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COI QUERY

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The target audience is caseworkers, COI researchers, policy makers, and decision-making authorities. The answer was finalised on 22 February 2022. Any event taking place after this date is not included in this answer.

COI QUERY RESPONSE – Cameroon

Political prisoners and prison escapees

For information on the security situation in the Anglophone region, including in the Southwest region, it is possible to consult the EASO COI Query [Latest developments on security situation in Anglophone region between 1 January 2020 and 31 May 2021](#), published on 14 June 2021.

1. Treatment of political prisoners, with a focus on Southwest region

Section 227 (3) of the Law 2016/007 of the Penal Code related to ‘Torture’ states the following:

‘Whoever involuntary causes death by torture shall be punished with life imprisonment.

[...] 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.’¹

According to the 2020 data provided by the World Prison Brief (WPF), a project by the Institute for Crime and Justice Policy Research (ICPR) at Birkbeck University of London, Cameroon has 79 prison establishments with an occupancy level of 125,2 %.²

Cameroonian prisons are characterised as ‘political incubators’ especially for members of the opposition Movement for the Renaissance of Cameroon (MRC) party and of Boko Haram fighters.³ Deutsche Welle (DW) stated that ‘activists, politicians and academics from Cameroon's Anglophone regions in particular continue to languish in Cameroon's prisons’.⁴

The United States Department of State (USDOS) reported that significant human rights issues have been recorded in Cameroon during 2020, including ‘harsh and life-threatening prison conditions; arbitrary arrests; political prisoners or detainees’.⁵ Additionally, USDOS noted that

¹ Cameroon, Law No. 2016/007 of 12 July 2016, Relating to the Penal Code, n.d., available at WIPO, [url](#), Article 227

² WPF, Institute for Crime & Justice Policy Research, Birkbeck University of London, Cameroon, n.d., [url](#)

³ Escola de Cultura de Pau, Alert 2020! Report on conflicts, human rights and peacebuilding, Barcelona: Icaria, 3 July 2020, [url](#), p. 45

⁴ DW, Cameroon's habit of arbitrary detention and arrest, 10 December 2020, [url](#)

⁵ USDOS, 2020 Country Reports on Human Rights Practices: Cameroon, 30 March 2021, [url](#), p. 2

‘political prisoners were detained under heightened security’ and the government didn’t allow access to them.⁶

Human Rights Watch (HRW) stated that ‘the government limited the ability of the political opposition to function freely’.⁷ During September 2020, over 500 people were arrested, beaten and held in custody for participating in protests organised by the opposition party members.⁸ France24 reported, in October 2021, that some of these detainees were still held without trial, even 15 months after their arrest.⁹ While, HRW supported that the number of these persons was 124.¹⁰ On 12 October 2020, UN Human Rights Experts asked Cameroonian authorities to ‘stop intimidating political activists’.¹¹

Amnesty’s International (AI) campaign ‘Don’t shut them up: Free victims of arbitrary detention now’, advocating for the release of prisoners from Northwest and Southwest Anglophone regions as well as supporters of opposition party Movement for the Renaissance of Cameroon (MRC), stated:

‘Over the past five years, the human rights situation has grown increasingly bleak as people from Anglophone regions, including journalists, human rights defenders, activists and supporters of political opposition, have been arrested and jailed for expressing their opinions or peacefully protesting’.¹²

Additionally, AI estimates that between 2016 and 2021 more than 1000 persons, related to the Anglophone crisis, have been arrested and jailed, many of them ‘were held incommunicado and suffered torture and other ill-treatment, including beatings and lashes, deprivation of food and water for days, mock drownings and forced extraction of fingernails’.¹³

1.1 Prison conditions

The USDOS report on Human Rights Practices covering the year 2020 stated that:

‘Prison conditions were harsh and life threatening due to food shortages and poor-quality food, gross overcrowding, physical abuse, and inadequate sanitary conditions and medical care’.¹⁴

⁶ USDOS, 2020 Country Reports on Human Rights Practices: Cameroon, 30 March 2021, [url](#), p. 15

⁷ HRW, Cameroon – Events of 2021, 13 January 2022, [url](#)

