

## **ICCPR Parallel Report**

**Submitted to the United Nations Human Rights Committee for the review of  
Cameroon during the October/November 2024 reporting period**

**Submitted By,**

**The Centre for Human Rights and Democracy in Africa (CHRDA)**



### **About The Centre for Human Rights and Democracy in Africa (CHRDA)**

The Centre for Human Rights and Democracy in Africa (CHRDA) is an independent and apolitical non- governmental organization. The Centre is a non-profit organization created purposely for the promotion, protection and respect for human rights and democracy. To achieve these goals, CHRDA complies with national and international laws governing non-governmental organizations and their activities. Before 2005, CHRDA was known as a committee for the Defence of Human Rights in Cameroon. In 2005, it was renamed and officially registered as the Centre for Human Rights and Democracy in Africa. Our work ranges from human rights monitoring, documenting and reporting, advocacy for gender equality, humanitarian aid, provision of pro bono legal aid to victims of human rights violations, free vocational training to the population, advocacy, sensitization, and a host of other activities

### **I. Introduction**

1. In this submission, The Centre for Human Rights and Democracy in Africa (CHRDA) examines the level of The Republic of Cameroon's Commitment to fulfill its international human rights obligations. This report is equally submitted to facilitate the upcoming review of Cameroon by the Human Rights Committee during the October/November 2024 reporting period.

2. Specifically, this report focuses on civil and political rights as outlined in the International Covenant on Civil and Political Rights (ICCPR). The review focuses on issues relating to the violation of the right to life, freedom of expression, right to fair trial among other rights. The submission also examines the situation in the North West and South West regions of Cameroon since 2017, of which its populations have been facing an armed conflict between State Defence and Security Forces (SDF) and secessionist movements.

## **II. Background and context of this submission**

3. In the last decade, Cameroon has been plunged into multiple political, socio-economic and security crises, ranging from the Boko Haram Insurgency in the Far North Region, the refugee crisis in the East region and the armed conflict in the North West and South West Regions. The Boko Haram Insurgency has claimed over 3000 lives, displaced over 250,000 and had a great toll on properties and livelihood of the people of the Far North Region since the first by Boko Haram attack on Cameroonian soil on March 2014. The Boko Haram Crisis has also forced over 120,000 Nigerians to seek refuge in Cameroons Far North Region. The political and security crisis in the Central African Republic has also forced over 332,000 CAR citizens to seek refuge in Cameroon's East region.

4. The armed conflict in the North West and South West Region began as a protest in October 2016 when Anglo Saxon teachers and Common Law Lawyers went on strike, protesting against what they considered the marginalization of the Anglophones, especially at the level of Common Law Courts and the Anglo-Saxon Education System. The protests were led by the Cameroon Anglophone Civil Society Consortium. The crisis later degenerated into an armed conflict in 2017 due to the poor management of same by the state. The over five years conflict has claimed at least 6000 lives, rendered over 638,421 other IDPs, and forced over 64,388 to flee to Nigeria as refugees.

5. This conflict in the North West and South West regions has worsened the humanitarian situation and made the situation more complex. Numerous UN documents,, including the latest UPR report and the most recent four UN annual SG Reports on reprisals for cooperation with the UN relate to the fact that the state of Cameroon continues to violate Press Freedom, freedom of expression and association through intimidation and in some cases, the arrest of protesters, journalists and human rights defenders. The 2014 Law on the Suppression of Acts of Terrorism has been a tool used by the state to carry out this form of intimidation.

6. Despite the recommendations made to Cameroon during the last UPR of November 2023 as well as other UPR's, Cameroon is yet to do something concrete as regards the implementation of the said recommendations. Recommendations related to the continuing with dialogue with Non State Armed Groups as well as other actors involved in the conflict, and related to conducting prompt, thorough, independent and impartial investigations into all allegations of crimes under domestic law and human rights violations committed by all armed forces in the context of the armed violence in the North-West and South-West Regions,<sup>1</sup> the CHRDA notice the continuation of the government's military approach, the absence of dialogue between the various parties and the absence of prompt, transparent and full investigations into alleged crimes. While the Government and its Defence forces have published a small number of Press-Releases that an investigation will be opened in alleged violations that were reported in civil society reports and in the press, there is no evidence that such investigation actually took place. The combination of these various elements result in the continuation of untold suffering on the people of the North West and South West regions of Cameroon, and the lack of hope that the conflict will be resolved within a short timeframe.

