

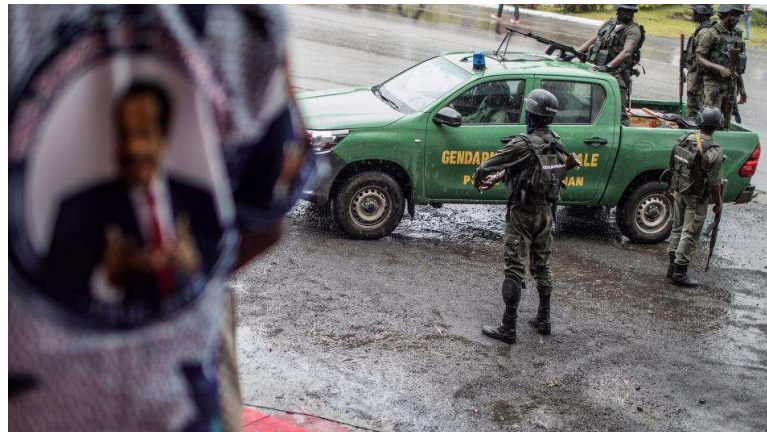
HUMAN RIGHTS WATCH

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Cameroon: Routine Torture, Incommunicado Detention

UN Security Council Should Condemn Abuses, Demand Reforms

(Nairobi) – Cameroonian authorities have tortured and held incommunicado detainees at a detention facility in Yaoundé, Cameroon’s capital. Gendarmes and other security forces at the State Defense Secretariat (Secrétariat d’Etat à la défense, SED) have severely beaten and used near-drowning to extract confessions from detainees suspected of ties to armed separatist groups.



A patrol of Cameroonian gendarmes in the Omar Bongo Square, Buea, capital of the South-West region, on October 3, 2018 on the sidelines of a political rally.

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The United Nations Security

Council should put the situation in Cameroon on its agenda, condemn torture and incommunicado detention, and call for the government to end these practices, Human Rights Watch said.

“Over the past year the security forces in Cameroon have used torture without fear of repercussion,” said Lewis Mudge, Central Africa director at Human Rights Watch. “The UN Security Council should send a clear message that ending torture in detention is critical to addressing the crisis in the Anglophone regions.”

Human Rights Watch documented 26 cases of incommunicado detention and enforced disappearance at the SED detention site between January 2018 and January 2019, including 14 cases of torture. The total numbers are likely much higher, because abuses are committed in secret and many former detainees are reluctant to speak because they fear reprisals. Human Rights Watch has received further credible accounts since April, indicating that these violations continue.

Torture has long been endemic in Cameroon's law enforcement and military system, especially against people suspected of being members of or supporting the armed group Boko Haram or armed separatist groups. The authorities have detained people incommunicado and tortured detainees at the SED since at least 2014. The torture methods Human Rights Watch documented, including severe beatings and near-drowning, have also been used in both official and illegal, unofficial detention facilities throughout the country.

Among those interviewed, three said they were former separatist fighters; the rest said they were civilians. Fourteen alleged physical abuses that amounted to torture, and eleven said they witnessed torture against other detainees and were threatened. All 26 detainees, including two women and an 18-month-old child, were held incommunicado at the SED between January 2018 and January 2019, many for several months, without any contact with family, friends, or legal counsel.



A suspected armed separatist, 46, said he was tortured at the State Defense Secretariat (SED) in Yaoundé, Cameroon, where he was held for six months in 2018.

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The former detainees' families and lawyers, as well as forensic experts, photos, video, and other sources, corroborated the accounts. With the exception of the two women and the child, who were all released, the others were eventually taken before military prosecutors and charged with crimes under Cameroon's 2014 counterterrorism legislation.

Five former detainees said that their presence at the SED was hidden from international monitors, including the International Committee of the Red Cross, whose delegates visited the site in July 2018.