⁸ AI, Cameroon: Repression marks crackdown anniversary, 22 September 2021, [url](#)

⁹ France24, Cameroon’s political prisoners in distress, 12 October 2021, [url](#)

¹⁰ HRW, Cameroon – Events of 2021, 13 January 2022, [url](#)

¹¹ OHCHR, Cameroon: UN human rights experts call for end to detention and intimidation of peaceful protesters, 12 October 2020, [url](#)

¹² AI, Cameroon: More than a hundred detainees from Anglophone regions and opposition party languishing in jail for speaking out, 24 January 2022, [url](#)

¹³ AI, Cameroon: More than a hundred detainees from Anglophone regions and opposition party languishing in jail for speaking out, 24 January 2022, [url](#)

¹⁴ USDOS, 2020 Country Reports on Human Rights Practices: Cameroon, 30 March 2021, [url](#), p. 9

The same source reported that the prisons were overcrowded, adding that:

‘[...] access to food, water, sanitation, heating and ventilation, lighting, and medical care was inadequate. Consequently, malnutrition, tuberculosis, bronchitis, malaria, hepatitis, scabies, and numerous other treatable conditions, including infections, were rampant’.¹⁵

Harsh prison conditions have been also reported by asylum seekers who have been deported back to Cameroon after fleeing to US. Specifically,

‘Human Rights Watch found that Cameroonian authorities have, between 2019 and 2021, subjected returned deportees and members of their families to serious human rights violations including rape, torture and other physical abuse, arbitrary arrest and detention, inhuman and degrading treatment in detention, extortion, and threats.’¹⁶

According to a report by the Escola de Cultura de Pau, on Conflicts, Human rights and Peacebuilding, during July 2020:

‘Hundreds of prisoners (separatists and political opponents) rioted in the Yaoundé Central prison (joined by common prisoners and amounting to over 1,500 rioters), demanding improvements in prison conditions and an end to arbitrary trials, torture and overcrowding. Later, there was also a riot of separatist prisoners in the prison in Buea, the capital of the province of South West’.¹⁷

During the COVID-19 pandemic, Cameroonian prisons became the ‘epicentres of the pandemic’¹⁸ while prisoners were protesting for the poor hygiene conditions and overcrowding in prisons which led to the spread of the virus.¹⁹

2. Treatment of prison escapees and enforcement of the law, with a focus on Southwest region

Section 193 of the Law 2016/007 of the Penal Code related to ‘Escape’ states the following:

- ‘1) Whoever escapes from lawful custody or who being permitted to work out of the prison leaves his place of work without permission shall be punished with imprisonment for from 1 (one) year to 3 (three) years.
- 2) Whoever rescues any person from lawful custody shall be punished in like manner.

¹⁵ USDOS, 2020 Country Reports on Human Rights Practices: Cameroon, 30 March 2021, [url](#), pp. 9-10

¹⁶ HRW, “How can you throw us back?”, Asylum Seekers Abused in the US and Deported to Harm in Cameroon, 10 February 2022, [url](#), p. 3

¹⁷ Escola de Cultura de Pau, Alert 2020! Report on conflicts, human rights and peacebuilding, Barcelona: Icaria, 3 July 2020, [url](#), p. 45

¹⁸ AI, Cameroon: Prisons at risk of ‘becoming epicentres of the pandemic’, 5 May 2020, [url](#)

¹⁹ VOA, Cameroon Prisoners Blame Overcrowding, Poor Hygiene for COVID Spread, 27 March 2021, [url](#)



3) For escape or rescue effected by force to the person or to property the punishment shall be imprisonment for from 1 (one) to 5 (five) years; and for escape or rescue with arms the punishment shall be imprisonment for from 5 (five) to 10 (ten) years.

4) Where the person in custody is charged with felony or has been sentenced to loss of liberty for more than 10 (ten) years the punishment shall be imprisonment for from 5 (five) to 10 (ten) years.’²⁰

Within the time frame for responding to this COI Query, no further information could be found regarding legislation and treatment of prison escapees in Cameroon.

²⁰ Cameroon, Law No. 2016/007 of 12 July 2016, Relating to the Penal Code, n.d., available at WIPO, [url](#), Article 193

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