7. As regards the amendment of the 2014 law on the Suppression of Acts of Terrorism, Cameroon has not made meaningful strides towards the repeal of the said law. The state has rather continued with trial of civilians in military courts using this law.

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A/HRC/55/16, available at <https://documents.un.org/doc/undoc/gen/g23/259/57/pdf/g2325957.pdf>

### ***Equality between men and women***

8. Equality between men and Women is guaranteed by The Constitution of Cameroon as well as international conventions which Cameroon is a party to. The preamble of the constitution of Cameroon provides for the principle of non-discrimination based on gender and guarantees equality between men and women. It also recognizes the right to participate in public affairs and decision-making processes. The 2011 law on the Promotion of Gender Equality in Cameroon<sup>2</sup> aims to promote gender equality and eliminate discrimination against women in all spheres of life, including governance and inheritance rights. Equally, the National Gender Policy of Cameroon outlines strategies and actions to promote gender equality and women's empowerment. In various sectors, including governance and decision making.

Despite these frameworks, the State of Cameroon has not ensured the effective implementation of same. In Cameroon, as of February 2021, only 33.9% of seats in parliament were held by women.<sup>3</sup> Despite a geometrical increase from the past years, the number of women in parliament is still not proportionate to the men.<sup>4</sup> As of 2023, out of the 180 seats in parliament only 61 are women.<sup>5</sup> It is difficult to find women holding top administrative positions. As of now no woman has held the position of Governor in Cameroon or Senior Divisional Officer or a female General in the army. This therefore calls for the need to ensure the effective implementation of this policies

### ***Right to life***

9. The right to life is a fundamental human right protected in Cameroon both by national laws and international conventions duly ratified by Cameroon. The Preamble of the

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<https://data.unwomen.org/country/cameroon>

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<https://www.indexmundi.com/facts/cameroon/indicator/SG.GEN.PARL.ZS>

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<https://data.ipu.org/parliament/CM/CM-LC01/data-on-women/>

constitution of Cameroon of 1996<sup>6</sup> as amended in 2008<sup>7</sup> is the first national legislation which expressly protects the right to life.<sup>8</sup> The 2016 Penal Code of Cameroon as amended in 2019 also punishes acts which violate the right to life especially in section 275<sup>9</sup> and 276<sup>10</sup>.

10. As regards the period under review, there have been serious violations committed by state defense and security as well as Non State Armed Groups particularly within the context the conflict in the North West and south west regions of Cameroon.

11. We monitored and documented several violations of the right to life perpetrated by perpetrated by state Defense and Security Forces (SDF) within the context of the conflict in the North West and South West regions of Cameroon. These killings were in the form of extrajudicial execution, arbitrary and targeted killings.

12. On Friday June 16 2023, Cameroon DSF shot and killed over 10 locals suspected to be separatist fighters around Kedjom Keku, Tubah Sub division. Residents interviewed by CHRDA in Big Babanki and Bambui of Tubah Sub division, provided information to the effect that those summarily killed were civilians and not separatist fighters as purported in some reports. According to those interviewed, some of the men killed were civilians who were arbitrary arrested in Bambui, upon suspicion that they were collaborating with armed separatist fighters. And that the others were randomly picked up

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Law No. 06 of 18 January 1996 to Amend the Constitution of 2 June 1972

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Law No. 2008/001 of 14 April 2008 to amend and supplement Law No. 96/06 of 18 January 1996 on the constitution of the Republic of Cameroon

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The Preamble of the 1996 constitution as amended states that “Every person has a right to life”

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Section 275 of the Cameroon Penal Code states “Whoever causes another's death shall be punished with imprisonment for life”