Gendarmes and others at the detention facility used torture and other ill-treatment to force suspects to confess to crimes, or to humiliate and punish them, the former detainees said. Following interrogations that might involve torture, they were forced to sign statements they were not allowed to read or could not read because they were in French.

An auto mechanic from Ngo-Ketunjia division, North-West region, who was held at the facility for a year before being transferred to the Central Prison in Yaoundé in early 2019, described his mistreatment: "The guards used every object they could find near them to beat us, like cooking spoons, stones, sticks, and electric cables. They beat us like cattle."

The treatment of the detainees at the SED violates both Cameroonian law and international human rights law. Cameroon is a party to the International Covenant on Civil and Political Rights and the Convention against Torture, both of which prohibit torture and other ill-treatment. Prolonged incommunicado detention is a form of cruel, inhuman, and degrading treatment or punishment. Under international law, torture is a crime subject to universal jurisdiction, meaning that any country may prosecute it irrespective of where the crime took place or the nationality of abuser or victim.

Former detainees said that among those who mistreated them were low- to mid-ranking gendarmerie officers. Former detainees provided 27 names of officers committing torture, including three who were independently mentioned by at least 12 detainees who had either been subjected to or witnessed torture at the facility in 2018.

Image from a video of a suspected armed separatist being tortured by gendarmes in Cameroon's South-West region during his arrest in May 2018.

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The courts and the gendarmerie have ignored allegations of torture raised at trials and requests from lawyers to cease incommunicado detention. Lawyers said that judges dismissed defendants' torture allegations and have failed to order prompt and impartial investigations into torture allegations, as required by national law and international human rights law.

Armed separatists in Cameroon have also committed serious abuses, including attacks on schools, killings, kidnappings, and extortion. Human Rights Watch confirmed three separate incidents since August 2018 in which separatist fighters injured seven civilians and dozens more cases of apparently unlawful attacks on agricultural workers on banana plantations near Tiko, South-West region. In January 2019, armed separatists severely beat an ethnic Fulani man with sticks and machetes in Momo Division, North-West region. Separatist leaders should issue clear orders to stop fighters from attacking civilians and mistreating anyone in their custody, Human Rights Watch said.

The Cameroonian government has publicly asserted that unofficial detention and torture do not exist in Cameroon. However, the government did not reply to a letter from Human Rights Watch presenting findings and requesting a response to specific questions.

Cameroonian authorities should immediately stop the use of torture and other ill-treatment at the SED and other detention facilities, Human Rights Watch said. They should end incommunicado detention and ensure that all detainees have access to their lawyer and family members and receive adequate medical care.

The authorities should promptly conduct credible investigations into all allegations of torture, cruel, inhuman, or degrading treatment at the SED and all other places of detention. They should ensure that all security force personnel and other detention officials implicated in torture and other ill-treatment

are appropriately disciplined or prosecuted. Senior officials should be held to account as a matter of command responsibility.

Failing a serious effort by the Cameroonian government to confront torture, Cameroon's international partners should reconsider their support, including training and capacity-building, to institutions directly involved in these human rights violations.

"The Cameroonian government's responsibility to protect its population from armed groups never justifies using torture," Mudge said. "To restore trust, the government needs to respect the rule of law by ending unlawful practices and holding those responsible to account."

For more on torture and incommunicado detention at SED, please see below.

Since the beginning of the crisis in the Anglophone regions of Cameroon in late 2016, Cameroonian security forces have arrested or held incommunicado hundreds of people. Many people have been held for several months, and some have not re-emerged. Local human rights organizations estimate that nearly 1,000 people have been arrested since late 2016, of whom 340 were released following two presidential decrees, in August 2017 and December 2018. Many have been charged under the 2014 counterterrorism law, which uses an extremely broad definition of terrorism that could be used to restrict fundamental rights and freedoms and enables the government to try civilians unlawfully in military courts. People found guilty of terrorism under the 2014 law can face the death penalty.

