and during interrogation?