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Section 276 of the Penal Code of Cameroon states (1) Whoever commits murder: (a) after premeditation; or (b) by poisoning; or (c) with a view to trafficking the organs of the victim; (d) In the preparation, facilitation or commission of a felony or misdemeanour, or to enable the escape or to procure the impunity of the offender or of an accessory to such felony or misdemeanour, shall be punished with death.

around Mughu, the area where separatist fighters had days back blocked the road and extorted money from passengers.<sup>11</sup>

13. On 24 June 2023, members of the Cameroon Defense and Security Forces (DSF) extra judicially killed five youths in Ekona town, a locality in Muyuka Sub-division, South-West Region. These individuals, aged between 20 and 37 years, were not armed nor actively participating in hostilities at the time of the incident.<sup>12</sup> Again, on the 11 of July, 2023, 9 corpses were discovered still in an advanced state of decomposition littered in a bush around a neighborhood called “Bobi Na One” still in Big Babanki, Tubah Sub division. The population that rushed to the scene alerted the rest of the residents of the village. After some efforts families were able to identify their relatives amongst the deceased. These families blame the military for the death of their loved ones. Many noted that, their relatives were arrested few weeks back by elements of the military and despite several attempts to see them during visitation at the detention facility, the officer on duty often claimed, they had been transferred to a different facility. According to the relatives of the deceased, the officers treated them with disdain and sent them out, to search elsewhere without mentioning any detention facility. This therefore implies that, this inhumane, cruel treatment and killing of civilians was carried out by DSF.

14. On the night of July 14, 2023, DSF invaded a house and shot dead at least four unarmed boys in Awing quarters, Bamenda 1 Subdivision, Mezam Division, North West Region of Cameroon. CHRDA gathered that the oldest amongst the deceased was a 21-year-old, the other victims were between the ages of 18 and 19 years old. The incident occurred when the boys (about 5 of them in number with two girls) were partying together.<sup>13</sup>

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<https://www.chrda.org/wp-content/uploads/2023/09/CHRDA-Human-Rights-Report-for-June-2023-1.pdf>

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<https://www.chrda.org/chrda-report-on-the-extrajudicial-killing-of-unarmed-civilians-and-arson-in-ekona-the-south-west-region-of-cameroon/>

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Killing of at least, four boys in Awing Quarters by DSF, Available at <https://www.chrda.org/the-human-rights-situation-of-the-north-west-and-south-west-regions-of-cameroon-for-the-month-of-july-2023/>

15. On Saturday 02 September 2023, state DSF captured six suspected separatist fighters in the localities of Lubange and Defenda, Konye Sub-division, Meme Division, South-West region. We got the pseudonyms of these suspects as “Colonel Otondo”, “mission commander Arafat”, “Pay cash”, “Kasskumba”, “Rico”, and “Adebayer”. These suspects who are said to have been operating in these localities under a certain “general' Ikeku” were captured alive and by state Defence and Security Forces. They snapped pictures of these individuals and shared them online after their captured. These individuals were later extra-judicially executed by the DSF and their corpses displayed beside a street in the area.<sup>14</sup>

16. On Tuesday, January 9 2024, a well-known separatist war lord called General Efang aka “Big Number” (Ambazonian Defense Forces (ADF) ground zero supreme commander) was attacked at his base in Ewaih village, Batibo Subdivision, Momo Division of the North West region by government forces. He was later discovered by the military at Mbingo Hospital on the 20th of January and immediately taken out of his sick bed by DSF. He was taken to an unknown destination until the 6th of February when the director of the Bamenda Regional Hospital issued a communique indicating that Efang’s Mortal remains were deposited at the hospitals Mortuary on the 21 January by Forces of Law and Order.<sup>15</sup>

17. On February 6, 2024, Defense and security forces in an offensive killed four civilians in the neighborhood of Kiyam in Kumbo, Bui Division of the North West Region. Our sources revealed that, separatist fighters had summoned four civilians for interrogation at a checkpoint they mounted at the Teachers Training School in the area and upon seeing these individuals around the area, DSF opened fire from a close range.<sup>16</sup>

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Extrajudicial execution of six suspected separatist fighters captured in Konye Sub-Division by DSF. Available at <https://www.chrda.org/the-human-rights-situation-of-the-north-west-and-south-west-regions-of-cameroon-for-the-month-of-september-2023/>