The people Human Rights Watch interviewed were all previously detained at the SED. The facility is the headquarters of the National Gendarmerie, headed by the secretary of state for defense in charge of the Gendarmerie, Galax Yves Landry Etoga, who is under the defense minister's authority. In May 2012, following allegations by national human rights organizations and lawyers that the authorities were illegally detaining suspects in the facility, the government officially recognized it as a formal detention center under the authority of the head of the Central Prison in Yaoundé.

Despite previous reports documenting serious abuses, the government has made no visible progress on ending torture and incommunicado detention. Nor has it carried out the December 2017 recommendations of the UN Committee Against Torture, including to ensure prompt, effective, and impartial investigations into all allegations of torture, ill-treatment, and incommunicado detention, and appropriate prosecution and punishments for suspected abusers.

All the former detainees Human Rights Watch interviewed were held incommunicado, many for several months, without any contact with family, friends, or legal counsel.

Incommunicado Detention, Enforced Disappearances

Former detainees said that once arrested, they were usually blindfolded, placed in handcuffs or chained, and taken to the SED, where they were held without any contact with the outside world,

before being taken to another prison to await trial or be released. Some had also spent time at other detention sites across the country or in Nigeria, including illegal detention facilities, before being transferred to the SED. Four former detainees alleged being tortured at other detention centers before being taken there.

Detainees said they spent between 3 and 12 months at the SED. Ten were leaders of the self-proclaimed Ambazonia Interim Government, a separatist group, including its president, Sisiku Julius Ayuk Tabe. They said that they were allowed to see their families and lawyers only six months after being transferred to the site.

Many of the cases documented amounted to enforced disappearances. The International Convention against Enforced Disappearance says that an enforced disappearance occurs when someone is deprived of their liberty by agents of the state, followed by a refusal to acknowledge the deprivation of liberty or by concealing the person's fate or whereabouts.

In January, a 29-year-old woman from Momo division, North-West region, told Human Rights Watch:

I don't know where my husband is exactly. Since the day he was arrested, he has disappeared. I tried to look for him, but I couldn't find him. At one point I thought he was dead. Then, some friends told me that those who were arrested with him were released from SED and taken to Central Prison in Yaoundé. So, I went to see them, and they told me that my husband is being kept in SED and that his health situation is not good. I went to SED and asked for him, but the guards told me that he was not there.

A former auto mechanic from Bui division said that he was detained at the SED for almost one year. "We were detained in secret, no one knew where we were," he said. "We had no contact with our families. We could not call anyone, nor receive visits. Our families thought that we were dead." He was transferred to Yaoundé in January 2019 and faces charges under the counterterrorism law.

Although a discrete criminal offense, the act of enforced disappearance has also long been recognized as simultaneously violating multiple human rights protections, including the prohibition of torture and freedom from arbitrary arrest and detention. An enforced disappearance is a "continuous" crime under international law: it persists, and continues to inflict suffering on the victim's family, as long as the fate of the missing person is unknown or concealed.

Torture

Fourteen former detainees said that they were tortured at the SED. They described various methods and showed Human Rights Watch photographs that they said were of scars left on their bodies by the torture. Human Rights Watch consulted forensic experts, who analyzed the photographs and said they substantiate victims' accounts. Former detainees said that they were beaten with various objects

including wooden sticks, planks, electric cables, machetes, guns, chains, kitchen tools, and other items. Two detainees said they were also subjected to near-drowning, with their heads forced into buckets of water.

Former detainees said torture was used to force them to admit to supporting armed separatist groups, identify friends and acquaintances, or provide names of armed separatists, collaborators, or anglophone activists.

A former fighter of the armed separatist group Ambazonia Defense Forces said:

SED was horrible. I was beaten with machetes, chains, sticks, and cables. Once, I was tortured until I fainted. I was handcuffed while I was beaten. My head was also forced into a bucket containing water. It felt like I was drowning.

Victims said they were tortured both alone and in front of other detainees. The majority of former detainees said that the most severe beatings occurred early in the morning and before meals. Some said that they were tortured daily in sessions ranging from 15 minutes to two hours, while others said they were tortured randomly, or only once.