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<https://www.chrda.org/human-rights-situation-report-of-the-conflict-affected-north-west-south-west-and-far-north-region-of-cameroon-for-the-first-quarter-of-the-year-2024-january-to-march/>

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ibid

18. The above mentioned violations are just a few from the many cases we monitored and documented. Many other cases can be gotten from our human right reports of 2023,<sup>17</sup> the first quarter report for the year 2024.<sup>18</sup>

### ***Prohibition of torture and ill-treatment***

19. The domestic laws of Cameroon protect all individuals against torture. The 1996 constitution of Cameroon as amended in 2008 in its preamble states categorically that no one should be subjected to torture or other forms of cruel inhumane and degrading treatment.<sup>19</sup> The penal code of Cameroon also criminalizes torture in its section 277-3.<sup>20</sup> Cameroon has also ratified conventions like the international Covenant on Civil and Political Rights as well as the Convention against Torture<sup>21</sup> Article 7 of ICCPR No one shall be subjected to torture or ill-treatment, nor to medical or scientific experimentation without free consent.

20. However, Cameroon Defense and Security Forces as well as administrators on detention centers still continue to carryout acts of Torture especially within the context of

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<https://www.chrda.org/the-2023-human-rights-summary-report-on-the-conflict-affected-regions-in-cameroon/>

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<https://www.chrda.org/human-rights-situation-report-of-the-conflict-affected-north-west-south-west-and-far-north-region-of-cameroon-for-the-first-quarter-of-the-year-2024-january-to-march/>

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*ibid*

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SECTION 277 -3 (1), (2), (3) and (4) of the Penal Code of Cameroon penalizes torture and the punishment depends on the decree of pain inflicted on the victim. Section 277-3 (5) defines torture as “For the purposes of this section torture• shall mean any act by which acute pain or suffering, either physical, mental or psychological, is intentionally inflicted to a person by a public servant, a traditional leader or any other person acting in the course of duties either at his own instigation or with his express or implied consent, in order to obtain information or confessions from that person or from another, to punish her for an act that she or any other person has committed, or is presumed to have committed, to intimidate or overawe her or any other person, or for any other motive based on any discrimination.

The word " torture" as so defined does not apply to pain or suffering resulting from legitimate punishments, inherent to or caused by them”

According to (6), No exceptional circumstances, whatever they are, whether a state of war or threat of war, internal political stability or state of exception, may be invoked to justify torture.

(7) Torture may not be justified by command of a superior or public authority.

(8) The requirements provided in section 10 (1) of this Code shall not be applicable to torture.

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Cameroon ratified the Convention against torture on 19 December 1986.



the armed conflict in Anglophone Cameroon. In 2023, we recorded at least 203 cases of torture by Defense and Security Forces.<sup>22</sup>

21. On March 2023, a farmer called Felix was picked up by some elements of the Cameroon's Defense and Security forces, when he stepped out of his house, that evening to buy Kerosene. The act took place in Ikiliwindi, a locality in Meme Division of the South West Region. In a video released on social media, YouTube by the "Ambazonia" Communication head; Capo Daniel, three officers can be seen in a dark room (with a deemed light shining from their phones or probably a touch light) torturing a man with a machete and forcing a gun into his mouth. The said video, expose the officers kicking the victim with their heavy boots, and they can be heard ordering the victim to show his legs, in French "envoie de pierre", while the victim continued to weep and beg for mercy, from his oppressors.<sup>23</sup>

22. On November 13th, 2023, the military severely beat up dozens of civilians at the Belo Park and shot dead a local of Belo Sub division North West Region. Witnesses account reveal that the military stormed the Belo park that day in anger and brutally beat up drivers, 'loaders', bike riders and even passengers. A witness speaking to CHRDA added that, the beating meted on commercial bike riders from Djichami was even more severe than that of the others. According to this witness, the severe beatings and infliction of injuries on these people especially on commercial bike riders from Djichami was because of an ambush attack on the military the previous day (November 12th, 2023) carried out by separatist fighters supposedly from Djichami where in 3 elements of the military were reported killed. The identity of the man killed was revealed as Toh Caticah, a 30yrs old loader at 3 corners Park.<sup>24</sup>

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<https://www.chrda.org/the-2023-human-rights-summary-report-on-the-conflict-affected-regions-in-cameroon/>

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<https://www.chrda.org/wp-content/uploads/2023/05/updated-HUMAN-RIGHTS-SITUATION-FOR-THE-NW-SW-MARCH-2023-1-4.pdf>

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*ibid*

23. In most cases of allegations of torture by state Defense and Security Forces, the state of Cameroon either refuses such allegations or opens an investigations whose results are hardly made public. This is injustice to victims of such acts of torture.

24. We equally documented acts of cruel, inhumane and degrading treatment perpetrated by Non State Armed Groups due to the state's failure to guarantee effective protection of persons and property. On 19 May 2023, separatist fighters kidnapped and maltreated over 30 women in Big Babanki, Tuba Sub Division of the North West Region of Cameroon. The women were kidnapped and maltreated because they publicly demonstrated against the exploitative activities of Separatist Fighters in Big Babanki, Mezam Division, and North West Region. CHRDA spoke to some locals and they revealed that the demonstration was in protest against the imposed harsh economic policies on payment of monthly dues (money they term liberation tax) of FCFA 10,000 for men and FCFA 5000 for women imposed on them by separatist fighters on the population of Big Babanki.<sup>25</sup>

### ***Liberty and security of person***

25. Arbitrary arrest and detention are prohibited both by Cameroon Domestic Laws as well as regional and international conventions Cameroon is a party to. The Preamble of the Constitution of Cameroon states that no one should be subject to arbitrary arrest and detention. The Criminal procedure code of Cameroon. The procedure for arrest and detention is provided for in the Cameroon Criminal Procedure Code of 2005 from section 90-287.<sup>26</sup> Section 119 (2) of the CPC provides for the maximum time for Police Custody.<sup>27</sup> The rights and responsibilities of a judicial police officer in the course of arrest are provided for in the CPC.<sup>28</sup> The CPC in Section 221 expressly provides for the

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ibid

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Law N°2005 of 27 July 2005 on the CRIMINAL PROCEDURE CODE (CPC)

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Section 119 of the CPC provides: (1) (a) "The time allowed for remand in custody shall not exceed forty-eight (48) hours, renewable once.

(b) This period may, with the written approval of the State Counsel, be exceptionally extended twice"

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maximum period for remand in custody.<sup>29</sup> Worthy of note is that Cameroon has also ratified the ICCPR. Article 9 of ICCPR provides that “No one shall be subjected to arbitrary arrest or detention, nor be deprived of their liberty except on the grounds and in accordance with procedures established by law. Procedural guarantees include information about charges, prompt judicial review, and the right to compensation in case of an unlawful arrest”

26. Notwithstanding the above mentions legal frameworks, Cameroon Defense and Security Forces and other administrative authorities continue to violate the laws regarding the prohibition of arbitrary arrest and detention. In 2023, we recorded 577 cases of arbitrary arrest and detention.<sup>30</sup>

27. On 12 and 13 February 2023, the DSF carried out a raid in Ekona and arrested over a hundred persons, mostly youths and ferried them to Buea, some of these youths were released later as a result of a protest by over 500 women who marched from Ekona to Gendarmerie Legion in Buea, the South West Region of Cameroon on 15 February to demand the release of their children. Speaking to one of the protesters, an elderly woman of above fifty, she reiterated her dismay about the situation and the wanton arrest of their children, “Were our son’s committing any crime by playing football?” asked an old woman whose son was arrested. Another protester wondered why the state will encourage them to come out of hiding and live in town but yet come around and arbitrarily arrest their children. A woman amongst the protesters informed our team that they had brought food to give their children on Tuesday 14 February but were denied access to the detention facility where their sons were detained. This was also confirmed by one of

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Sections 83 to 93,95,97,99,101,102,104,110,114, 15 and 116 of the CPC details the rights and responsibilities of judicial police officers in the course of accrying out arrests

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Section 221 provides that (1) The Examining Magistrate shall specify the period of remand in custody in the remand warrant. It shall not exceed six (6) months. However, such period may, by reasoned ruling of the Examining Magistrate be extended for at most twelve (12) months in the case of a felony and six (6) months in the case of a misdemeanour. (2) Upon expiry of the period of validity of the warrant, the Examining Magistrate shall, under pain of disciplinary action against him, order the immediate release on bail of the defendant, unless he is detained for other reasons.