A 39-year-old man from the South-West region said that guards beat him on the head with electric cables and on his fingers with wooden sticks until he lost his fingernails.

Former detainees said they developed health issues from the torture they suffered. Four of them showed Human Rights Watch researchers scars and marks on their bodies that they said were from torture.

All the former detainees described being treated in a degrading manner throughout their detention. They said that they were threatened with torture, death and harm to their families.

A 37-year-old businessman arrested in February 2018 in Meme Division in the South-West region and who spent eight months in incommunicado detention at the site said, “My thinking and reasoning is not the same as before [the torture].”

An engineer from Donga-Mantung division, North-West region, who was held there from July to October 2018, said, “I was not treated as a human being. I was treated as someone inferior. Since I got out, I have trouble sleeping.”

Former detainees said they were forced to sign statements they could not read or understand. One former detainee said: “If you tried to read the statement, they would beat you. You don’t know what you sign, and all is written in French.”

Beatings occurred mostly in what the detainees described as the “bunkers,” underground cells. Some beatings were also reported in the cells located on the upper floor of the building. In August 2017,

media reported on a video that showed a dozen detainees held in appalling conditions in a dark underground “bunker” cell at the site.

A former detainee arrested in February 2018 in the South-West region and held at the facility for eight months, said:

I was tortured in the bunker because if you cry, no one will hear you. And if they thought you were screaming too loud, they put pieces of cloths in your mouth. In the bunker we went on a hunger strike to protest against torture.

Former detainees said that torture was mostly carried out by low and mid-ranking officers. They separately identified 27 guards, including three who were mentioned by more than 12 detainees. At least a dozen each named three people involved in torture, including two sergeants. They were able to identify their torturers by hearing the torturers’ colleagues or other detainees use their names.

The scale of the violations documented indicates the need for an independent investigation that would examine the role of officials of all ranks at the detention center. In 2010, Cameroon completed the domestic ratification process of the Optional Protocol to the Convention against Torture, allowing visits to detention sites by the protocol’s Subcommittee on Prevention of Torture. However, the ratification has yet to be formalized with the UN.

Mistreatment, Inadequate Health Care in Detention

Former detainees described detention conditions at the SED that amount to cruel, inhuman, or degrading treatment. They reported severe overcrowding, inadequate and insufficient food, lack of sanitation, poor medical assistance, and no access to fresh air or sunlight. Most reported being forced to sleep on a wet floor in small and dirty cells.

Some said they had been held with up to 18 people in a cell measuring approximately three-square meters. They all reported sleeping on the floor, with little to no space to stretch their legs. Fourteen reported being held at least once in the “bunker” cells. Five said that they were hidden from international monitors. A female former detainee said:

Once I was moved from my cell because the guards said they had to spray it with chemicals to disinfect it, but it was because the Red Cross visited the building of SED and the guards hid me. I was taken downstairs, underground, to the bunker. There were so many people there, and the situation was horrible. People were looking like animals, not like human beings.

A 23-year-old former detainee described sanitary conditions in one of the “bunker” cells where he was held for eight months. “The guards gave us only one piece of soap for 12 people per month,” he said. “We did not brush our teeth for months.”

Former detainees said that a female doctor and uniformed nurses visited them in their cells, and gave them basic medicines, consisting mainly of painkillers.

Food was inadequate. Former detainees said the rations were provided usually once or twice a day and often caused diarrhea or a stomachache.

Forced Return from Nigeria

Sixteen of the former detainees interviewed were arrested in Nigeria and forcibly returned to Cameroon despite being registered refugees or asylum seekers. The Nigerian government returned these men, alongside at least 42 others, in January and March 2018, in violation of the principle of nonrefoulement – the practice of not forcing refugees or asylum seekers to return to a country in which they may be subjected to persecution or be at risk of torture or cruel, inhuman, or degrading treatment or punishment. The UN High Commissioner for Refugees condemned their forced return to Cameroon. More than half a million people have been displaced since late 2016 following the unrest in the Anglophone regions, including 30,000 in Nigeria.