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*Ibid*

those who were detained that since they were arrested on Sunday 12 February, they only had access to food on the 15th of February.<sup>31</sup>

28. On Friday morning July 28, 2023, Police Officers in an offensive arrested over 60 youths in Muea, Buea Sub division South West Region. The youths were randomly arrested from snack bars, in the quarters (some were picked up on their way home) and in some cases, officers invaded homes and carried out arrest. The operation was carried out by police officers of the 3rd district police station in Muea.<sup>6</sup> Speaking to some victims, CHRDA learnt some were arrested due to lack of National Identity Cards (NIC), while many of them who were in possession of their NIC were also arrested.<sup>32</sup>

29. On Thursday, November 30, 2023, Security forces of the Gendarmerie corps in Wum, Menchum Division, North West Region, arrested and detained Mr. Tem Peter Cheghe, a former mayor of the Zhoa municipality at the Gendarmerie brigade in Wum Northwest region.<sup>33</sup> According to some sources, he was arrested and detained for allegedly collaborating with separatist fighters. This is because it is alleged that separatist fighters don't attack trucks transporting goods that belong him as he is equally a business man and so insinuates that he is collaborating with separatist fighters.

30. Apart from these cases that we were able to document, there are several cases which we believe we couldn't document due to the obscure nature in which some of these arrests are carried out. There are equally several secret detention centers in Cameroon which are notorious for this arbitrary detention

### ***Freedom of movement***

31. Freedom of movement is guaranteed by the constitution of Cameroon as well as other national laws. The preamble of the constitution provides that "Every person shall have

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CHRDA Human Rights Report for the month of February 2023.

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[https://www.chrda.org/wpcontent/uploads/2023/12/THE\\_HUMAN\\_RIGHTS\\_SITUATION\\_REPORT\\_OF\\_THE\\_NORTH-WEST\\_AND\\_SOUTH-WEST\\_REGIONS\\_OF\\_CAMEROON\\_FOR\\_THE\\_-1.pdf](https://www.chrda.org/wpcontent/uploads/2023/12/THE_HUMAN_RIGHTS_SITUATION_REPORT_OF_THE_NORTH-WEST_AND_SOUTH-WEST_REGIONS_OF_CAMEROON_FOR_THE_-1.pdf)

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[https://cameroonnewsagency.com/menchum-division-gendarmes-arrest-former-mayor-for-alleged-separatist-role/?fbclid=IwAR3iV2ly7Zz8tArtH7Hboca5UooCv8tRSqLbFui\\_slgKi5pM6qrCKiTd54s](https://cameroonnewsagency.com/menchum-division-gendarmes-arrest-former-mayor-for-alleged-separatist-role/?fbclid=IwAR3iV2ly7Zz8tArtH7Hboca5UooCv8tRSqLbFui_slgKi5pM6qrCKiTd54s)

the right to settle in any place and to move about freely, subject to the statutory provisions concerning public law and order, security and tranquility”<sup>34</sup> Cameroon has equally ratified international and regional instruments aimed at guaranteeing the freedom of movement, the right to choose residence as well as the right to leave the country. The ICCPR in its Articles 12 and 13 guarantees freedom of movement. It provides that “Everyone lawfully within the territory of a State shall have the right to freedom of movement, choose their residence, and leave the country. No one shall be arbitrarily deprived of their right to enter their own country. An alien lawfully in the territory may be expelled only in pursuance of a lawful decision and shall have the right to appeal such decision.”

32. Freedom of movement has been has been violated especially as a result of the activities of Non State Armed Groups and State Defense and Security Forces in the conflict affected North West and South West Regions of Cameroon. In order to ensure civil disobedience, Non State Armed Groups have set aside Monday as a Ghost-Town Day and on these days, movement in the North West and South West is restricted. Persons who violate these lockdown are usually attacked by these Fighters some of whom are killed and vehicles as well as motorbikes set ablaze. In addition to the traditional Monday Ghost-Towns, we equally have lockdowns usually declared by armed fighters on specific occasions. Throughout the year 2023, we recorded at least 100 days of lockdowns and ghost towns and most of these lockdowns were declared in order to paralyze some nationally commemorated events such as 11 February celebrated as National Youth Day, 8 March celebrated as women’s day, 20 May, 1 May celebrated as Labour Day, 20th May celebrated as National Unity Day among other events.<sup>35</sup>

33. Separatist fighters declared a lockdown between the 10th and 11th February 2023 as a way of paralyzing the celebration of the National Youth Day on the 11th of February. Free movement of goods and persons in the North West and South West regions was therefore restricted. It was in this period that workers of the Cameroon Development

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Preamble of the 1996 constitution of Cameroon as amended as amended.

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*Ibid*

Cooperation (CDC) were attacked on their way back from work. The attack took place between 4:00pm and 5:00pm on a stretch of road off the Tiko-Douala road toward the Mondoni Oil Mill, in Tiko Subdivision in Fako Division of the South-West Region. The attack, which was carried out by armed men suspected to be separatist fighters, claimed the lives of five workers on the spot and saw over 52 others wounded. CHRDA got the names of those killed as: Victor Ndanji (driver), Ebude Elizabeth (time monitor clerk), Amabo (irrigation foreman) Ngoe Akwe (watchman), Away Pascal (welder). One other person among those hospitalized later died due to severe bullet wounds. The workers belonged to the banana group of the CDC. Still in February, separatist fighters declared another lockdown as a means of paralyzing the Mount Cameroon Race of Hope.

34. The state failed to guarantee security of persons during these periods and that is why persons became victims to these attacks from armed men in the Conflict Affected North West and South West regions of Cameroon.

#### ***Right to a fair trial***

35. The constitution of Cameroon as well as other national laws seek to guarantee equal rights before the courts and tribunals, fair trial and impartiality of the judiciary. The preamble of the Cameroon Constitution provides that “Every accused person is presumed innocent until found guilty during a hearing conducted in strict compliance with the rights of the defense.” The Right to a fair trial is provided for in Article 14 of ICCPR which states that “All persons shall be equal before courts and tribunals and receive a fair trial before a competent, independent and impartial judicial body. In criminal cases, the presumption of innocence applies, and minimum guarantees shall be provided, including provision of detailed information about charges against the accused, access to a defence lawyer and interpreter, time and facilities to prepare a defence, a trial without undue delay and in the presence of the accused, examination of witnesses, and the right to an appeal.”

36. The state of Cameroon has however failed to respect this right to fair trial as evidenced in the corrupt nature of the Cameroon Judiciary. The prosecution of civilians in military tribunals is one of the high points of violation of the right to fair trial. The 2014 law on the Suppression of act of Terrorism in Cameroon allows for the prosecution

of civilians in military tribunals.<sup>36</sup> In a report by the American Bar Associations titled Cameroon Military Courts, the association holds that “trial of civilians or decisions placing civilians in preventive detention by military courts” violates both the ICCPR and customary international law. Due to their lack of independence and impartiality, such tribunals “should only be competent to try military personnel for military offences” and “should not be competent to consider cases of rebellion, the sedition or attacks against a democratic regime, since in those cases the victims are all citizens of the country concerned”<sup>37</sup>

37. Many civilians’ especially political opponents, human rights defenders and journalist have seen their rights being violated as a result of this trial at the military tribunals. This goes a long way to outline the lack of independence of the Cameroon Judiciary.