Nigerian authorities should immediately put in place effective measures to protect vulnerable Cameroonians from being forcibly returned to Cameroon in violation of their rights as refugees and asylum seekers, Human Rights Watch said.

Recent Abuses by Separatists

Since July 2018, armed separatist groups have physically assaulted dozens of workers of the Cameroon Development Corporation (CDC), a public agribusiness company. Human Rights Watch spoke with seven victims of three incidents, all of them working in the company's banana plantations near Tiko, South-West region. They were either beaten or maimed, and in one case, shot. The workers said that they were targeted because they refused a general strike called by the separatists.

A 49-year-old woman, who was among the 49 workers beaten or maimed following an attack by separatists on the CDC banana plantation in Mafange on August 24, 2018, said:

The separatists were armed with hunting guns and machetes. They started beating me and my colleague. They beat me on my head and on my back several times. I fell on the ground and they kept beating me on my back and on my knees.

A 47-year-old man who was attacked at the company's Dungo Estate banana plantation on October 31, 2018, said:

I saw seven men coming with machetes and guns. They were young and spoke to me in pidgin English. There was a commander among them, he was giving orders to the other boys. He said, "Have you ever heard about the Amba? I am the chief of Amba. Why are you

working? You are not supposed to be working!” One of them pointed a gun at me. Another put banana leaves in my mouth, so that I couldn’t scream. They beat me with machetes on my back. Then, they struck my right hand with the machete and almost chopped off two fingers. I was bleeding badly. They didn’t care. They put me down and tied my hands from the back. I was face to the ground. Then I felt a huge pain. One of them had shot me in the right buttocks. They abandoned me like that.

Human Rights Watch heard accounts from reliable sources that separatists have carried out more attacks against the company’s workers around Tiko in early January 2019. CDC is the second largest employer in Cameroon and runs banana, palm oil, and rubber plantations in Cameroon’s South-West region. Most of its factories have been shut down amid separatist threats.

Fuler Ayamba, the secretary general of the Ambazonia Defense Forces, in a March 14 letter to Human Rights Watch, said that the group condemned the maiming of the company’s workers and that the group’s fighters were not responsible.

Human Rights Watch has also documented cases of abuses by separatists in other parts of the South-West and North-West regions.

In January, at least 10 armed separatists abducted and tortured an ethnic Fulani man near the village of Alabukam, North-West region. They accused him of collaborating with the military. Human Rights Watch analyzed a video that surfaced in April showing at least three separatists with machetes and sticks threatening and torturing the man, who was naked and tied up on the ground.

A friend of the victim told Human Rights Watch that he has been missing since the kidnapping and recognized him in the video: “I think he’s dead. I think the Amba [separatists] killed him. The Amba target the Mbororo [ethnic Fulani]. They accuse them of informing the soldiers.” All sources who spoke to Human Rights Watch about this case said that the attackers were from the separatist group Ambazonia Defense Forces. However, the separatist group has denied any responsibility. Human Rights Watch has documented at least 10 other cases involving abuses by separatists against ethnic Fulani since December 2018.

On February 4 at about 7:45 a.m., about five armed separatists attacked a 24-year-old woman in Buea, South-West region. They accused her of opening a restaurant on the day the separatists declared a general strike. They cut in her right leg with a machete and repeatedly stabbed a 23-year-old man in the back with a fork.

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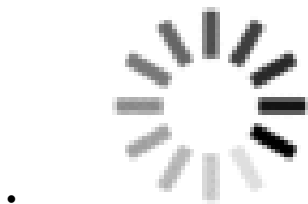
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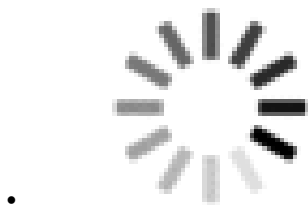
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