### ***Freedom of opinion and expression***

38. Freedom of expression is a fundamental human right guaranteed by the constitution of Cameroon and other domestic laws. The constitution of Cameroon in its preamble provides that “freedom of communication, of expression, of the press, of Assembly, of association, and of trade unionism, as well as the right to strike shall be guaranteed under the conditions fixed by law.” Article 19 of ICCPR provides that “Everyone shall have the freedom to hold opinions without any interference. Everyone shall have the freedom to express themselves, including by seeking, receiving and sharing information or ideas. No restrictions may be placed on one’s freedom of expression other than those prescribed by law and which are necessary in the interests of national security, public safety, order, health, or morals or for the protection of the rights and freedoms of others.”

39. Despite the above mentioned framework as well as previous recommendations regarding freedom of expression, there have been numerous attacks on civic space and

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Law n°2014/28 of 23 December 2014 of the suppression of Acts of Terrorism.

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[https://www.americanbar.org/groups/human\\_rights/reports/cameroon-military-courts-report/#:~:text=The%20report%20finds%20that%20the,incommunicado%20and%20lengthy%20pre%20trial](https://www.americanbar.org/groups/human_rights/reports/cameroon-military-courts-report/#:~:text=The%20report%20finds%20that%20the,incommunicado%20and%20lengthy%20pre%20trial)

restrictions on freedom of expression and opinion resulting in multiple violations of international human rights law. Such violations include attacks on journalists and the press and obstructing HRDs from doing their work through multiple tactics including banning protests and gatherings, arbitrary arrest, detention, fair trial violations, torture, enforced disappearances, and extrajudicial killings. While all of these attacks taken individually impede on the right to freedom of expression and opinion, collectively, they show a wider narrative of an increasingly hostile and closed environment for civic space and human rights in Cameroon.

40. In a decree issued on July 16, Emmanuel Mariel Djikdent, Senior Divisional Officer (SDO) of the Mfoundi Division, stated that “anyone who dangerously insults the state institutions or the person who embodies them,” could be banned from staying in the division. According to this SDO, this decree was aimed at preserving public order.<sup>38</sup> This is just one of the several measures used by administrative authorities to crackdown on persons expressing views different from that held by the Cameroon Government.

### **III. Recommendations**

The Center for Human Rights and Democracy in Africa (CHRDA) recommends as follows to the Government of Cameroon.

- Ensure that human rights defenders (HRDs) and journalists are able to effectively carry out their work, including investigations into human rights violations in the North-West and South-West regions, without fear of reprisal or intimidation, both online and offline, and guarantee their safety and well-being, including protection from non-state armed groups;
- Ensure that all Cameroonians have open access to free, independent information;
- End the judicial harassment and intimidation of lawyers defending members of non-state armed groups and ensure their safety and well-being;



- Put an end to gender-based discrimination, gender-specific threats and violence, stigmas, work-place harassment, smear campaigns, and gender-specific online harassment;
- Investigate all acts of threats , aggression and acts of reprisals against HRDs, WHRDs, and bring those perpetrators to justice;
- Ensure the right to freedom of expression and cultivate a thriving civic space by decriminalizing all offenses that violate freedom of expression and prosecuting those that threaten and attack those appropriately exercising this right;
- Investigate and prosecute all threats and attacks on journalists;
- Respect the right to peaceful assembly and protest and lift any restrictions not in line with the ICCPR and international human rights standards;
- Ensure the right to association, including by eliminating the abuse of laws to limit political gatherings and criticism of the government and lift any restrictions not in line with the ICCPR and international human rights standards;
- Ensure the independence of associations, including the right to obtain funding for their work and the right to demonstrate;
- End the use of arbitrary arrest and detention and ensure any arrests are in compliance with ICCPR obligations;
- Eradicate torture and carry out investigations into all alleged acts of torture and ill-treatment;
- Ratify the Optional Protocol on the Convention against Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment;
- End all enforced disappearances and extrajudicial killings and hold all perpetrators accountable;
- Guarantee the right to a fair trial and access to justice and end all fair trial violations, including the use of military courts for civilians;

- Ensure that prison conditions are safe, healthy, clean, and in line with international human rights standards on prisons and detention;
- Guarantee that investigations are prompt, transparent, and independent, including by giving civil society organisations and journalists access to the prisons and the courts where the trials takes place.
- Fully cooperate with the Secretary-General, UN HRC and OHCHR on the human